

# RAO

# BULLETIN

## 15 April 2014

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## **DECA Budget Cuts Update 08 ► Commissary/Exchange Merge Option**

Crowds that shop daily in base commissaries and exchanges perhaps are oblivious to a confluence of forces threatening to dismantle their multi-billion dollar resale systems. Thomas C. Shull, chief executive officer of the Army and Air Force Exchange Service (AAFES), is not, which helps to explain his 17 MAR memo proposing a merger of commissaries with exchanges to try to save both. While Department of Defense civilian and military leaders testify that base grocery stores can survive 20 percent higher prices, and that base department stores can weather falling sales, behind the scenes the systems' top managers are sounding alarms. At risk are the prized discounts on groceries and merchandise the military has enjoyed for decades. Industry sources contend the threats have never been more real, more numerous or potentially more destructive.

Automatic defense spending cuts from the sequestration scheme in the 2011 Budget Control Act is the greatest threat. However, the Obama administration's plan to cope with some of the cuts by slashing taxpayer support of commissaries, from \$1.4 billion a year down to \$400 million by fiscal 2017, is viewed as reckless if the real goal is to save the stores. If the plan is enacted, Shull wrote, so many patrons would leave as "to render the commissary system unsustainable," forcing stores closures across the continental United State with "devastating" effects on exchanges. Where commissaries close, customer traffic into exchanges would drop 20 to 30 percent, threatening the viability of AAFES, Shull predicted. "A conservative estimate of the financial impact... is a loss of over \$1 billion in sales, which translates into about a loss of \$200 million in earnings," Shull wrote. That drop, in turn, would force cut to dividends used to support base-run qualify-of-life programs. In fiscal 2012, roughly \$330 million in exchange profits helped to fund recreation centers, youth services, arts and crafts, aquatic centers, golf courses and more.

To save commissaries and protect exchanges, Shull proposed to Frederick E. Vollrath, assistant secretary of defense for readiness and force management, a plan to merge commissary operations with exchanges and use resulting efficiencies to stabilize grocery prices and keep patrons. This would be far better, Shull wrote, than turning the Defense Commissary Agency (DeCA) into a new and separate "non-appropriated fund instrumentality" like AAFES and Navy and Marine Corps exchange systems. "Using the best of exchange and DeCA leadership to lead a transition of the commissary from a cost-plus-reimbursement environment into one based on profit and loss principles is a much better solution than the one proposed," Shull argued. "The exchanges have a core competency of controlling costs while delivering value to our service members and families."

Resale industry sources said Shull correctly warns of the catastrophe awaiting base stores if \$1 billion a year is cut to commissary funding. There are, however, many more developments occurring simultaneously that also put base shopping at risk. These include:

- **FALLING SALES:** The three exchange services are seeing sales drop markedly by an average of 5.9 percent in 2013 alone. AAFES blames its \$900 million drop on a pull back of troops from Afghanistan,

Army re-stationing of forces from Europe, and stiffer sales competition off base. To soften the effect on dividends that support morale, welfare and recreation programs, AAFES aggressively lowered overhead cuts, cut full-time staff, cut spending on transportation, utilities, travel, supplies and future construction.

- **FORCE CUTS:** The size of the military has fallen from wartime peaks. But the steepest drops, in ground forces, began this year and will accelerate. Active duty strength will be cut six percent from 2015 to 2019 and Reserve and Guard forces by another four percent. Those totals assume some extra relief from sequestration. If none occurs, the active Army will have to shed an additional 20,000 troops in that period, officials warn.
- **MINIMUM WAGE:** Resale industry officials also blame a doubling wages to more than \$14 an hour due to federal mandates, including President Obama's executive order that federal contractors bump the minimum wage by \$2.85 per hour, for forcing some franchises on base to close.
- **CURBS ON TOBACCO:** Exchanges have relied heavily on sale of tobacco products for profits. Most commissaries also sell cigarettes but on consignment from the exchanges. In fiscal 2012, tobacco sales in military stores totaled \$711.4 million, generating profits of \$125.7 million.

Inspired by the recent decision by CVS Caremark pharmacies to pull tobacco products off its shelves, Navy Secretary Ray Mabus is preparing to announce soon he will end tobacco sales on Navy and Marine Corps bases and in ship stores by September. Proponents say it would end the hypocrisy of selling tobacco conveniently and at deep discounts while encouraging service members and families to stay healthy and fit. If Mabus executes his plan, shopper traffic on bases would fall, further straining exchange profits. Yet AAFES would be under intense pressure to follow the Navy lead, which would make their own sales more anemic. The Navy Department has taken other steps to discourage tobacco use, arguing it drives up medical costs and drives down individual readiness. In 2012 it narrowed discounts on cigarettes sold on base. Later that year, the submarine community became the first to ban smoking across its fleet.

Defense health officials strongly support such actions. The department estimates it spends more than \$1.6 billion a year on tobacco-related medical care, from higher hospitalization rates to lost workdays. Christopher K. Haddock with the Institute for Biobehavioral Health Research, co-author of several articles on military cigarette pricing and impact on health policy, agrees that Mabus is putting rounds on target. "Availability and price have always been two of the biggest drivers of tobacco use. Study after study has shown that," Haddock said. As long as base stores not only sell tobacco but at a discount, "it sends a message that the military must not be serious about tobacco and health because they're making it convenient and cheap."

[Source: Military.com | Tom Philpott | 27 Mar 2014 ++]

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## **DECA Budget Cuts Update 09 ► SAC Chairman Opposes Cuts**

The chair of the powerful Senate Appropriations Committee (SAC) strongly opposes a Pentagon plan to cut funding for commissaries, another signal that the drastic \$1 billion proposed reduction will not survive the congressional budget process. Members of the House and Senate subcommittees that set Defense Department policy already have appeared lukewarm to the plan, with lawmakers on both sides of the aisle saying the fiscal 2015 personnel budget proposals — including the commissary cuts — undermine the work of the Military Compensation and Retirement Modernization Commission, expected to publish pay and benefits recommendations in 2015. But on 9 APR, during a military health hearing, Chairman Barbara Mikulski (D-MD) had the harshest words yet for the plan, which would slash the Defense Commissary Agency's budget from \$1.4 billion to \$400 million. "I don't think we ought to cut the commissary budget. ... I think if we want to look at the stress military families are facing, we need to look at their activities of daily living and look at this holistically. ... [The commissary] is one of the most important tools you

have for the health and well-being of the military and the garrisons in this country,” Mikulski said to the service surgeons general.



**Sen. Barbara Mikulski (D-Md)**

The proposal calls for funding stores in remote areas and overseas out of the \$400 million, while other commissaries would operate more like base exchanges, which receive no taxpayer subsidies. The plan is expected to drive up prices for anyone who uses the commissary, from junior enlisted to retirees on fixed incomes. Defense Secretary Chuck Hagel has said the reductions in personnel costs, including the commissary proposals, are needed to slow the growth of military compensation costs to free up funds for training, readiness and modernization. Mikulski said at a time when thousands of junior troops and families use food stamps, it's inappropriate to increase their grocery budget. "There's the stress of being on the battlefield and there's the stress of being a soldier. We wonder why they smoke, why they overeat the wrong foods, why aren't they eating kale and quinoa? Why aren't they at Whole Foods and watching Dr. Oz and being healthy? They are just trying to get food," Mikulski said.

Testifying before Congress in February, the top enlisted advisers of the Marine Corps and Air Force spoke out against the reductions, saying there may be other ways to reduce costs without diminishing the benefit. "I personally think it's ridiculous that we're going after something that saves a young lance corporal \$4,500 a year," Sergeant Major of the Marine Corps Michael Barrett told the House Appropriations Committee military construction and veterans affairs panel. Chief Master Sergeant of the Air Force James Cody added that for "those young men and women who are right on the edge [financially], that 30 percent savings is significant and they are shopping in that commissary."

Several lawmakers have stepped up to block the Pentagon from making any changes to the commissary budget before the commission issues its final report. Sens. Saxby Chambliss (R-GA) and Mark Warner (D-VA) introduced legislation 5 MAR that would block the funding cut. On the House side, Rep. Randy Forbes (R-VA) proposed a similar bill, the "Military Commissary Sustainment Act," three weeks later. The House Armed Services Committee will unveil an initial version of its defense authorization bill at the end of April, with finalization expected in May. The Senate will hold closed hearings on its own National Defense Authorization bill May 21-23. [Source: MilitaryTimes | Patricia Kime | 10 Apr 2014 ++]

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## **BRAC Update 38 ► DoD Warned not to Obviate the Law**

Senate Armed Services Committee Chairman Carl Levin (D-MI) on 3 APR issued a stern warning to the Army not to try to bypass Congress to close bases. Levin said that any attempt by the military to circumvent Congress would set back an already endangered Base Realignment and Closure (BRAC) commission process by many, many years. "If our Army or any of the other services proposes something in the budget which is not compliant with the BRAC process, in other words front-running the BRAC process, it will be will be triply difficult to get a BRAC process going," Levin told Army Secretary John McHugh at an Armed Services Committee hearing. "It will set any



possibility of such a process back many, many years if there's an effort to obviate the law," he said. Levin was responded to a line of questioning from Sen. Jeanne Shaheen (D-NH), who was raising concerns about testimony she received in a subcommittee hearing on 2 APR from Assistant Army Secretary for Installations Katherine Hammack.

The Pentagon has proposed — for a third year in a row — to begin a new round of base closures in 2017, in order to save money by reducing excess capacity, particularly as the military is shrinking. But Congress once again signaled that it has no intention of approving new base closures, which are politically unpopular in Congress because any district that loses a base often takes a significant economic hit. This year, Pentagon officials have suggested they have the authority to close bases on their own and don't necessarily have to go through BRAC to do so. "If we don't get authorizations for BRAC 2017, you might see some bases listed in the budget request for 2016," Hammack told Shaheen on 2 APR. "Because at this point in time, I don't have the money to run the bases the way they should be run. "And it is not appropriate due diligence on my part to continue in this manner," Hammack added. "If I can't run the buildings appropriately, if I can't appropriately support soldiers then I am going to have to do something to ensure that I am not spreading an ever thin budget across a base that I can't afford."

On 3 APR, Shaheen said it was "troubling" that the military might go around Congress to close bases, and she pressed McHugh to respond to Hammack's comments. McHugh said that base closures would only occur with congressional authorization of a new BRAC round, although he did also note "certain flexibilities" the military had to reduce excess facilities. "In terms of an actual base closure round, that will only occur should this Congress give us the authority to do that," said McHugh, who is also a former congressman. "This Congress has provided us certain flexibilities, short of a BRAC, to make decisions on excess facilities and excess structure shedding, and we'll certainly look at authorizations Congress provided us in the law," he added. Both Levin and Shaheen have declared their opposition to any new base closures. They argue that the savings aren't as large as advertised, pointing to the last BRAC in 2005 that cost more than anticipated. The Pentagon argues that the 2005 base closure round was an anomaly. Defense officials say that the Pentagon already has 25 percent excess capacity and the military will continue to get smaller, so it is wasting money by not closing bases it no longer needs. [Source: The Hill | Jeremy Herb | 3 Apr 2014 ++]

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## **DoD/VA Seamless Transition Update 21 ► Lawmakers Scold DoD**

House lawmakers who hold the Pentagon's purse strings berated the Defense Department on Thursday for failing to develop a joint electronic medical records system with the Veterans Affairs Department — an effort that has cost more than \$1 billion since 2008 while producing scant results. The 2008 Defense Authorization Act ordered DoD and VA to create a joint system for health records that would seamlessly follow troops throughout their lives, starting with boot camp and proceeding through separation from service and potential treatment by VA and civilian providers. But last year, the two departments abandoned that initiative, originally estimated to cost \$28 billion, in favor of a less expensive system based on existing technology that would coordinate communication between each other's records as well as those in civilian hospitals. But while DoD and VA can now view digital medical files at major VA polytrauma facilities and some DoD medical centers, as well as exchange real-time data on a limited basis, efforts toward a completely interoperable system have proceeded slowly.

"It's enormously frustrating. It makes us angry. ... This is way beyond the claims backup VA has. It's pretty damn important," said Rep. Rodney Frelinghuysen (R-NJ), chairman of the House Appropriations Committee's defense panel. "We fought a world war in four years. We're talking interoperability of electronic medical records from 2008 to 2017, and I'm appalled," said Rep. Pete Visclosky (D-IN), the panel's senior Democrat. Dr. Jonathan

Woodson, assistant secretary of defense for health affairs, said the current coordination effort is akin to technology for cellphones, which comes from different manufacturers and operates on separate systems but “all talk to each other.” The key, Woodson said, is figuring out the standardized way of handling the data — a problem being worked by DoD, VA and the Health and Human Services Department. “This is a national problem,” Woodson said. “It’s exactly why we have taken the task of working it with the commercial market.”

The Pentagon has issued two contract solicitations for its future health records system, which is scheduled to have initial operating capability by 2017 and full capability by 2023. The estimated cost just for DoD’s portion of the system is \$11 billion. VA uses the Veterans Health Information Systems and Technology Architecture, or VistA, and has made its code available to commercial developers for public use. It has pressed DoD to use that system, but defense officials have balked. VA Secretary Eric Shinseki said in March that he wants VistA to be among the systems competing for the DoD records system contract. Since VistA’s code is available for commercial use, an outside company could pitch a proposal to DoD based on VA’s software. DoD’s \$496 billion fiscal 2015 budget includes \$47.4 billion for health care, including \$9.2 million for data interoperability with VA and other health care providers.

In addition to concerns over electronic medical records, House appropriators quizzed the service surgeons general and Woodson about the Pentagon’s proposed overhaul of the Tricare system. The Pentagon proposal would combine the three major existing Tricare plans — Prime, Standard and Extra — into a single system with a fee structure based on where beneficiaries get their medical care. Panel members expressed concerns about whether the proposal goes far enough to save money — Rep. Jim Moran (D-VA), for example, asked why the plan would not require working-age retirees to pay more for their health care — while others, including Visclosky, expressed concern about an increased cost burden on junior enlisted families. But ultimately, the panel did not present a united opinion on the Tricare fee issue. After the hearing, Frelinghuysen said the Tricare proposals first must be reviewed by the House Armed Services Committee, which drafts the annual defense authorization bill. “We’ll look to them to see what markers they put down on the issue,” he said. [Source: MilitaryTimes | Patricia Kime | 3 Apr 2014 ++]

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## **DoD Benefit Cuts Update 37 ► Enlisted Leaders Say ‘Get On with It’**

Military leaders lead. Politicians can lead too, of course, but usually not before sticking a wet finger in the wind to learn how political winds blow. The contrast was evident 10 APR as top enlisted leaders delivered a kind of **suck-it-up-and-punch-us** message to a group of nervous senators. The armed services personnel subcommittee wanted to know how military quality of life would be impacted if Congress votes to cap the annual pay raise again, and also to dampen housing allowance increases, allow commissary prices to jump and raise medical fees for families and retirees. As background to this discussion, recall how Congress lacked the will to compromise on a grand plan to address the nation’s debt crisis in 2011. Instead it adopted an automatic budget cutting mechanism – sequestration – that in 2013 began to make deep, indiscriminate cuts in defense spending, putting force readiness into a tailspin.

The message this day from the enlisted leader panel, and from an earlier panel of the services’ three-star personnel chiefs, was this: If lawmakers won’t take the harder path to repeal sequestration cuts, particularly those scheduled for 2016 and beyond, they should at least ensure cuts are applied in a balanced way to protect training and readiness. Regrettably, that means taking the unpopular course military leaders lay out in the fiscal 2015 budget of slowing growth in compensation programs. Sergeant Major of the Marine Corps Micheal P. Barrett told the subcommittee Marines are ready to take the hits. But, for gosh sakes, get on with it so there’s no doubt they stay trained and ready for the next fight. Marines aren’t focused on “compensation, benefits or retirement modernization,” Barrett said. They have a “bias for action” and measure quality of life by number deployments and



the rigor of training. “They want to know into whose neck do we put a boot next. They want to know about what new equipment are we getting. Are we going to modernize? Just because the budget sucks, does that mean we’re not going to get any more gear? Are we going to stay ahead of our competitors?”

All of that could be at risk, in the current budget environment, if pay raises and health benefit costs aren’t kept in check, Barrett testified. “In my 33 years I have never seen this level of quality of life ever! We have never had it so good,” he said. “And I say that, in part, because if we don’t get a hold of slowing the growth [in compensation], we will become an entitlements-based, a health-care provider-based corps, and not a war-fighting organization.” He said the administration’s plan to impose another one percent pay cap in January “makes sense because our quality of life is good.” Dampening increases to Basic Allowances for Housing the next several years, until service members are paying five percent of off-base rental costs out of pocket, will force families to show more fiscal discipline, adopt better spending habits and not “be so wasteful,” Barrett said. Streamlining TRICARE from three options down to one plan will save administrative costs, he said, and cutting the commissary subsidy will encourage development of a better business model for base grocery stores. “But in the grand scheme of things, if we don’t get a hold of [personnel costs] it’s going to impact our war fighting capability. It’s going to impact our investment for the next challenge... We might be done in Afghanistan but the people we’re fighting they’re not done with us. And we need to be more prepared for what’s around the corner.”

Earlier this day and in other recent hearings on the 2015 defense budget, members of armed services committee noted how sequestration required tough choices and how readiness could fall if some compensation dollars weren’t used instead for training, maintenance and modernization. Before Barrett spoke, several senators said they favored delaying any curbs on compensation until after the Military Compensation and Retirement Modernization Commission releases its report next February. Barrett and colleagues might have swayed a few minds that waiting puts force readiness at greater risk, a point also made emphatically by Comptroller Robert Hale and other senior defense officials in recent weeks.

Sen. Angus King (I-Maine) told Barrett his response to chair’s question on quality of life was “one of the best I’ve heard” as a senator. “You were crisp and captured the essence of the dilemma. Nobody here wants to cut pay or do anything else” to military compensation, King said. “The problem is we’re in a zero sum world, and the testimony we had from the department two weeks ago was that this is a \$2.1 billion-a-year proposition -- \$30 billion over five years -- and that money will come right out of readiness if we don’t make these changes.” “It absolutely is,” Barrett said. “Not only that, but we’re going to also have to start taking risk in infrastructure sustainment, facilities sustainment, restoration and modernization, furniture, fixtures, equipment, personnel... We are going to go back to...the 1990s and Y2K when...we were living in poor facilities. We don’t want to go back to those days.”

Enlisted leaders of Army, Navy and Air Force sounded more wary than Barrett of proposed pay caps or compensation curbs. But they delivered their own warnings to Congress not to balk at making hard decisions on pay and benefits at the expense of training, equipment and readiness. A compensation slowdown “is not something, if we were given a choice, that we would want to do,” said Master Chief Petty Officer of the Navy Michael D. Stevens. “Given the fact that the slice of pie is only so big, this is what we must do in order to maintain readiness.” “I don’t like this and it’s a challenge but it’s what’s necessary,” said Sergeant Major of the Army Raymond F. Chandler III, of compensation curbs proposed. “We have to make sure...our soldiers are trained and ready for anything the nation is going to ask them to do. It’s got to trump the rest.” “I hope, if we make those decisions, you will stand behind us,” Senator King told the enlisted leaders. “Yes sir,” Chandler said. [Source: Stars & Stripes | Tom Philpott | 10 Apr 2014 ++]

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## **QDR 2014 Update 03 ► Lawmakers Question DoD Utility of QDR**

Signaling a possible attempt to change the law requiring a periodic review to Capitol Hill of the Defense Department's long-term measurement of risk this session, the two senior Republicans on the House Armed Services Committee expressed skepticism over continuing the Quadrennial Defense Review process at a 3 APR hearing. They did not detail what or how they would replace it. Chairman Buck McKeon, (R-CA) who earlier rejected the 2014 Quadrennial Defense Review, said he want to "to get something . . . that we'd get more benefit from." Earlier, Adm. James Winnefeld, vice chairman of the Joint Chiefs of Staff, said in answer to Texas Republican Rep. Mac Thornberry's question, "This is a valuable process in the department [and] to a new administration coming in" because, in part, it is a "little bit more of a joint process" in thinking about the 20-year future of the department.



**Navy Adm. James A. Winnefeld Jr., vice chairman of the Joint Chiefs of Staff, and Christine E. Wormuth, deputy undersecretary of defense for strategy, plans and force development, testify before the HASC**

McKeon, in his opening statement, said this review "leads only to justification for programs in [the president's] budget" request for Fiscal Year 2015 and accepts a 2012 defense strategy of protecting the homeland, building partner capacity and capability, and projecting power while ignoring "\$320 billion in cuts not counting sequestration." As the hearing ended, he added, "It's something we're going to have to look at" after Christine Wormuth, one of the principal authors of the review, said it took six months and a large number of man-hours to complete. She said she would reply for the record on exact figures. Thornberry is the committee vice chairman, and McKeon has announced he will retire following this session. Earlier this year, USNI News reported McKeon's charge to Thornberry to take a hard look at the way the Pentagon does business and the laws and regulations covering those operations. The public skepticism at the hearing over the QDR reflects that charge. "We need to thin [Title 10] out" and "squeeze away the barnacles" where needed, Thornberry told a Washington think tank in January.

The hearing on the review was dominated by the "what ifs" of sequestration returning in FY 2016. Ranking member Rep. Adam Smith (D-WA) said the "greater challenge" [in looking ahead even two or three years] was an "uncertain budget future." After acknowledging that, he said the review "does not prioritize very well. If you have 20 top priorities, you have none." It is a document that says, "Here's everything you ought to be worked up about." Wormuth, deputy under secretary for strategy, plans and force development, said the department faced "especially tough choices" over reducing capacity—end strength, aircraft and ship availability in developing this review.

Even without sequestration returning, Winnefeld added, "We are pushing very hard on the high end of moderate risk" in a number areas now—such as modernization. "This budget is fragile" and required "a re-balance across the entire department. We're going to need considerable help from Congress," particularly in holding down

compensation costs and cutting excess infrastructure as the Pentagon shifts from its counterinsurgency operations of the past 13 years.

Wormuth said the review did assume \$30 billion in savings by curbing the rise in compensation costs and eventually \$2 billion in savings annually through base realignment and closure. If the Defense Department doesn't receive congressional approval in those two areas, "We'd have to find those savings somewhere." McKeon said that the review and earlier testimony at hearings on the budget request did not make clear "the reality of 420,000 [active Army], 175,000 [active Marine Corps], taking down a carrier, cruisers" because the Budget Control Act of 2011 was still law. Winnefeld said, "It's stark; it's real." The Defense Department "is trying to make clear why we need the additional resources" in the current request and the removal of sequestration, Wormuth added. In light of events in Eastern Europe, the vice chairman said that if needed, the United States could return forces to Europe, but the state of their readiness was in question. The review was prepared before Russia moved into Crimea. He said that might have changed the tone of the review in some respects, but the focus on Asia and Pacific would remain in place.

Wormuth said that the nation "continues to have the capacity and capability to take direct action" if needed against transnational terrorist threats like those coming from Syria and "is working with partners like Yemen" and in North Africa to improve their internal security. She said that as operations wind down in Afghanistan more special operation forces would be available for missions in building partner capacity around the world. She noted the projected increase in the size of Special Forces in the budget request and review as the department's commitment in this arena. Saying the "way wars are fought is changing," Winnefeld added the Pentagon's approach to cyber is "almost a mirror of nuclear deterrence" of denying access, being resilient, and ensuring potential adversaries know there are costs to hostile cyber actions in and out of that domain. [Source: USNI News | John Grady | 18 Mar 2014 ++]

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## VA eBenefits Portal Update 02 ► New Self-Service Feature

VA is working to enhance the VA/DoD online portal, eBenefits with a new self-service feature that automates the processing of disabled Veterans' requests to add family members or change their statuses. Called the Rules Based Processing System (RBPS), it will reduce processing time for changes to compensation benefits associated with a Veteran's family member status from months to days. Veterans who have at least a 30-percent VA disability rating can use eBenefits to request a change in family member status to:

- Add a spouse.
- Add a dependent biological child or stepchild.
- Add a child (age 18 to 23) who is enrolled in an educational institution approved by VA.

VA will still manually process paper requests for dependency changes, as well as online requests that do not meet all of the automation criteria. Veterans should still file requests online that do not meet the automation criteria for faster processing. Requests that are not yet fully automated include:

- Requests where the veteran uploads a document (such as a marriage or birth certificate).
- Adding an adopted child.
- Requests that conflict with information already in VA's database, such as conflicting marriage dates.
- The dependent is already in VA's corporate database as a beneficiary or employee (e.g., the dependent is also a Veteran and in receipt of Compensation or the dependent is a VA employee).

If you are not registered for ebenefits use recommend you do so today. To register click the upper right hand box on <https://www.ebenefits.va.gov/ebenefits-portal/ebenefits.portal>. You can take a video site tour at [https://www.youtube.com/watch?v=IFq\\_r3Nu4g&feature=plcp](https://www.youtube.com/watch?v=IFq_r3Nu4g&feature=plcp). [Source: NAUS Weekly Update 11 Apr 2014 ++]

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## **VA Cancer Treatment Update 05 ► Delay Played Role in 23 Deaths**

Delays in cancer treatment consultations may have played a role in the deaths of 23 veterans and compromised the health of 53 others, according to an internal review released 7 APR by the Veterans Affairs Department. VA officials blamed the problem on cluttered consultation computer systems, used by physicians for a host of tasks including urgent medical needs and minor bookkeeping efforts. They're promising an overhaul of how the network is used, and offering apologies to patients hurt by the mistakes. "We had a system that was plagued with noise," said Dr. Thomas Lynch, VA's assistant deputy undersecretary of health for clinical operations and management, who oversaw the review. "That made it impossible to get a handle on where delays were developing and fix the process."

Lawmakers have pressed the department on preventable deaths for months, charging officials aren't doing enough to ensure patient safety. The House Veterans Affairs Committee has planned a 9 APR hearing on the issue. VA officials said they've been reviewing the consultation request process for months, and conceded that their ongoing investigation could turn up additional cases. The 76 veterans already identified as missing additional care are primarily gastrointestinal cancer patients, awaiting endoscopies and other tests. In all of the cases, patients waited for more than two months after physicians ordered follow-up tests or consultations. The review covers more than 250 million consultations ordered across the VA health system over the last 15 years. The 76 missed consults are among several million "high-interest" cases, and mostly occurred since 2010, although the department did not give specifics.

Lynch said researchers found that VA physicians have been using the electronic consult management system — designed to schedule consultation appointments — as a catch-all for patient care, including reserving spots in hospital transports and sending messages between doctors. Officials are working to reprioritize medical requests and separate out administrative issues, to ensure that the volume of requests doesn't again overwhelm immediate health needs. In a statement, House Veterans Affairs Committee Chairman Jeff Miller (R-FL) called that a positive first step but not enough to correct the "heartbreaking" mistakes. "In addition to swiftly putting in place reforms to ensure this never happens again, it is incumbent upon VA to reveal precisely when these deaths and injuries occurred and whether any VA employees who may have allowed veterans to fall through the cracks have been held accountable," he said. "Unfortunately, we haven't seen any evidence so far indicating that preventable deaths at VA facilities result in serious discipline for the employees responsible." [Source: NvyTimes | Leo Shane | 8 Apr 2014 ++]

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## **VA Lawsuit ~ Legionella ► Five Claims Settled**

A settlement with the government is both a relief and a frustration for families of veterans who died in a Legionnaires' disease outbreak in Veterans Affairs hospitals in Pittsburgh. "This has been the longest funeral we've ever been through," Maureen Ciarolla of Monroeville said on 4 APR, emotion straining her voice. She had hoped VA personnel would be held accountable for the death of her father, Navy veteran John Ciarolla, 83, of North Versailles during the outbreak. "I'm relieved it's over, but it's not nearly what they deserved," said Debbie Balawejder, also of Monroeville. Her father, Frank "Sonny" Calcagno, 85, died Nov. 22, 2011. Although he died in Forbes Hospital in Monroeville, he spent six weeks in VA Pittsburgh facilities on Highland Drive and in Oakland. The Justice Department agreed on Thursday to settle their claims and two others during negotiations in a mediator's office Downtown, according to attorney John Zervanos, who represented the Ciarolla and Calcagno families. Families and their lawyers declined to talk about the details of the settlement, but it won't include discipline for the VA executives who presided over the outbreak, which sickened at least 22, six of whom died from February 2011 to November 2012. "To me, what they did was criminal," Balawejder said. "They're never going to pay the way they should for what they did." The VA referred questions to the Justice Department, which declined to comment.

In addition to the claims of Calcagno and Ciarolla, the government on 3 APR agreed to settle the lawsuits brought by veterans George Christoff, 64, of Altoona, who served in Vietnam; and Gregory Darnell Jenkins, 54, of Edinboro in Erie County, who contracted the disease during stays in Pittsburgh VA facilities but recovered, Zervanos said. The government previously reached an agreement in a fifth case with the family of World War II veteran William E. Nicklas, 87, of Hampton, whose death on Nov. 23, 2012, was the outbreak's last. Nicklas checked into VA Pittsburgh's University Drive hospital in Oakland for medication problems — after the Centers for Disease Control and Prevention told hospital leaders that patients were being sickened by the same strain of Legionella detected in the VA's water. U.S. District Judge Arthur Schwab on March 26 and on Friday entered orders in the Nicklas and Ciarolla cases suspending the lawsuits based on mediators' reports that the cases have been settled. Harry S. Cohen, one of the lawyers for the Nicklas family, said they reached an agreement with the government last week and felt relieved but frustrated. "It was with mixed feelings that they resolved the case. One hundred percent of their questions weren't answered," he said.

Cohen declined to discuss the settlement amount. A mediation did not resolve the case, but the family agreed to settle on the day that Greta Nicklas, Nicklas' widow, was scheduled to be deposed, he said. "The Nicklas family had an interest in not putting Mrs. Nicklas through the trauma of protracted litigation," he said. Schwab's order keeps the families and the government from having to spend money on preparing for trial while they complete the settlements and file formal motions to dismiss the lawsuits. If the agreement falls through, the judge can reactivate the case and let it proceed to trial. "These settlements have nothing to do with holding the individuals responsible for their deaths accountable," said U.S. Rep. Keith Rothfus, R-Sewickley. Reps. Tom Murphy, R-Upper St. Clair, and Mike Doyle, D-Forest Hills, as well as U.S. Sens. Bob Casey Jr., D-Scranton, and Pat Toomey, R-Lehigh Valley, have been actively involved in the situation, Rothfus said, and "still have questions that the VA must answer."

Chief among those questions is why VA executives in Pennsylvania, Georgia, South Carolina and Tennessee received bonuses and positive performance reviews instead of punishment for allowing such negligence, said House Veterans Affairs Chairman Jeff Miller, R-Fla. Former VA regional director Michael Moreland received approval for a \$63,000 lifetime performance bonus shortly before the outbreak became public. "What's worse, department officials have repeatedly pointed to nondisciplinary actions such as employee retirements and transfers or bureaucratic slaps on the wrist, such as temporary written warnings, in a disingenuous attempt to create the

appearance of accountability,” Miller said. Until the department holds executives accountable, “it is simply illogical” to think the VA will fix the problems, he said. [Source: Pittsburgh Tribune | Brian Bowling & Mike Wereschagin | 4 Apr 2014 ++]

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## **VA Disputed Claims Update 14 ► Florence Edson \$23,252**

The widow of a Pearl Harbor survivor is not only fighting for her life but fighting with the Department of Veterans Affairs. After receiving benefits since 2011, she says the VA now wants more than \$20,000 back. The 92-year-old widow who was granted benefits for being the spouse of a World War II veteran, could now lose everything. In a letter, the VA says they overpaid her and are now asking for most of that money back; money she doesn't have. John Edson served in both the Army and the Navy, giving a portion of his life to the government until he passed away in 1997 at the age of 82. "He was at the battle of Pearl Harbor and is a Pearl Harbor survivor. Subsequent to that assignment, he was assigned ship duty which sailed for Guadalcanal, another famous area of battle for World War II," said Mark Edson, son of Florence and John Edson.



**Florence Edson, 92, and son Mark**

His widow, Florence Edson, was a life-long educator and published author. Due to health problems, she entered into an assisted living facility in 2011. Florence was made aware she could apply for benefits because of her husband's World War II service. Around August of that year she began to receive a monthly check of \$837. This past December, Florence's son, Mark, was asked to send some documents to the VA. "So I sent a letter documenting her expenditures for a certain period of time they were looking for. Shortly after that letter, she received another letter from the VA dated January 27th. They reiterated how much she's receiving, and said to use this correspondence as evidence of her income for housing entitlements and other purposes," said Edson. That's when the communication between Florence and the VA gets confusing. A few days later she receives yet another letter, with the same date, this time stating there was an overpayment of benefits, besides her monthly check being terminated. "Shortly thereafter we got a fourth letter, in which no further explanation was included, just Mrs. Edson now owes \$23,252," said Edson.

Her son filed a formal notice of dispute with the VA, as well as asking for a waiver. Mark says part of the problem is that they never receive any acknowledgment from the agency. "The idea that somehow she got these monies in such a way that she should now have to pay them back is ridiculous. Much less the idea that as she lies in a nursing home unable to pay for the care she is currently receiving, somehow they are going to garnish her income



to pay this debt," said Edson. At that time, he decided to involve the offices of U.S. Senator John Cornyn. We're told they are still awaiting a response. Florence then received yet another letter from the VA stressing again the amount that is owed. Her son says the money wanted back is almost everything she has ever received.

"These are people that are the epitome of the greatest generation. They lived a life of sacrifice and service to their country ... This is just a convergence of bureaucratic incompetence and stubbornness that has resulted in a woman who has lived a productive life but is now in more need of these kind of benefits than anyone could ever be ... it comes at a time when her health continues to deteriorate." said Edson. FOX 7 has contacted the VA and submitted a consent form so they can release information regarding the case. VA said they will be getting back to them. The Edson family is hoping this can be handled soon. [Sources: KTBG Fox 7 Austin | 2 Apr 2014 ++]

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## **VA Wrongful Deaths ► \$200M Paid Since 9/11**

In the decade after 9/11, the U.S. Department of Veterans Affairs paid more than \$200 million to nearly 1,000 families in wrongful death cases. An Iraq War veteran with post-traumatic stress disorder and a history of drug dependency is found dead on the floor of his room at the VAMC hospital in West Los Angeles after doctors give him a 30-day supply of the anti-anxiety medication alprazolam and a 15-day supply of methadone. In Shreveport, La., a veteran overdoses on morphine while housed in a locked VA psychiatric unit. In a Minnesota VA psych ward, a veteran shoots himself in the head. In Portland, Ore., a delusional veteran jumps off the roof of the VA hospital. These are some of the deaths that resulted in more than \$200 million in wrongful death payments by the Department of Veterans Affairs in the decade after 9/11, according to VA data obtained by The Center for Investigative Reporting. In that time, the Center for Investigative Reporting (CIR) found the agency made wrongful death payments to nearly 1,000 grieving families, ranging from decorated Iraq War veterans who shot or hanged themselves after being turned away from mental health treatment, to Vietnam veterans whose cancerous tumors were identified but allowed to grow, to missed diagnoses, botched surgeries and fatal neglect of elderly veterans.

For a listing cases showing the type of VA malpractice and the amount which families were paid go to <http://cironline.org/reports/va-pays-out-200-million-nearly-1000-veterans%E2%80%99-wrongful-deaths-6236>. The median payment in VA wrongful death cases was \$150,000. Cases such as Carl Glaze., a World War II veteran, who became paralyzed from the neck down when he fell in the bathroom two days after being admitted to a VA nursing home in Grand Island, Neb. He died nine days later at age 84. His sister, 86-year-old Doris Street, who received a \$135,000 settlement in 2010 as compensation for the 2008 death, said "I had asked them not to leave him alone, and then they left him in the bathroom. We all get upset when these things happen. It wasn't about the money; I just thought somebody should be held accountable." In a written response to questions, DVA spokeswoman Victoria Dillon said that while "any adverse incident for a veteran within our care is one too many," the wrongful deaths identified by CIR represented a small fraction of the more than 6 million veterans who seek care from the agency every year. The agency, Dillon said, is "committed to continuous improvement." When a death occurs, "we conduct a thorough review to understand what happened, prevent similar incidents in the future, and share lessons learned across the system," she said.

The revelations come as the department faces intense scrutiny from members of Congress over the number of preventable deaths at VA facilities. The House Committee on Veterans' Affairs has scheduled a hearing on preventable deaths for 9 APR. In September, the committee held a hearing to examine patient deaths at VA hospitals in Pittsburgh, Atlanta, Dallas and Jackson, Miss. At the hearing, lawmakers accused the agency of failing to discipline officials responsible for unnecessary deaths, pointing out that it has instead provided performance bonuses to these executives. For example, after an outbreak of Legionnaires' disease at the agency's hospital in

Pittsburgh left six veterans dead and at least 21 ill, the VA regional director, Michael Moreland, received a nearly \$63,000 bonus. A five-page performance evaluation, which led to the bonus, made no mention of the outbreak, which began in 2011. After receiving the bonus, Moreland retired. “It’s not enough for VA to simply compensate the families of those who died,” said Rep. Jeff Miller (R-FL), chairman of the House Committee on Veterans’ Affairs. “In order to provide real closure for those struck by these heartbreaking preventable deaths, VA needs to hold fully accountable the employees who allowed patients to slip through the cracks.”

At a budget hearing 13 MAR, lawmakers pressed Secretary of Veterans Affairs Eric Shinseki to provide examples of agency staff who had been disciplined after medical errors resulted in a veteran’s death. Shinseki responded more generally, saying 6,000 VA employees had been “involuntarily removed” over the past two years, including six senior managers. Independent legal analysts say the nearly 1,000 wrongful death payments in the decade after 9/11 represent a small percentage of the veterans who have died because of malpractice by the Department of Veterans Affairs. Unlike the private sector, where survivors can file cases in state and federal court and often win large punitive damages, families of patients who die under VA care must exhaust a month’s long administrative review process before filing a lawsuit. Even if they succeed, families can win only actual and not punitive damages from the federal government. As a result, lawyers are reluctant to take cases, and many families never file – or see a dime. “The VA fights every case tooth and nail and so cases drag on for years,” said Cristobal Bonifaz, a Massachusetts attorney who in 2009 won a \$350,000 settlement for the parents of Marine Lance Cpl. Jeffrey Lucey. Lucey was 23 when he hanged himself with a garden hose in his parents’ basement after being turned away from psychiatric care at the VA in Northampton, Mass. The payout came five years after his death.

Among Bonifaz’s current clients is Tracy Eiswert, who had moved into her car with her two young children after her husband, 31-year-old Iraq War veteran Scott Eiswert, shot himself in the head in 2008. The Nashville, Tenn., VA had denied his disability claim for post-traumatic stress disorder. Three months after his death, the VA reversed itself, saying it was “clearly and unmistakably in error” for failing to grant Scott Eiswert’s disability claim, and the agency began sending Tracy Eiswert survivor benefits checks of \$1,195 a month. Despite the reversal, Tracy Eiswert decided to press ahead with a wrongful death lawsuit against the VA, in part because of the toll her husband’s suicide took on their children. “We’re still living with it today,” she said. The VA declined to comment on Scott Eiswert’s death. In court, the VA has defended itself on a legal technicality, arguing that Tennessee law supersedes federal law in the case and that the Eiswert family failed to follow procedures prescribed in the state statute. Filed in 2010, the case is still pending. [Source: CIA | Aaron Glantz | 3 Apr 2014 ++]

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## **VA Surgical Trials ► NODES Pilot Program Status**

A new pilot program launched by the U.S. Department of Veterans Affairs may ease the conduct of surgical trials, researchers say. If successful, it could help boost the efficiency of randomized controlled trials even outside of the VA network, they write in JAMA Surgery, online 19 MAR. The new program is called NODES, which stands for Network of Dedicated Enrollment Sites. The pilot includes 10 sites at VA medical centers selected for their experience with multi-center surgical clinical trials in the VA’s Cooperative Studies Program, and for their willingness to hire new staff dedicated to managing clinical trials. NODES is in its second year now and it has shown some early positive results, according to lead author Dr. Faisal Bakaeen, a cardiothoracic surgeon at the Michael E. DeBakey VA Medical Center in Houston. For example, the Houston site has seen a boost in patient enrollment and lower downtimes through resource sharing and cross-training of personnel, and the number of studies they conduct has increased.

"Figuring the 'ins and outs' of the local research environment including the regulatory process and working with human resources and information technology are examples of challenging tasks for local investigators and introduce delays," Dr. Bakaeen told Reuters Health by email. "Having a node in place can help map out the local processes involved in launching and running trials in addition to providing coordination with personnel needs and training," he said. "In addition, the nodes offer a valuable resource of local scientific expertise and enhance a culture of collaboration and mentorship."

In a commentary published along with the new report, Dr. George Machiedo of Rutgers New Jersey Medical School in Newark commends the researchers for doing an excellent job of outlining the problems inherent in organizing multi-center trials. One thing they need to keep in mind, he adds, is that the solutions developed should be generalizable. "They should work to ensure that the solutions generated are not VA-centric but rather are applicable to RCTs carried out in any segment of the medical research community. If they are successful, this work will be a major step forward in our ability to design and implement trials that will continue to shape medical and surgical practice," writes Dr. Machiedo, who chaired the committee that advised the VA program on which sites to include. [Source: Reuters Health | Rob Goodier | 2Apr 2014 ++]

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## **VA Biological Implants ► FDA Tissue Warnings Not Tracked**

A U.S. Department of Veterans Affairs safety office isn't tracking a health agency's warnings on the potential for contaminated body tissue, a federal auditor's review found. The VA office doesn't keep tabs on the Food and Drug Administration's warning letters to suppliers of human and animal tissue, according to a U.S. Government Accountability Office report released for a congressional hearing 2 APR. Lawmakers are asking questions about the VA's ability to identify recalled products and notify affected patients, and possible conflicts of interest from agency doctors serving on a board of a vendor that received an FDA warning. "I am alarmed at the great risk of harm our veterans face when they receive biological implants," Representative Mike Coffman, a Colorado Republican and chairman of a House Veterans' Affairs subcommittee, said during the hearing.

The veterans agency ordered \$241 million in cadaver tissue and other material derived from human and animal bodies in the past three years, some of which came from vendors warned by federal regulators about contamination in their supply chain, according to data compiled by Bloomberg. The tissue is used to replace burned skin, restore broken bones and treat other conditions. The GAO, Congress's investigative arm, reported in January that employees of one VA hospital system weren't always recording serial numbers for implants, a lapse that might make it difficult to notify veterans of recalls. The veterans agency can "significantly improve" tracking and inventory of tissue and other biological implants, Philip Matkovsky, a VA assistant deputy undersecretary for health, said in remarks prepared for the hearing. It plans to automate tracking for implants, much like it does for blood products, he said.

VA officials told GAO auditors in today's report that they found no evidence of patients being harmed by contaminated tissue products. They also told the auditor that they don't track FDA warning letters because the notices are intended to give suppliers an opportunity to take voluntary corrective action, according to the report. The letters typically precede enforcement actions and recalls. The VA's patient-safety office does monitor tissue recalls, according to the GAO report. The safety office has notified the agency's hospitals of 13 tissue recalls from November 2008 through September 2013, according to the auditor's review. Most of those recalls were due to the possibility of contamination, "for reasons such as compromise of product sterility, tissue recovered from donors with risk factors for communicable diseases, incomplete donor records, or manufacturers suspected to have deviated" from FDA manufacturing regulations, it said. In two cases, VA officials continued ordering tissue from suppliers

after federal regulators admonished the vendors for safety deficiencies in FDA warning letters, Bloomberg News reported in January. One vendor, RTI Surgical Inc. (RTIX), was cited for contaminated products and processing facilities. Musculoskeletal Transplant Foundation, a nonprofit organization, was faulted for distributing tissue from tainted donor bodies.

Both Alachua, Florida-based RTI Surgical and the Edison, New Jersey-based foundation have said they addressed the FDA's concerns. The deficiencies haven't been tied to any patient injuries. The FDA letter at least temporarily hurt RTI's relationship with some customers, Brian Hutchison, the company's chief executive officer, said in an August 2013 call with analysts. Several VA doctors have served on a board of the Musculoskeletal Transplant Foundation, Coffman said during the hearing. He questioned whether that violated federal conflict-of-interest statutes. VA employees are required to disclose conflicts of interest, the agency's Matkovsky said during the hearing. Of the doctors who have served on a foundation board, none were found to have been involved in procurement decisions, he said. Cindy Gordon, of Issues Management/Insight Communication in Princeton, New Jersey, didn't immediately provide comment. She is designated to speak for the foundation. The American Association of Tissue Banks, a McLean, Virginia-based nonprofit group that accredits tissue banks, would support new legislation directing the VA to develop a standard identification system for tissue and other biological implants. It would ensure products can be "appropriately tracked from a human tissue donor all the way to recipient," Frank Wilton, the group's chief executive officer, said in written remarks prepared for the hearing. [Source: Bloomberg News | Kathleen Miller | 2 Apr 2014 ++]

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## **VA Pension Scams ► Veterans Beware**

As a veteran, beware of pension advance products that offer to pay military retirees a lump-sum payout in return for their monthly retirement payments. The products may amount to payment of only pennies on the dollar and the advances are reported to carry interest rates from 27 percent to 106 percent, which can threaten a safe retirement. There are many pension advance companies on the Internet, often with patriotic-sounding names and logos. If you're offered a pension advance, stay away from arrangements that allow a creditor to access the account where you get your benefits. Instead, get trusted financial expert advice if you need emergency funds.

Additionally, some individuals and companies use VA's Aid & Attendance pension benefit as a hook to sell services. The Aid & Attendance benefit is for eligible disabled veterans who require the aid and attendance of another person, or who are housebound. Individuals or companies looking to sell their services may offer to help veterans obtain Aid & Attendance benefits, but they often require customers to sign up for financial services first, then they move assets into irrevocable trusts for qualification. When being solicited, watch out for:

- A lawyer or veteran advisor who offers to get the Aid & Attendance benefit for a fee. Federal law prohibits VA accredited advisors from charging to assist with VA claims. However, at times a "consultation fee" is charged up front.
- A claim from a paid advisor stating that they can get the benefit for you more quickly than anyone else. All VA claims must go through the standard evaluation process, which no one can bypass to get it done faster.
- An offer to help a financially secured veteran qualify for Aid and Attendance by taking control of their finances and moving assets into an inaccessible trust. This may disqualify a veteran from other benefits.
- Retirement homes using the lure of Aid & Attendance to get veterans to move in on the implied promise that they will get the benefit. If the claim is denied, the veteran may not be able to afford to remain in the facility.

[Source: American Legion | Cajun Comeau NC VSO | 1Apr 2014 ++]

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## **VA Caregiver Program Update 24 ► Rand Study Findings**

An estimated 1.1 million Americans provide care for ailing or disabled veterans of the Iraq and Afghanistan Wars, including parents and spouses whose cumulative efforts save taxpayers \$3 billion each year, according to a RAND study released 31 MAR. Most of these people labor in obscurity without a support network, unaware of government assistance available to help them, untrained in best practices for providing care and at increased risk for emotional problems of their own, researchers found. "For every hour you spend caregiving, your risk of depression increases," says Terri Tanielian, co-author of the largest study of military caregivers. Sixty-three percent of those caring for a post-9/11 veteran have jobs. On average, they miss about a day of work each week caring for their loved one, an annual productivity loss of \$5.9 billion, researchers found. Twenty-eight percent quit work to care for their veteran; 11% took early retirement. The result is that more than 60% say they are constantly under financial strain, twice the ratio of caregivers for veterans who served before 9/11.

Challenges ahead include middle-aged parents who face decades of looking after sons or daughters, only to require their own support system as they grow old; or young spouses who are caregivers in a strained marriage, the study found. "We know that a lot of these spouses ... are young, and they're in young marriages with lower relationship quality and potentially vulnerable to divorce," Tanielian says. She says aging parents or troubled spouses pose challenges for the future care of veterans. "What does that suggest to society?" Tanielian says. "Do we have a need where in 10 years, 15 years, 20 years we have a cohort of veterans who have significant caregiving requirements that don't have caregivers? Are they going to need to be institutionalized? Is society going to have to pay to hire home health workers?" Former senator Elizabeth Dole — whose group, Caring for Military Families: The Elizabeth Dole Foundation, paid for the 288-page study — says the results show the nation has not yet come to grips with the magnitude of the challenges facing military caregivers. "This is a special issue that requires a national response," Dole says. "That response needs to be collaborative across the public, private and non-profit sector, the labor community and faith-based organizations."

RAND researchers surveyed more than 28,000 military caregivers from July 1 to Oct. 15 for the study. They estimated that 5.5 million Americans care for veterans of all eras — helping them bathe, dress, eat, use the toilet, make medical appointments and manage finances. They also care for their children. They help those who are emotionally troubled avoid social triggers that can exacerbate post-traumatic stress disorder. Caregivers for those who served in Iraq or Afghanistan have far higher rates of emotional problems, more than likely because they deal with veterans diagnosed with mental health problems, researchers suggest. Nearly half of caregivers suffer from depression, a far higher rate than was found among either pre-9/11 military caregivers or among those who care for disabled civilians. Only about a third of post-9/11 military caregivers who probably suffer from depression see a counselor, the report says. [Source: USA TODAY | Gregg Zoroya | 31 Mar 2014 ++]

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## **VA Stonewalling Update 02 ► Gastrointestinal Cancer Death Locations**

The Department of Veterans Affairs (VA) blocked the release of the names of hospitals where 19 veterans died because of delays in medical screenings, leading to calls for transparency from news outlets and a bipartisan group of Capitol Hill lawmakers. Earlier this month, the VA denied a Freedom of Information Act (FOIA) request from Tampa Tribune reporter Howard Altman, who had been investigating the deaths. CNN reported in January that 19 veterans died as a result of delayed gastrointestinal cancer screenings, while another 63 were seriously injured. CNN obtained internal documents from the VA listing the number of "institutional disclosures of adverse events"—the

bureaucratic phrase for a mistake that gravely harms or kills a patient. However, the documents did not list the names of the hospitals and clinics where the deaths took place. When Altman asked VA for the names of the hospitals, he was told he would have to file a FOIA request. His subsequent FOIA request was denied. “The VA needs to drop the secrecy routine and remember it’s a tax-funded organization that should conduct itself in as transparent a manner as possible without encroaching on patient confidentiality,” the Tampa Tribune wrote in an editorial Thursday.

The House Committee on Veterans Affairs launched a website[ <http://veterans.house.gov/VAHonestyProject> ] in late MAR highlighting the VA’s habit of not responding to press requests. The committee also has 70 outstanding requests for information from the VA. A committee aide told the Washington Free Beacon the lack of transparency raised many troubling questions. “We have these deaths that we know they occurred, but we don’t know the medical facilities where they occurred,” the aide said. “Are the people who presided over these deaths still employed at VA? Have the problems been fixed? Without the locations, we have no idea.” Sen. Bill Nelson (D-FL) also demanded more information from the VA on the deaths in a letter released 28 MAR. “Veterans across this country have a right to know about their local VA facility’s record of care,” Nelson wrote. “They cannot be adequately served if they do not fully understand their benefits and in some cases, are not fully informed about the care they need.” The VA’s rejection of Altman’s public records request also raises questions about its compliance with FOIA. The VA inappropriately denied Altman’s request, according to FOIA experts the Free Beacon spoke to.

The VA withheld the information under Exemption 5 of FOIA. Exemption 5, often called the “deliberative process” exemption, exists to allow government employees to give candid advice to each other on policy decisions. However, it has become one of the most used and abused ways to hide documents from the public. Nate Jones, the FOIA coordinator at the National Security Archive who wrote this week about the marked increase in agencies citing Exemption 5 to hide information, said the VA’s response did not seem consistent with the Obama administration’s vaunted transparency directives. Jones noted that President Barack Obama and Attorney General Eric Holder instructed federal agencies in 2009 not to withhold information merely because “public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears.” [Source: Washington Times | C.J. Ciaramella | 31Mar 2014 ++]

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## **VA Stonewalling Update 03 ► A Bureaucracy That’s Out Of Control**

A House of Representatives committee blasted the Department of Veterans Affairs on 9 APR over a lack of progress and accountability in the aftermath of at least 23 preventable veteran deaths that were the result of delays in treatment at VA medical centers across the country. One of the centers to come under heat was the William Jennings Bryan Dorn VA Medical Center in Columbia, S.C., where six patients died as a result of not receiving care they needed, according to a VA report. In the third full House Committee on Veterans Affairs hearing about patient safety, Rep. Jeff Miller (R-FL), chairman of the panel, along with other lawmakers, expressed frustration with the VA’s unresponsiveness to requests for information. These included the steps the department has taken to discipline those responsible, as well as how funding meant to reduce backlogs and improve care has been spent.

In a report released 7 APR, the VA said it has identified 76 patients in its health care system whose care warranted an “institutional disclosure,” or a formal notification that a problem with the patient’s VA care is expected to result in death or serious injury. Of those 76 patients, 23 died, and the deaths were primarily the result of delays in gastrointestinal care, the report said. The report did not state when the patients died. Barry Coates, an Army veteran who sought care at the Dorn VA Medical Center, testified about his experience with delays in the VA system that ultimately led to an ongoing battle with colorectal, liver and lung cancers. Coates, who has seen four different VA



doctors over the course of his treatment, said he never received an “institutional disclosure” or other formal notification or apology from the VA. He said he hopes his testimony will lead to measurable progress in VA operations and prevent other veterans from suffering as he has.

Miller called the testimony that VA officials submitted to the committee ridiculous. “It concerns me that my staff has been asking for further details on the deaths that occurred as a result of delays in care at VA medical facilities for months, and only two days before this hearing did the VA provide the information we have been asking for,” he said. More than \$1 million in funds were designated for reducing the 4,000-patient Dorn backlog, but only \$200,000 was actually used for this purpose, according to a Veterans Administration inspector general’s report released in September. The committee still has not received a straightforward answer about where the rest of the funds went, Miller told Thomas Lynch, assistant deputy undersecretary for health for clinical operations for the Veterans Health Administration. “I have tried to work with your committee,” Lynch said. “I have tried to share information we’ve obtained as we’re obtaining it. . . . We strive to be transparent.” Of Coates’ testimony and the stories of veterans’ deaths, Lynch said, “I think it’s good that we hear these stories, that we not ignore the harm that has occurred.”

The VA also has been reticent about disciplinary actions it has taken on employees responsible for the delays, committee members said. When asked if anyone lost his or her job at several of the sites where patient deaths occurred, including VA medical centers in Columbia, Memphis, Tenn., and Augusta, Ga., Lynch said he did not have that information. “I’m troubled by whether or not firing someone is really the answer,” he said. “I think we need to be careful about punishing everybody for what happened at a few medical centers.” However, committee members said the lack of accountability demonstrated by the VA was unacceptable in the face of preventable deaths. “We are looking for specifics \_ data, metrics \_ but we never get them,” Rep. Julia Brownley (D-CA) told Lynch. “It’s just my feeling and my only conclusion that if you’re not willing to reveal the facts, that there’s something you don’t want the public to hear.”

Although Lynch called the VA’s relationship with the committee “constructive,” lawmakers said they were tired of hearing the same vague promises of reform. “This is a bureaucracy that’s out of control,” said Rep. Jackie Walorski (R-IN).. “If this happened in the civilian world . . . we would be in the streets with signs saying, ‘Shut them down.’” [Go to http://www.ustream.tv/recorded/45939436 to view a 3 hr video on the hearing.](http://www.ustream.tv/recorded/45939436) (Note: Slide the time line to 17 minutes 20 sec to view the beginning of the video) [Source: McClatchy Washington Bureau | Lauren Kirkwood | 10 Apr 2014 ++]

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## **VAMC Miami FL Update 02 ► IG Report on Overdosed Vet’s Death**

A veteran of the war in Afghanistan died of a heroin and cocaine overdose last year while receiving treatment at a Miami Veterans Affairs [residential treatment](#) facility, according to a VA inspector general report released 28 MAR. The veteran, who was in his 20s, had been diagnosed with post-traumatic stress disorder and other psychological conditions as well as traumatic brain injury. He had a history of drug abuse while in the Miami VA Medical Center substance abuse residential rehabilitation program and had previously lost leave privileges for continued use of alcohol and illicit drugs. But according to the IG report, the medical facility staff failed to check him for contraband after he had been allowed to leave for an afternoon and also failed to monitor the facility closely, increasing the potential for visitors to bring in banned substances or for patients to leave to get them.

The investigation also showed that a third of the Miami program’s patients tested positive for drugs or alcohol during their stay. “[These facilities] should provide a safe recovery environment for the treatment of patients with

substance use disorders who require a controlled and sober environment. ... We found that the [Miami] unit did not consistently follow Veterans Health Administration policies that help establish a safe and secure environment,” the report noted. According to the IG:

- The security surveillance camera for the program did not work at the time the patient died and still didn’t work three months later when the IG team visited.
- A staff member was not present at all times as required.
- Staff often stayed in a back room with limited view of the unit and no view of the entrances or exits.

Patients at VA residential [rehab programs](#) must be able to care for themselves and are allowed to leave the facilities with passes granted by the staff or their treatment providers. This particular patient had previously been in a VA residential PTSD treatment program, where he failed four drug tests for amphetamines — although VA acknowledged the medications he was on may have contributed to those positive tests — and later tested positive for cocaine use. The IG did not say the situation was reflective of a broader problem in VA residential rehabilitation programs. Instead, it gave recommendations for the Miami facility to solve its issues, including having adequate and trained staff and increasing its surveillance. In her response, VA Sunshine Healthcare Network Director Joleen Clark concurred with the IG findings and said the facility is making the recommended changes. [Source: MilitaryTimes | Patricia Kime | 29 Mar 2014 ++]

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## **VAMC Des Moines IA ► Management Reforms Oversight**

Two U.S. senators from Iowa are calling on federal officials to investigate the Veterans Administration’s health care facility in central Iowa after hearing concerns about personnel at the center. Sens. Charles Grassley (R-IA) and Tom Harkin (D-IA) urged continued oversight of management reforms at the health care facility in response to the findings of a Veterans Affairs Inspector General report they received. “This situation is a good example of why it’s important for each agency to have an independent watchdog,” Grassley said. “The inspector general reviewed the concerns presented from Iowans to their senators and made recommendations to fix identified problems. I hope the actions the VA has agreed to take in response to this report will lead to improved morale for VA employees at the Central Iowa VA Medical Center and ultimately better patient care.”

The VA Office of Inspector General Office of Healthcare Inspections conducted an inspection of the VA Central Iowa Health facility’s Primary and Specialty Care Services Line in June 2013, the senators said. The inspector’s office made recommendations in their 31 MAR report dealing with “administrative irregularities, leadership lapses, and quality of care concerns” over the past two years at the Des Moines facility. The multiple allegations included claims that a current Service Line Director was not qualified for the position, lacked the necessary leadership skills, did not select appropriate candidates for physician positions and inappropriately performed skin biopsies. In addition, growing discontent with facility leadership was causing high nursing staff turnover rates, and facility leadership had not addressed clinicians’ concerns regarding the resulting effect on patient care, personnel retention, staff morale and the medical education mission, according to the report.

“Veterans in Iowa and around the country deserve access to the best possible health care, so a report of anything short of that kind of care at a VA medical center should be handled in a serious manner,” Harkin said in a statement. “I appreciate that the VA responded to these concerns and issued recommendations for improving the center,” he said. “I now look forward to working with Sen. Grassley to ensure Iowa’s veterans have access to the best possible care.” [Source: Quad-City Times article 31 Mar 2014 ++]

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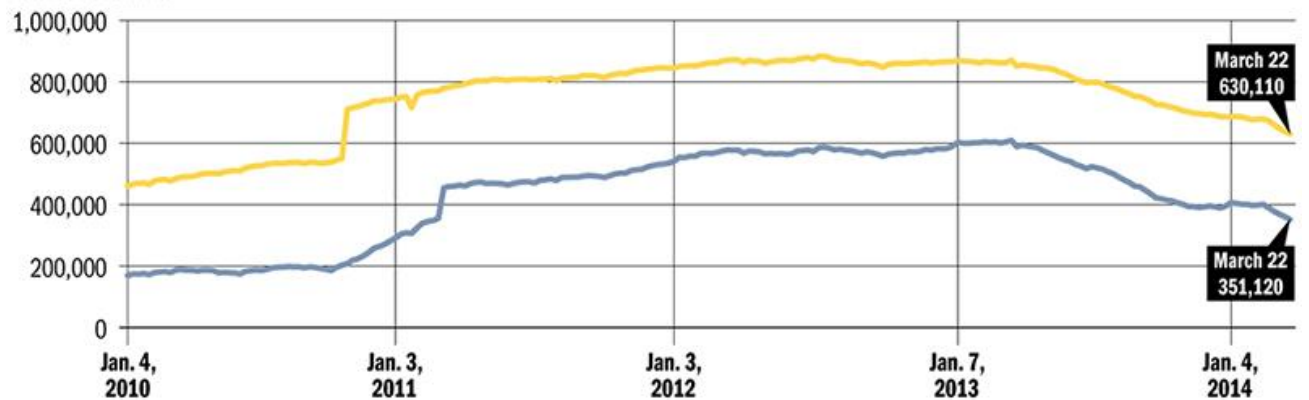
## VA Claims Backlog Update 133 ► Drops Below 350,000

A backlog of about 344,000 disability claims doesn't sound like good news. But Veterans Affairs Department officials argue it represents a pair of important and positive milestones. The backlog — the number of disability claims pending for more than 125 days — dropped below that 350,000 mark this week for the first time since February 2011. It marks a decrease of more than a quarter-million cases in the past year, a pace officials believe they can maintain to zero out the backlog in 2015. And it marks the first time the backlog has been below 350,000 since before claims tied to new presumptive illnesses from Agent Orange exposure overwhelmed the benefits system.

### SHRINKING BACKLOG

The Veterans Affairs Department's disability claims backlog dropped below 355,000 claims the week of March 24, putting it at a level not seen since February 2011. That's when the backlog problem spiked because of new claims related to Agent Orange illnesses, creating a systemwide slowdown in processing cases, officials said.

Number of claims



SOURCE: VETERANS AFFAIRS DEPARTMENT

JOHN HARMAN/STAFF

The move in 2010 to make the new presumptive illnesses eligible for VA benefits — adding tens of thousands of new cases to the already overworked claims processing system — was popular with veterans advocacy groups, who called the move a long-overdue recognition of the struggles of Vietnam veterans. But it also led to a dramatic slowdown in disability claims being completed, which in turn led to intense scrutiny and criticism of VA's ability to deal with claims quickly and reliably. That scrutiny continued last week, when VA officials appeared on Capitol Hill to testify about their annual budget request. In a series of hearings, House and Senate lawmakers promised to keep pressure on the department to more quickly process claims, saying the backlog is far from a solved problem. But VA Undersecretary for Benefits Allison Hickey on 31 MAR called the dwindling backlog figure a significant step ahead. Officials aren't celebrating the end of the backlog yet, but they are confident they have put in place new technology and processing systems to ensure a similar backlog fiasco won't happen again. "We don't ever want to see a secretary not do what's right for veterans because he's worried about what the backlog may do," she said.

Hickey said new paperless systems, better training of claims workers and improved communication systems not only have helped pare down the backlog but also have set up a system in which similar lengthy slowdowns should not happen again. She also acknowledged that mandatory overtime for claims processors over the last two years has

been a needed tool in driving down the numbers. New automated systems and improved paperless technology should replace those extra hours in the future, she said, noting that constant overtime is not a sustainable business model. But lawmakers are not convinced those changes will be enough. Rep. John Culberson (R-TX) last week said members of the House Appropriations Committee are “deeply concerned” with the ongoing problem and will be introducing new legislation to ensure the backlog continues to drop.

A bipartisan group of senators already has offered a similar bill in that chamber, mandating more inter-agency coordination and communication with veterans on outstanding claims. Hickey said she understands lawmakers’ frustration and oversight, but also disagreed with the idea that the backlog problem is still insurmountable. VA officials maintain they are on track to zero out the backlog sometime in late 2015, as they and White House officials have promised. “Every state office I look at, I see the backlog going down,” she said. “I know veterans are getting better and faster service.” [Source: NavyTimes | Leo Shane | 31 Mar 2014 ++]

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## **VA Fraud, Waste & Abuse ► Reported 1 thru 14 Apr 2014**

**Nashville TN** – The chairman of a key U.S. House committee is asking what action has been taken against Veterans Affairs officials in Nashville and Washington, D.C., who helped an employee abandon his assignment in Tennessee and run up over \$100,000 in unauthorized expenses. U.S. Rep. Jeff Miller, chairman of the House Veterans Affairs Committee released a copy of his two-page letter to VA Secretary Eric Shinseki on 28 MAR. In the letter, he asked Shinseki to explain why the employee, **Richard Moore**, has not been fired rather than put on paid administrative leave. “I am perplexed at how VA has chosen not to terminate his employment,” wrote the Florida Republican. Miller’s letter was the second addressed to Shinseki in the wake of a February report from the VA’s inspector general, which found that both Moore and his superiors had violated numerous rules when Moore was allowed to leave his job processing veterans’ claims in Nashville to take a special assignment in Washington.

Specifically, Miller asked Shinseki what action, if any, had been taken against eight agency officials in Washington and Nashville who allowed Moore to not only abandon his Nashville job but also later win a pay raise and an official reassignment to Washington. He noted that four of those officials, according to the IG report, engaged in “preferential treatment” by creating the higher-paid job for Moore. In his letter, Miller asked Shinseki to give the House committee a copy of Moore’s personnel file and all internal correspondence “discussing what disciplinary actions should be taken against him.” He also asked for details of any other disciplinary action. Moore, who could not be reached for comment, joined the VA in 2007 after a lengthy career in the U.S. Army. Two other officials implicated in the investigation have left the VA

VA spokeswoman Genevieve Billia said the agency has “reviewed the OIG’s report and is in the process of determining the appropriate actions to take with respect to its recommendations.” U.S. Rep. Jim Cooper, a Nashville Democrat, has also asked Shinseki to provide data on how many veterans’ claims were held up by Moore’s absence from his official Nashville assignment. He also has called for a public hearing on the matter. Citing the misuse of official time and some \$31,000 in fraudulent charges by Moore, Miller said those violations “were compounded by his use of a government-issued laptop to send sexually explicit photos, text messages and emails.” As the IG’s report noted, VA officials in Nashville and Washington ignored that Moore was absent from his assigned job, giving him a 100 percent performance rating on the official duties he had abandoned. [Source: The Tennessean | Walter F. Roche | 28 Mar 2014 ++]

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## VA Loans ► How to Save on Closing Costs

Closing costs are an inherent part of any VA home loan. Processing and approving a VA home loan application requires information and services from more than just your VA lender. And if you don't watch out, you'll pay more than you have to. VA loans limit the types of closing costs that veterans can pay but even with those limitations, there are closing costs. Here are some ways to reduce or avoid paying for them altogether.

**Closing Costs the VA Allows.** One of the easiest ways to remember the fees that the veteran may pay for is by using the acronym ACTORS. This stands for appraisal, credit report, title insurance, origination fees, recording and survey or abstract charges. The VA funding fee is also a charge but may be rolled into the loan amount and not paid out of pocket. This list leaves a lot of other players out of the picture and is an advantage that eligible VA borrowers have that others do not. What sort of fees? Common fees charged that veterans are not allowed to pay include loan processing, loan underwriting, document prep fees, escrow charges, settlement fees and a host of others. Added up, these fees can be more than a few thousand dollars, depending upon the size of the loan amount, locale and other factors. So how much can the fees be for the charges that the veteran is allowed to pay? Using a home with a sales price of \$300,000, what you might see is Appraisal \$500; Credit report \$50; Title \$3,000; Origination \$3,000; and Recording \$100 for a total of \$6,650. Even though VA loans limit the amount of costs the veteran may pay, it still can be a sizable number.

**How to Save or Eliminate Fees.** You always try one of the following. Nothing ventured, nothing gained.

- **Seller Concessions.** The most convenient way is to have the seller pay them. When making an offer on a home, your agent can ask that the seller pay a certain percentage or a particular amount of your closing costs. VA guidelines allow a seller to pay up to 4 percent of the sales price of the home to go directly toward the veteran's closing costs. In the above mentioned example, that could be up to \$12,000, well above what the borrower might pay. If not all of the costs, perhaps just some of them. If your offer says something to the effect of "We'll pay your asking price but we want you to pay all of our closing costs up to 4 percent of the sales price." In this scenario the seller's only choices are to pay all, some, or none of them
- **Lender Credit.** Another way to reduce or eliminate VA loan closing costs is having the lender provide a lender credit. How does a lender credit work? When speaking with your loan officer about various interest rate options, along with a loan term such as a 30 or 15 year fixed, you will also be given a list of rates with points and rates without points. Points, called "discount points" in the industry, are represented as a percentage of the loan amount. For each point paid, the interest rate can be reduced by about one-quarter of one percent on a 30 year mortgage. You might be quoted something like, "4.50 percent with no points or 4.25 percent with one point." On a 30 year loan of \$300,000, one point will cost you \$3,000.

Conversely, a lender can actually increase your interest rate by one-quarter of one percent or more, and provide you with a lender credit to be applied to your closing costs. Using this same example, you might be quoted 4.50 percent with no points, 4.75 percent with no points and a \$3,000 credit or 5.00 percent for a \$6,000 lender credit. It's your choice and something you need to review with your lender. Your monthly payment will be slightly higher, but then again you saved \$6,000.

There's no getting around closing costs on a VA loan, it's simply a matter of who pays for them. Properly structured, you may not have to. [Source: Mil.com | VA Loan Captain | Sep 2013 ++]

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## GI Bill Update 171 ► Irregularities Cited in Student Vet Study

A study released by Student Veterans of America promised to bring much-needed clarity to veterans' college graduation rates, but irregularities in how the research was done may cast doubt on its findings. While there are multiple issues with SVA's newly released Million Records Project, perhaps the most significant is its underrepresentation of students attending the most-scrutinized — and often lowest-performing — types of schools: for-profit colleges and universities. Looking at fewer of these students may have inflated the study's main finding that 51.7 percent of student vets using the GI Bill earned a degree or certificate. In a budget-conscious Washington and amid anecdotes of some schools taking advantage of former troops, vets' advocates are eager to emphasize the value of the Post-9/11 GI Bill and other education benefits as a way to protect them. But despite a 2012 executive order to executive agencies to "develop a comprehensive strategy" for tracking student veteran outcomes, there is still little to no federal data on how vets do in college.

SVA's study, financed by donations from private companies, could fill in some of these information gaps, but there remains work to be done. Graduation rates at for-profit colleges remain unclear and the data cited in this study likely renders unreliable the overall graduation rates. Just 10 percent of students covered by the study were identified as attending for-profit schools, with 11 percent at private schools and 79 percent at public schools. How drastically that underestimates for-profit school attendance by vets using the GI Bill is unclear, and each of the three groups that collaborated on the project — SVA, the Veterans Affairs Department and the National Student Clearinghouse — pointed Military Times to the other for an answer. "I think it highlights that more research needs to be done," said Michael Dakduk, who led SVA when work on the Million Records Project began and is now with the Association of Private Sector Colleges and Universities, a for-profit schools trade group. Still, "It's the best evidence of veteran progression in higher education that we have today," he said.

But Anthony Dotson, coordinator of the University of Kentucky Veterans Resource Center, called the study at best, misleading and, at worst, dishonest. "I was just wondering if anyone was going to throw the BS flag," Dotson said, adding that he thinks students at for-profits may have been weeded out to bolster the graduation rate. "While I understand the motivation of SVA to positively promote veterans on campus, ignoring the truth means that we ignore the problem and therefore are actually working against student veterans." SVA acknowledged the undersampling of students at for-profit schools, but stood by the findings. "At least one in five veterans who used the [Montgomery] or Post-9/11 GI Bill from the [study's] time period were selected," said Chris Cate, SVA vice president of research. "The size of the sample resulted in an extremely high statistical power and low margin of error."

The project examined the records of 788,915 student veterans, including those who first used the Montgomery GI Bill from 2002 to 2010 and who first used the Post-9/11 GI Bill in 2009 and 2010. SVA relied on VA to identify veteran GI Bill users and the National Student Clearinghouse to provide data on their academic progress. But not every school provides data to NSC — and for-profit institutions are much less likely to do so. During the enrollment years that the study considered for Post-9/11 GI Bill vets, the group received data from an average of 97 percent of public schools and 93 percent of private schools, but just 55 percent of for-profit schools according to NSC data. Those data go back only to 2003, one year after the study period for Montgomery GI Bill vets began, but the averages were 94 percent for public schools, 88 percent for privates and 53 percent for for-profits. Any student attending a school when it did not submit data was excluded from the study sample.

Just how the sample was chosen is also in dispute. In its report, SVA said VA created multiple filters before choosing records to include, one of which excluded students who had received benefits while attending schools "that were known not to report data to the NSC." Not so, said VA spokeswoman Genevieve Billia. "VA eliminated no records of students on account of National Student Clearinghouse status in responding to SVA's [information]



request,” she said. Meanwhile, Jason DeWitt, NSC’s research manager, said he thought VA excluded “a small number of large for-profits that VA knew were not covered by the Clearinghouse.” He declined to name those schools. SVA and NSC both maintain that after VA eliminated some records, other records totaling just under 5 percent of the remaining sample were removed for lack of NSC data. DeWitt said that he thought the number of such exclusions “would have been quite small.” But he couldn’t provide more detail on how many records were excluded, and how the study sample differed from the total population of GI Bill users. SVA referred that question to VA; VA referred it back to SVA.

VA previously provided information to Military Times on the total number of Post-9/11 GI Bill users by school between August 2009 and June 2011. Of the top 25 schools by enrollment, totaling 234,906 students, 10 were for-profits, with 97,920 students, or 42 percent of that total enrollment. According to NSC data, of those 10 for-profits, three, with a combined 46 percent of the for-profit enrollment, submitted data for the entire study period. Four schools, with a combined 17 percent of the for-profit enrollment, submitted no data, and three, with 37 percent of the for-profit enrollment, submitted data covering part of the study period. The 51.7 percent completion rate figure compiled in the study was calculated by counting the number of students who started attending classes under the GI Bill from 2002 to 2010 and graduated by June 2013 with any academic credential, from technical certificates to graduate degrees and everything in between. That way of calculating graduation rates varies widely from the standard method used by the Education Department and makes comparison of vet and nonvet data difficult to impossible.

The Education Department evaluates how many students in each year’s starting class have graduated by 150 percent of the expected completion time: six years after enrollment for four-year schools and three years after enrollment for two-year schools. In contrast, the Million Records Project counted the number of students who started attending classes under the GI Bill from 2002 to 2010 and graduated by June 2013 with any academic credential, from a quick technical certificate to a graduate degree in astrophysics, and everything in between. So a student who began pursuing a four-year degree in 2010 and remained on track to finish by 2014 would count negatively against the graduation rate. Yet the opposite would be true for a student who started pursuing a two-year associate degree in 2002 and didn’t finish until mid-2013. The Education Department’s most recent available data show that 56 percent of students who began attending four-year schools in 2006 graduated by 2012, as did 33 percent of students who began attending two-year schools in 2009.

The report found that 45 percent of students who began their studies at for-profit schools earned a degree or certificate. The figures for students starting at private and public schools were 64 percent and 51 percent, respectively. However, those results could be skewed by students who start at one type of institution, such as a public university, and transfer to another, such as a for-profit. Ryan Gallucci, deputy legislative director for Veterans of Foreign Wars, said that while the project has some shortcomings, it represents a step in the right direction. “This is the first time we’ve had anything even remotely statistically valid to start the conversation on how student veterans are doing” in school, he said. “We don’t know what we don’t know about the student veteran population.”  
Source: [MilitaryTimes | George Altman | 28 Mar 2014++]

**\*Vets\***



## Vet Suicide Update 04 ► Rates Cited Misleading | 1.5 vs. 22 Daily

Almost 22 veterans are thought to commit suicide each day, according to a 2012 VA report. That statistic is tragic, but it doesn't really represent current veterans returning from Iraq and Afghanistan, the Los Angeles Times reports. Close to 72% of veterans are over 50, with this group accounting for 69% of veteran suicides. The majority of veteran suicides are thought to have little to do with military service, according to the LA Times. Alan Zarembo, of the Los Angeles Times, notes: Many experts believe that the farther a veteran is from military service, the less likely it is that his or her suicide has anything to do with his or her time in uniform. In other words, many older veterans are killing themselves for the same reasons that other civilians in the same age group kill themselves: depression and other mental health problems coupled with difficult life circumstances. The Los Angeles Times, extrapolating from the suicide rate of veterans under 35 in California, estimates that roughly 1.5 returning veterans commit suicide daily nationwide. To read the LA Times article go to <http://articles.latimes.com/2013/dec/20/science/la-sci-sn-veteran-suicide-statistics-20131219>. To be sure, more can be done to address mental illness among veterans. Sen. John Walsh (D-MT the first Iraq war veteran to serve in the senate, has introduced legislation called the Suicide Prevention for American Veterans Act to increase mental health care for veterans. [Source: Business Insider | Jeremany Bender | 8 Apr 2014 ++]

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## Memorial Day 2014 ► Vietnam Wall OEF/OIF Ceremony

The first name that will be read at the ceremony during Memorial Day weekend is that of Evander Earl Andrews. A small-town boy, he had left his parents home in central Maine, joined the Air Force, and on Oct. 10, 2001, became the first military person reported killed in the post 9/11 wars in Iraq and Afghanistan. His mother, Mary, 71, said 4 APR that she never thought his death would be followed by 6,700 more. On 24 MAY, Andrews' name and the names of the others killed in the recent wars in Iraq and Afghanistan will be read aloud chronologically for the first time in a tribute at the Vietnam Wall, according to the Vietnam Veterans Memorial Fund. The ceremony will open at 9 a.m. on the east knoll of the Vietnam Veterans Memorial, and the reading will run from about 10 a.m. to about 5:40 p.m., the fund said. Those interested can register to read names starting at 8 a.m. April 14 at <http://www.vvmf.org/rotn>. People will be asked to read 15 names at a time.



**Vietnam Veterans Memorial Wall at the National Mall in Washington, D.C**

"Last month was the first month that no American was killed in Afghanistan" since the start of the war there, said Jan Scruggs, president of the fund and the creator of the memorial and its wall. "It just seemed like the time was right to do this," he said. "And the Vietnam veterans are the ones who have to do this. We're not going to let happen to these people what happened to us. "This will provide them some recognition," he said. "This will be a way for the

nation to honor the war dead." The event is sponsored by, among others, the memorial fund, the Iraq and Afghanistan Veterans of America, and the American Gold Star Mothers of America. The names will include in-theater hostile and non-hostile deaths, the fund said. Andrews, for example, was reportedly killed in Qatar in a forklift accident while building a runway. He was an Air Force master sergeant.

On five previous occasions, the fund has hosted the reading of the 58,000 names of those killed in Vietnam and listed on the wall. That program takes 19 hours a day over four days, Scruggs said. Such readings are "another step in the process, if you will, of a nation going to war" and coming home again, said David Petraeus, a retired Army general who served as the top U.S. commander in both Iraq and Afghanistan. "There are a number of these steps," he said. "At some point, there will be a memorial for those who served in the post-9/11 wars." The reading is one of those milestones, he said. He said he plans to attend the ceremony and read some of the names. Others commenting on the planned ceremony were:

- Barbara Benard, 67, of Columbia, Pa., the national president of American Gold Star Mothers, said: "It means a lot to us mothers from this generation. Who knows when there will be anything built for our sons and daughters? "I think it's wonderful that they're doing this," she said. Her son, Sgt. 1st Class Brent Adams, 40, who was a native of Lancaster, Pa., was killed Dec. 1, 2005, when a rocket-propelled grenade struck the vehicle he was driving in Ramadi, Iraq, she said. He had volunteered to take the place of one his men that day, she said. Shrapnel struck him in the thigh and severed an artery. He had been in the Pennsylvania Army National Guard for 18 years. She said she plans to be present for the May event and read her son's name.
- Tom Tarantino, the chief policy officer for the Iraq and Afghanistan veterans, said the reading "is one of the things we do to remember those we've lost."
- In Solon, Maine, Mary Andrews had not heard about the ceremony to remember her son until a reporter told her. Evander Earl Andrews was 36 when he died. "I think that's good that they continue to honor these military men and women who have given their lives," she said. A great deal has changed since the death of her son, whose first name, she pointed out, is pronounced EV-ander. "We've grown old," she said. Her husband, Odber, 82, had to give up raising cattle because of declining health. "Your whole life changes when you lose a child," she said. "No matter how old that child is." "We were looking forward to him retiring," she said. "He was going to build a house here on our farmland, finish raising his children here. That has not been."

[Source: The Washington Post | Michael E. Ruane | 8 Apr 2014 ++]

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## **Vet Unemployment Update 01 ► Post-9/11 Vets 6.9% in MAR**

Following a big jump in February, the March unemployment rate for the latest generation of veterans saw an even bigger decrease, the Labor Department's latest employment report shows. In contrast, the nation's unemployment rate held steady at 6.7 percent in March, as the economy added 192,000 jobs, according to the Bureau of Labor Statistics' monthly employment report, released 4 APR. The unemployment rate for post-9/11 veterans dropped to 6.9 percent last month, a big difference from the February rate of 9.2 percent. And that was itself a big spike compared to January, when 7.9 percent of post-9/11 vets were unemployed. Veteran-specific data within the monthly employment reports are particularly vulnerable to such large fluctuations because of the small sample size involved. As a result, statisticians caution against using these monthly reports to draw broad conclusions about veterans' employment. A separate, annual veteran employment report by the same federal agency is typically viewed as more reliable. That report, released just a few weeks ago, put unemployment for post-9/11 veterans in 2013 at 9 percent, down from 9.9 percent in 2012. The March unemployment rate for post-9/11 vets one year ago

was 9.2 percent. March 2014's 6.9 percent rate is the lowest monthly rate since November 2008. For veterans of all generations, the latest unemployment rate was 6 percent, down from February's 6.3 percent as well as from the March 2013 mark of 7.1 percent. [MilitaryTimes | George Altman | 4 Apr 2014 ++]

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## **Vet Cremains Update 22 ► Madera County California**

When Bob "Doc" Protzman discovered that the remains of U.S. veterans sometime sit indefinitely on shelves in morgues or mortuaries — or that they are buried, without recognition for their service — he knew he had to do something about it. He wasn't about to let that happen in Madera County. About a year ago, he approached county officials with his concern, asking for permission to help. Ultimately, he was named veterans remains officer for Madera County. He's also the county coordinator for the Missing in America Project, which helps locate and identify unclaimed remains of veterans, and then honors them.

On 4 APR, a ceremony was held for one of those unsung military members: Carlton Neal Jr. of Madera, formerly of Chowchilla. Members of Veterans of Foreign Wars Post 1981 in Madera conducted a full military honors ceremony in front of their post. It included a 21-gun salute and bugle playing taps to honor Neal, who served in the U.S. Air Force. He achieved the rank of airman first class before he was honorably discharged, Protzman said. Neal was a Cold War veteran who served in peacetime between 1958 and 1960. Outside of his military service, the Oklahoma native worked as a farm laborer for 20 years. He died Jan. 21 in Madera Community Hospital due to respiratory problems, Protzman said. He was 75. Little more was known of Neal by those who honored him Friday. But many of those at his ceremony said they know this: U.S. veterans should not be buried without being paid proper respect. After the ceremony, Neal's ashes were driven by Charles Hunnicutt, veteran service officer for Fresno and Madera counties, to the San Joaquin Valley National Cemetery in Santa Nella. A large cluster of motorcycles, the Patriot Guard Riders, followed as an honorary motorcade.

Another military ceremony was held at the national cemetery before Neal's remains were laid to rest. "The goal is to give him the proper military burial and respect that he deserves," Hunnicutt said. "It doesn't take too much to be motivated to help veterans. When you hear other comrades asking you for your assistance, you don't even hesitate." Protzman was contacted earlier this year by the county, because immediate family had not been found for Neal. His only known living relative is a second cousin, Patricia Neal from Chowchilla. Patricia Neal told Protzman she was close with Carlton Neal, and that he helped care for her because she has a disability. But because she wasn't immediate family, his remains couldn't be released to her. Protzman wanted to help her get the closure she deserved. At the Madera ceremony, she was presented a folded American flag in her cousin's honor. Madera County Supervisor Rick Farinelli attended the ceremony to applaud collaboration between the VFW, the veterans affairs office and Missing in America. "It's very impressive," Farinelli said of the ceremony, adding he's hopeful many more veterans will be found and honored in the same way. [Source: The Fresno Bee | Carmen George | 29 Mar 2014 ++]

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## **Vietnam Veterans Monument Texas Update 01 ► Dedication**

The dedication of the Vietnam Veterans Monument at the Texas Capitol on 29 MAR highlighted the pain, pride and solidarity of those who put their lives on the line in an unpopular conflict. "They fought, they bled, all too often they died for their country. When they came home, there wasn't any parades. There weren't any picnics. Instead they were treated with indifference or, even worse, with outright scorn," said Gov. Rick Perry. Perry said the bronze sculpture

of an infantry patrol, unveiled before a throng of veterans, will “stand as a declaration that in Texas, we understand how blessed we are to have warriors ready to step forward and draw a line between us and those who would do harm to our citizens.” He also noted “the many Vietnamese nationals who fought alongside us throughout that war.”

Perry, an Air Force veteran who served between 1972 and 1977 flying C-130 tactical airlift in the U.S., Europe and the Middle East, formally accepted the monument on the state's behalf from Robert Floyd, chairman of a committee composed of Vietnam veterans that raised money for the \$2.2 million monument and oversaw its production. State Sen. Juan “Chuy” Hinojosa, a McAllen Democrat who co-sponsored the monument authorization legislation with Rep. Wayne Smith, R-Baytown, a fellow Vietnam veteran, said that when the monument was unveiled, I felt chills in my body. “Welcome home, and God bless you all,” Hinojosa told the crowd. He recalled his Marine squad that included people from around the country, including, he said with fond amusement, “two hillbillies from West Virginia who could make some moonshine.” They came from all walks of life but became a family willing to die for each other, their country and their way of life, Hinojosa said.



**Vietnam Veterans Monument Austin TX**

State Sen. Leticia Van de Putte of San Antonio, the Democratic nominee for lieutenant governor, spoke at the ceremony, as did Lt. Gov. David Dewhurst. “We will always remember. We will always honor. And this monument allows us, for future generations, to learn,” said Van de Putte, who heads the Senate Veteran Affairs and Military Installations Committee. She cited heroes including two Medal of Honor recipients from San Antonio honored at the White House this month: Vietnam veterans Jose Rodela and Santiago Erevia. Erevia attended the ceremony, and Van de Putte recognized him along with his wife as the crowd applauded. Dog tags personalized for 3,417 Texans who died or were unaccounted for are inside the monument. “You defined what it is to be an American, and what it is to be a Texan,” said Dewhurst, who was in the Air Force from 1967-70 and also served in the CIA. [Source: San Antonio Express-News | Peggy Fikac | 30 Mar 2014 ++]

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## **SBP Reform Update 05 ► DoD Proposed Changes**

Another DoD proposal, reported by the Military Times newspaper, would be to revamp the Survivor Benefit Program (SBP) to save money by increasing the premium that retirees pay for coverage. The SBP is provided at no



cost to active-duty troops. Retirees also can purchase it to ensure monthly military pension checks continue coming to their spouse in the event of their death. The new Pentagon proposal, part of a broader plan to overhaul the military retirement system, calls for raising the premium cap for retirees from 6.5 percent of each monthly retirement check to 10 percent. At the same time, the maximum payout for beneficiaries would be reduced to 50 percent of retired pay, down from the current payout of 55 percent. The proposal also would limit retirees to two basic options:

- A “full benefit” that would cost 10 percent of gross monthly retirement pay and would continue to pay beneficiaries 50 percent of the military pension.
- A “half benefit” that would cost 5 percent of gross monthly retirement pay and continue paying beneficiaries 25 percent of the military pension.

The proposal was included in a report the Pentagon sent to Congress 6 MAR outlining potential changes to the entire military retirement system. The new proposal also calls for eliminating the offset policy that reduces SBP payments if the survivor is also receiving benefits from the Veterans Affairs Department. That means the net value of a total survivor benefit may increase in some cases. The report notes that survivors also would benefit from the related proposal to shift some of the military retirement benefit away from fixed-income pensions and into a civilian-style investment account that is owned by the service member or retiree. Any funds remaining after death can be passed along to family members.

The National Association of Uniformed Services (NAUS) commented on the Military Times article noting that it SBP was originally set up for retirees wanting to ensure that their surviving spouse continued to receive a portion of their retirement pay to purchase. Extending the benefit to spouses of troops who die on active duty was added several years later. NAUS’s goal is to repeal the SBP/DIC offset. SBP is an insurance policy, paid by DoD and purchased by the service member, to provide for a surviving loved one. DIC is compensation paid by VA for a service-connected death. They have been working for years to have this happen. NAUS does not support the DoD proposal to reduce the survivor payment to 50 percent and increase the insurance premium to 10 percent in order to change this hurtful policy of reducing SBP by the amount of DIC received. They are firmly committed to assure, as stated by Congress and the President, that “keeping our promises about grandfathering any changes to military compensation and retirement programs will remain a central principle in the process.” [Source: NAUS Weekly Update 4 Apr 2014 ++]

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## **Clark AFB Vet Cemetery Update 08 ► Burial Cost Increase**

Effective immediately the Burial costs at the Philippine Clark Veterans Cemetery will increase as follows:

- Full Body Burial - P 12,000 to include processing, site prep, Crypt, Ceremony set-up, Graveside service and ordering Flag & Headstone.
- Cremation Burial - P 3,000 to include processing, site prep, Ceremony set-up, Graveside service and ordering Flag & Headstone.

The above increases are necessitated by increasing costs, (cost of crypts by 50%), and recent Burials have no longer covered costs incurred. The last increase in Burial costs was in 2008. Burial coordination remains with the VFW Post 2485 until further notice. For additional info on Clark Veterans Cemetery burial services refer to [http://www.vfwpost2485.com/Clark\\_Burial\\_Services.htm](http://www.vfwpost2485.com/Clark_Burial_Services.htm). [Source: VFW Post 2485 Notice 2 Apr 2014 ++]

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## Wounded Warrior Project Update 01 ► Unauthorized Donations

A wounded Iraq War veteran from St. Charles County in Missouri is accused of soliciting unauthorized donations of at least \$6,200 for the Wounded Warrior Project but keeping the money himself. William Ronald Harshbarger, 34, faces 11 felony counts in St. Charles and St. Louis counties, authorities said Wednesday. He could face up to 15 years in prison. Attorney General Chris Koster said he and prosecutors in the two counties could not stand by when anyone “collects donations, falsely, in the name of a respected organization, and then keeps the money for his personal use.” Koster said Harshbarger routinely solicited donations outside stores such as Schnucks and Walmart in the two counties, receiving at least one \$1,000 check. He also took part in events such as a Veterans Day-related fundraiser at Living Word Christian School in O’Fallon, Mo., where he received almost \$750. Koster said prosecutors respect Harshbarger’s military service and the fact that he had been wounded. “But it does not in any way give him or anybody else a green light to steal from other servicemen and women nationally through the name of the Wounded Warrior Project,” he said at a news conference in his St. Louis office.



**William Ronald Harshbarger**

In another incident, prosecutors said, Harshbarger collected \$1,080 from people attending a Pattonville High School student’s 15th birthday party. They were asked to give donations to the Wounded Warrior project instead of gifts. Authorities said he also altered a \$30 check donated by a woman, 64, from St. Charles County to appear she gave \$300, then deposited it in an account he used for himself. The probe began after the woman notified the Florida-based Wounded Warrior Project about the inaccurate charge tied to her check. The nonprofit group assists injured veterans with physical and emotional rehabilitation. St. Charles County Prosecutor Tim Lohmar, who also spoke at the news conference, said Harshbarger is charged in his county with stealing, forgery, financial exploitation of the elderly and making misrepresentations in soliciting charity funds. In St. Louis County, he is accused of stealing by deceit and making misrepresentations. Harshbarger was being held Wednesday in the St. Charles County Jail. Bail was set at \$35,000.

Lohmar said he was charged in his county last month but the case wasn’t announced until after a recent grand jury indictment in St. Louis County. All the incidents took place in 2012. Harshbarger pleaded guilty in 2010 in St. Charles County to felony stealing charges, but Lohmar said those cases didn’t involve a charity scam. Harshbarger was on probation, Lohmar said. Michelle Roberts, a spokeswoman for the charity, said it appreciated the work on the case by the three Missouri agencies. “On occasion the Wounded Warrior Project is notified of people using our reputable name for ill-gotten gains,” Roberts said. She said the organization does not solicit cash donations door-to-door or outside of stores. [Source: St. Louis Post Dispatch | Mark Schlinkmann | 2 Apr 2014 ++]

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## **Homeless Vets Update 58 ► Less Than Honorable Discharged Vet Aid**

The VA has reversed course in the face of complaints from community groups and a USA TODAY query and restored aid to potentially several thousand homeless veterans who otherwise could have been left on the streets. The assistance, for a category of homeless veterans who have less than honorable discharges, had quietly been pulled in recent months after a legal review of eligibility laws. The support programs — called highly effective by community support groups nationwide — funnel money from the Department of Veterans Affairs through local organizations to provide immediate financial support or transitional housing for homeless veterans. But after the legal review, the VA cut access to the financial support program in December and to the transitional housing program in February for all veterans with less than honorable discharges and for those who served less than 24 months in the military, the VA said.

These veterans are generally ineligible for VA health care, and the agency's lawyers determined that ineligibility for VA health care rendered a veteran ineligible for homeless programs. Community groups were shocked, particularly given President Obama's stated goal of ending veteran homelessness by 2015. "There is something morally wrong here," said Phil Landis, president and CEO of Veterans Village of San Diego, a transitional housing program that turned away 14 homeless veterans in February after the policy change. Ten had served in or during the Iraq and Afghanistan wars, Landis said. "This is federal bureaucracy at its most heartless," said Sen. Patty Murray (D-WA) the Senate Budget Committee chairman and a senior member on the Senate Veterans' Affairs Committee, whose office received complaints. "(It) defies all common sense."

VA officials said a law was necessary to change the eligibility rules. "We would hope for some type of relief where somebody would look at this and understand that it runs counter to what the president, what the secretary (Eric Shinseki), what the Congress, what the veteran and what everybody needs to end homelessness," said Vince Kane, head of the VA's National Center on Homelessness Among Veterans. Murray introduced legislation 28 MAR to correct the problem. Late Friday, responding to a USA TODAY query, the VA said its lawyers were working toward a permanent decision on eligibility. In the meantime, Robert Petzel, the VA's undersecretary for health, restored support for all homeless veterans who had previously been receiving it, the VA said. "This decision will remain in effect until a final legal opinion has been rendered," the VA said in a statement, adding that on 31 MAR it will notify community groups that administer the programs.

About 10% of veterans living on the street have other-than-honorable discharges, according to a national database on homeless veterans maintained by Community Solutions, a national non-profit group that fights homelessness and poverty. Nearly 58,000 veterans were homeless in 2013 based on a one-night count by the U.S. Department of Housing and Urban Development. Other-than-honorable discharges often occur in cases directly related to combat stress, said Pete Dougherty, a VA homeless program official until his retirement last year. Troops diagnosed with post-traumatic stress disorder sometimes self-medicate with drugs or alcohol, and substance-related infractions such as drunken driving result, leading to an other-than-honorable discharge, Dougherty said. Some of these veterans later become homeless. Dougherty said the VA, in its earlier determinations about eligibility, had cut off aid to "some who need us the most." [Source: USA TODAY | Gregg Zoroya | 28 Mar 2014 ++]

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## **POW/MIA Update 25 ► SECDEF Orders ID Agencies Reorganization**

Defense Secretary Chuck Hagel announced 31 MAR that he's ordered an overhaul of the Pentagon agencies responsible for recovering and identifying the remains of America's war dead. The reorganization seeks consolidate the mission, improve efficiency and increase the number of remains identified by the two key agencies charged with

POW-MIA accounting efforts -- the Defense Prisoner of War Missing Personnel Office and the Joint POW/MIA Accounting Command, Hagel told a Pentagon news conference. Last month, the defense secretary directed Michael Lumpkin, acting undersecretary of defense for policy, to provide him with recommendations on how to reorganize the two organizations into a single, streamlined unit with oversight for the entire mission. "These steps will help improve the accounting mission, increase the number of identifications of our missing, provide greater transparency for their families and expand our case file system to include all missing personnel," Hagel said.

An armed forces medical examiner working for the yet-to-be-named agency will be the sole DOD identification authority and will oversee operations of the central identification laboratory in Hawaii as well as those in Omaha, Neb., and Dayton, Ohio. "By consolidating functions, we will resolve issues of duplication and inefficiency and build a stronger, more transparent and more responsive organization," Hagel stressed. In explaining why the reorganization was necessary, Lumpkin told reporters it had become clear that the department needed a "paradigm shift" from what some have called "outdated, institutionalized thinking and behavior that didn't deliver the number of remains accounted for that we had hoped." "As of next year, Congress has mandated the department have the capacity to identify up to 200 sets of remains a year, but last year the DOD agencies only identified 70 sets," he said.

Lumpkin said the new agency will maintain a single database of records related to missing Americans instead of the multiple databases currently in use. In addition, he said, proposals will be developed for expanding partnerships with private organizations already working to recover and identify remains to "fully embrace progressive science." No date has been set for when the new agency will be stood up, but the undersecretary said it would be led by a civilian appointed by the president. "This is a top priority for the Department of Defense. There is no greater sacrifice a service member can make than by dying for this country and we want to honor these heroes by bringing them home," Lumpkin said. [Source: AFPS | Nick Simeone | 31 Mar 2014 ++]

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## **POW/MIA Update 26 ► Cambodia Remains Repatriated**

A ceremony was held in Cambodia on 2 APR to repatriate what are believed to be the remains of three American servicemen who went missing in action more than 40 years ago during the Vietnam War. The remains, in three white coffins draped with U.S. flags, were hoisted Wednesday into a C-17 military cargo plane for transport to Hawaii, where they will undergo DNA testing to try to confirm their identities. An honor guard of four currently serving U.S. servicemen carried the coffins. "As the son of a combat helicopter pilot who served in Vietnam twice, I am truly privileged to be a part of this important ceremony," U.S. Ambassador William Todd said in a speech at Phnom Penh International Airport in which he also thanked the Cambodian government for its assistance in searching for the missing. "To my fellow Americans assembled here today, I am humbled and honored to join with you to pay respect to our fellow countrymen who put our nation's needs above their very lives," Todd said. "Today, we honor colleagues who died far from home and whom we never knew."

Some 90 Americans were listed as missing in action in Cambodia from the Vietnam War, which ended in 1975, but the remains of only 37 have been recovered and identified. The latest sets of remains were found in eastern Kampong Cham province. U.S. forces staged a brief ground incursion into eastern Cambodia in 1970 and bombed the country heavily from 1969 to 1973. A year ago, the Pentagon announced the burial at Arlington National Cemetery of the fragmentary remains of a Marine who perished in a failed helicopter rescue from Cambodia of the crew of the merchant ship Mayaguez in May 1975, an incident that is considered the last U.S. military engagement in the long Vietnam War. Their helicopter crashed after coming under heavy fire; 13 aboard were rescued at sea and 13 others were declared missing. Remains of 12 other U.S. servicemen who also were aboard the helicopter had

been accounted for previously, following a series of searches off the coast of Cambodia. [Source: The Associated Press | Sopheng Cheang | 2 Apr 2014 ++]



**Four U.S. servicemen carry a flag-draped coffin which contains possible remains of a U.S. serviceman to a C-17 cargo plane during a repatriation ceremony Wednesday at Phnom Penh International Airport, Cambodia.**

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### **POW/MIA Update 27** ► **USA Pfc Remains Found in German Ossuary**

An American forensic lab announced 7 APR it has independently confirmed through DNA testing that the remains recovered from a German ossuary in France are indeed U.S. Army Pfc. **Lawrence S. Gordon**, who was mistakenly buried with the enemy after World War II. DNA was extracted from bones by the national crime lab in France after Wisconsin filmmaker Jed Henry's dogged research through military records led to a crypt of an unknown soldier identified as a German. The French crime lab announced in February that it had a mitochondrial DNA match, meaning the results matched DNA from maternal relatives of Gordon's. Samples then were sent to a DNA testing facility at University of Wisconsin-Madison and to Bode Technology Group in Lorton, Va., for independent confirmation.



**Army Pvt. 1st Class Lawrence Gordon.**

Bode not only confirmed the French crime lab's results on Monday, but announced that it did a more specific nuclear DNA profile for further proof of identification — all within eight days of receiving the DNA samples from France. The DNA facility at University of Wisconsin-Madison will begin its testing this week. In addition to confirming the Virginia lab's results, the UW-Madison lab is working on refining techniques for recovering DNA from bones and teeth that are 70 years old and older. Henry became interested in the Gordon case because his grandfather, Staff Sgt. David L. Henry of Viroqua, served in the same reconnaissance company, and Gordon was the only member of the company who died and was not identified for a proper burial. The U.S. military accounting

community refused to help confirm the remains in the German crypt were Gordon's, but French and German officials agreed to allow DNA to be extracted and tested in hopes of identifying the soldier.

U.S. military anthropologists and historians typically work for years on an unidentified soldier case. Exhuming remains for DNA analysis does not happen often. In this case, Gordon's remains were in a German cemetery in France and identified as those of a German. So the U.S. could not prevent the remains from being removed and tested. Ed Huffine, Bode's vice president of international development, said the successful DNA testing on Gordon's case demonstrates how nuclear DNA testing can be incorporated in a large-scale, systematic DNA-led system of identifying service members, similar to how other large-scale identification projects are done in other nations. Bode has assisted with testing thousands of missing persons cases, including the 1970s "Dirty War" in Argentina, mass graves in Guatemala and Peru, victims of Hurricane Katrina, earthquakes and air crashes. [Source: Milwaukee Journal Sentinel | Karen Herzog | 7 Apr 2014 ++]

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## **POW/MIA Chair of Honor Program ► Falmouth MA**

For 2½ years, Harrison Baker trucked up and down the Burma Road, slogging through mud so thick it would take two days to travel 30 miles. In the dry season, he would wear a dust mask, always worried about the bugs, the heat, the risk of malaria. At 92, the Army veteran still feels lucky to have made it home from the Pacific theater to Massachusetts, especially on days like 4 APR, when the town of Falmouth dedicated a "chair of honor" for the more than 91,000 servicemen and women nationally who are unaccounted for since World War I, those were taken prisoner or went missing and never came back. "They get you. There's just something inside of you. ... I can't explain it," Baker said. "The older you get, the more feeling you have for this kind of thing. It brings back a lot of stuff from 70 years ago."

Sitting with his cane in the back row, wearing a black hat embroidered with the words "World War II Veteran" inside Falmouth Town Hall, Baker looked on Friday as the curtain was lifted on a black fold-up chair cordoned off by red velvet ropes. "It should not only be a few among us that help families carry the torch, year after year, decade after decade, for those who are missing," said Ahmed Mustafa, chairman of the town Veterans' Council. "It needs to be all of us, as one community." The chair always will sit empty, honoring veterans in the Town Hall lobby with the POW/MIA symbol emblazoned in white on the seatback. And while it is the first such chair to come to Cape Cod, veterans advocates and local officials said they hope it will not be the last. "They're all just as important, but it is good to get down to the Cape and get our first one," said Joe D'Entremont, president of Rolling Thunder Massachusetts, adding that the veterans group is in the midst of bringing a similar chair to Yarmouth. "We're here to make sure everyone understands there are thousands and thousands of POWs and MIAs from America's past wars."

The dedication ceremony featured speeches from current and former state legislators such as state Rep. David Vieira, R-Falmouth, and former state Rep. Matthew Patrick, a Falmouth Democrat who lost to Vieira in 2010 but is now running to replace outgoing Senate President Therese Murray. Like Baker, Patrick's father served in the Pacific during World War II. "They just deserve everything we can do for them," Patrick said of veterans. State Rep. Vinny deMacedo sat in the front row but did not have a speaking role. Vieira recounted D'Entremont's presentation at the Statehouse, where he put one of the chairs outside the offices of Speaker Robert DeLeo and House Minority Leader Brad Jones to show the effort was bipartisan. D'Entremont challenged legislators to help him put the chairs in every city and town hall, and Vieira returned to the Cape and contacted the three towns in his district: Bourne, Mashpee and Falmouth. In Falmouth, Julie Cramer, assistant to the director of Veterans' Services, said the town already had ordered the chair.



Vieira noted that the chair is portable and said he hopes it is taken to schools and community buildings "to make sure that no one forgets, that we always remember." Though there aren't many, U.S. Rep. William Keating, D-Mass., said he still has calls to his office from constituents haunted by the fact that they have a friend or loved one who remains missing in action. The callers still have faith and hold on to hope, he said. "That's what's important about this," he said. "When people sacrifice so much, giving up themselves, when they move from their family, their loved ones, their communities, they never forget that sense of duty. When they came under firefights, and their lives were at risk and some of them were wounded, they never forgot that sense of duty. And for those who were separated from their fellow soldiers and were prisoners of war, they still never forgot that duty. So it's important that Falmouth — the first community on the Cape to do this, followed by Yarmouth and I'm sure others — never forget as well."



The Rolling Thunder POW/MIA Chair of Honor Program is intended to support Rolling Thunder's main mission by bringing daily reminders of the POW/MIA issue to cities and towns big and small across the nation. A POW/MIA chair in any location is to remain perpetually empty to help people remember that even though our soldiers are not here, there is still a space for them. Chairs of Honor can be found in public spaces ranging from professional sports stadiums to small town city halls, and everywhere in between. Rolling Thunder chapters nationwide also have portable POW/MIA Chairs of Honor for their individual chapter activities, like VA facility visits and local veterans' events. Two types of POW/MIA Chairs of Honor are available: Fixed and Portable. For program materials, e-mail [pow-mia@husseyseating.com](mailto:pow-mia@husseyseating.com). For additional information on the Program go to <http://www.husseyseating.com/pow-mia-chair-of-honor/#.U0JLN9hOXug>. [Source: Cape Cod Times | C. Ryan Barber | 30 Mar 2014 ++]

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## **POW/MIA Recoveries ► 140401 thru 140415**

"Keeping the Promise", "Fulfill their Trust" and "No one left behind" are several of many mottos that refer to the efforts of the Department of Defense to recover those who became missing while serving our nation. The number of Americans who remain missing from conflicts in this century are: World War II (73,000+), Korean War (7,921) Cold War (126), Vietnam War (1,642), 1991 Gulf War (0), and OEF/OIF (6). Over 600 Defense Department men and women -- both military and civilian -- work in organizations around the world as part of DoD's personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home. For a listing of all personnel accounted for since 2007 refer to [http://www.dtic.mil/dpmo/accounted\\_for](http://www.dtic.mil/dpmo/accounted_for) . For additional information on the Defense Department's mission to account for missing Americans, visit the Department of Defense POW/Missing Personnel Office (DPMO) web site at <http://www.dtic.mil/dpmo> or call or call (703) 699-1169. The remains of the following MIA/POW's have been recovered, identified, and scheduled for burial since the publication of the last RAO Bulletin:





Family members seeking more information about missing loved ones may call the following Service Casualty Offices: U.S. Air Force (800) 531-5501, U.S. Army (800) 892-2490, U.S. Marine Corps (800) 847-1597, U.S. Navy (800) 443-9298, or U.S. Department of State (202) 647-5470. The remains of the following MIA/POW's have been recovered, identified, and scheduled for burial since the publication of the last RAO Bulletin:

**Vietnam - None**

**Korea - None**

**World War II**

The Department of Defense POW/Missing Personnel Office (DPMO) announced 8 APR that the remains of a U.S. serviceman, lost during World War II, have been identified and are being returned to his family for burial with full military honors. U.S. Army Air Forces 1st Lt. **Louis L. Longman**, 26, of Clinton, Iowa, will be buried April 12, in Rock Island, Ill. On April 16, 1944, Longman was the pilot of a P-38J Lightning aircraft that departed Nadzab, New Guinea, as part of a bomber escort mission against enemy targets on the island. His aircraft never returned after the mission. The 5th Air Force lost 53 pilots and crewman that day in what became known as "Black Sunday." Due to the nature of the war and mission, search and recovery efforts were unsuccessful. Longman was officially declared deceased on Feb. 27, 1946. A Joint POW/MIA Accounting Command (JPAC) team was investigating sites in the mountains of Papua New Guinea in February 2005, when two villagers turned over human remains that they claimed to have recovered from a wartime crash near their village. The team was not able to survey the site at that time. From 2007 to 2010, JPAC survey and excavation teams recovered additional remains and aircraft wreckage from the site. To identify Longman's remains, scientists from JPAC and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools such as dental comparisons and mitochondrial DNA, which matched Longman's niece.



[Source: [http://www.dtic.mil/dpmo/news/news\\_releases/](http://www.dtic.mil/dpmo/news/news_releases/) Apr 2014 ++]

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## OBIT | Overstreet~William Jr. ► 30 Mar 2014

Roanoke Virginia lost one of its most decorated World War II veterans. Former fighter pilot William Overstreet Jr., famous for flying his P-51C 'Berlin Express' beneath the arches of the Eiffel Tower in Nazi-occupied Paris in 1944, while chasing a German aircraft during the war, died the afternoon of 30 MAR He was 92. Overstreet was awarded numerous medals for his service in the 357th squadron of the U.S. Army Air Forces, according to his obituary for Oakey's Funeral Home. One of his greatest honors was receiving France's Legion of Honor by the French ambassador to the U.S. in 2009 at the National D-Day Memorial in Bedford. Before the ceremony, Overstreet had previously said that, if he lived long enough to receive the Legion of Honor, he would be accepting it in memory of his fallen brothers. In particular, he wanted to pay tribute to a friend, Eddy Simpson, who died fighting the Nazis on the ground so his comrades, including Overstreet, could escape. After the award was pinned to his lapel, Overstreet said: 'If I said, "Thank you," it wouldn't be enough,' before adding: 'What more than "thank you" do you need?'

At the ceremony, the French ambassador said Overstreet led "some of the most heroic actions that we have ever heard of" during the liberation of France in the Second World War. Overstreet's most famous flight came while in solo pursuit of a German Messerschmitt Bf 109G flying into Nazi-occupied Paris. As the German pilot desperately sought to out-manuever Overstreet, he flew beneath the Eiffel Tower - but Overstreet flew directly beneath it and continued to fire, eventually hitting the other pilot's engine. The German plane crashed and Overstreet was able to escape the city. His action re-ignited the spirit of the French Resistance troops on the ground.



**An artist's depiction of the dramatic moment. He was able to shoot down the ME 109**

One of those French Resistance fighters was the father of Bernard Marie. A French dignitary who has hosted D-Day events every year since 1984, Marie said he met Overstreet in 1994. He knew Overstreet was well-known for his flight underneath the Eiffel Tower but didn't understand the true importance of Overstreet's flight until he spoke

with his father. “My father began shouting out me — ‘I have to meet this man,’” Marie said. Members of the French Resistance had seen his flight, and it inspired them, including Marie’s father, he said. “This guy has done even more than what people are thinking,” Marie said. “He lifted the spirit of the French.” Marie was born into Nazi-occupied France and remembers the Allied troops coming to his home to liberate his family, forever giving him an appreciation for American WWII veterans.



It led to a friendship with Overstreet as soon as they met. “He was a countryman and a wonderful man,” Marie said. “He was very humble. In a way he was almost embarrassed” of the attention his awards brought him. After shyly accepting the Legion of Honor at the age of 88, Overstreet said, “If I said, ‘Thank you,’ it wouldn’t be enough,” but then added, “What more than ‘thank you’ do you need?” According to his obituary, Overstreet returned from war and married Nita Brackens of Covington, who preceded him in death. He worked as an accountant until retiring when he was 65 years old and then worked with numerous charities and veterans groups. Marie said even in his latest years of life, Overstreet still kept his wits and attitude. One night, when Overstreet was about 90 years old, Marie asked if he could give Overstreet a ride home. Overstreet, he said, looked back at him insulted and asked, “Did you forget what I am able to do?” [Source: Roanoke Times | Tiffany Holland | 31 Mar 2014 ++]

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## **OBIT | Heller~John T ► 2 Apr 2014**

A World War II veteran who survived one of the deadliest disasters in U.S. Navy history, treading shark-infested ocean for five days without food or water, was remembered Friday as a hero with a kind heart. John Thomas Heller, who died of natural causes at 86 on April 2, “was warm, generous and caring, but most of all, he was my hero,” said Aaron Burgess, 24, Heller’s grandson at a memorial service in Big Beaver United Methodist Church in Troy, where friends, family and veterans paid tribute. Heller, age 17 in 1945, was the youngest member of the USS Indianapolis crew when it was torpedoed and sank July 30. The ship was on its way home after delivering plutonium, and other crucial pieces for the nuclear bomb dropped on Hiroshima, to an island in the Pacific. “Two hundred years from now, history will remember John Heller and the rest of the crew of the USS Indianapolis,” said Cmdr. Don Wert, 72, of the American Legion Post 253 in Royal Oak.



**The USS Indianapolis at Pearl Harbor, Hawaii, circa 1937. The ship was torpedoed and sank on July 30, 1945, after delivering nuclear bomb materials to a Pacific island.**

The ship sank in 12 minutes with 1,197 men on board. Of the 900 who survived to bob in the Philippine Sea, only 317 were rescued. A number were eaten by sharks, as others died from dehydration after drinking seawater. Heller recounted the horror at sea to the Free Press, “We had a Marine with us, thank God,” Heller recalled. “And if a guy went berserk and started drinking saltwater or started swimming away, or tried to take us down with him, he’d have to hit him, and he’d take the jackets off him and make sort of a float ring out of it to give us more buoyancy in the water because our jackets were getting pretty water-soaked. It was pretty hard to say what we did during the day: We’d watch the sharks go by. They’d miss me and get somebody else. But they had a big feast out there. They didn’t need a little small guy like me.”

After the survivors were rescued, Heller was sent to Washington, D.C., to testify at the court-martial of the ill-fated ship’s captain, who later committed suicide. Despite the ordeal, Heller had wanted to stay in the Navy following his rescue, said Wert. But as the war ended, Heller was honorably discharged and returned home to Michigan, spending 37 years as the owner of four gas stations in Birmingham and Troy. His feet had been badly burned in the raging fires in the explosion, and the injuries, along with post-traumatic stress disorder, caused suffering the rest of his life, Wert said. “However, I don’t ever recall hearing John complain,” he said. “He offered his life and service for God and country.”



Numerous photos of Heller smiling with friends and family were displayed on large boards in the church foyer Friday. A table included his Purple Heart and other awards and memorabilia, such as a 1/700 miniature of the USS Indianapolis. Heller, nearly 70 years later living in Clawson, was the last survivor still living in Michigan, Wert said. Linda Burgess, Heller’s daughter, said that he didn’t speak much of the war as she was growing up. But in his later years, he told the historic story of the USS Indianapolis many times to groups of schoolchildren as well as to other vets at the John D. Dingell VA Medical Center in Detroit. Suzanne Kennings of Royal Oak met Heller at the Hideout, a favorite Clawson bar where he’d often be seen. She said he told her he wasn’t eaten “because I didn’t have enough meat on my bones,” she said. “He’d always tell the story with a smile — a smile and a glow in his



eye,” Kennings said. If you are interested the following links will tell you about the court-martial that should never have happened: <http://www.ussindianapolis.org/mcvay.htm> , <http://www.ussindianapolis.org/hashimoto.htm>, & <http://www.ussindianapolis.org/story.htm>. [Source: Detroit Free Press | Robert Allen | Apr 2014 ++]

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## **Vet Jobs Update 147 ► Cracking the Federal Job Code**

Looking for federal employment can be confusing, but given that the US government typically advertises between 15,000 and 20,000 jobs a day, it's worth taking the time to learn the difference between a GS-0493 and a WG-2810. There are 442 white-collar and 410 blue-collar occupations listed in the Office of Personnel Management's (OPM's) Occupations of Federal White-Collar and Blue-Collar Workers report. Each job title is identified by a unique job series number, and each job series is listed in a specific occupational group.

**What the Numbers Mean** - White-collar jobs are typically found in the administrative, management, science and professional fields, while blue-collar jobs are reserved for general labor and trades occupations. To further define jobs, Uncle Sam lists each job in an occupational group or family. There are 22 white-collar groups and 36 blue-collar families. A complete list of occupational groups and families can be found at <http://www.federaljobs.net>. For example, GS-300 is the occupational group for general administrative, clerical and office services. The job series, GS-0303, is for the job title clerk and assistants.

**General Service vs. Wage Grade** - Each job series is associated with an Occupational Group for white-collar jobs or Occupational Family for blue-collar jobs. Most white-collar jobs are in the General Schedule (GS) pay system and blue-collar jobs are in the Wage Grade (WG) pay system. Each job title has an associated job series number. All job announcements list the job title and series number and add a number that identifies the pay band for that position. To further understand, review the following job announcement summary that was taken from OPM's USAJOBS Web site <https://www.usajobs.gov>. You can also refer to <https://www.usajobs.gov/veterans>

**DEPARTMENT OF VETERANS AFFAIRS  
HEALTH REVENUE CENTER  
DELEGATED EXAMINING UNIT  
VACANCY ANNOUNCEMENT  
VACANCY IDENTIFICATION NUMBER: VZ185480 TDC  
OPENING DATE: Jan 15, 2004  
CLOSING DATE: Jan 22, 2004  
POSITION: SECRETARY (OA), GS - 0318 -05 / 05  
SALARY: \$25,697.00 - \$33,402.00  
THIS IS A Career/Career Conditional APPOINTMENT  
LOCATION(S): GAINESVILLE, FL - 1 vacancy  
EMPLOYING AGENCY: VA MEDICAL CENTER GAINESVILLE**

This secretarial position, job series GS-0318, is advertised at the GS-5 pay range of \$25,697 to \$33,402 per year. There are 15 pay grades in the GS pay system. This position doesn't have career progression above the GS-5 pay grade, because the position is listed as a GS-0318-05/05. But if this position was listed GS-0318-05/07, that would mean there could be career progression from an entry-level GS-05 through the GS-07 pay grade. See the chart at <http://www.federaljobs.net/salarybase.htm> to view current pay tables. USAJOBS links job summaries to job announcements that describe the specific position in detail and provide application instructions and links to required forms. You can now apply online for some positions.

**Excepted Service** - When searching federal jobs databases, you may find some job announcements with alpha characters other than GS or WG. These announcements are advertised by agencies that are in what is called the "Excepted Service" and may have a different pay system. The pay for this type of position will be listed on the job announcement. About 50 percent of all federal positions are in the Competitive Service. Competitive Service jobs, for the most part, are advertised in the GS pay system. Excepted positions may have different alpha characters such as FV-0318 or FG-0318, and these agencies use different characters to differentiate their pay systems from the General Schedule system. If you take the time to decipher the federal classification system, you're bound to discover lots of interesting job vacancies. Read the announcements thoroughly to ensure you submit all required forms and requested data by the closing date. Check out all occupations in the same occupational group and explore related opportunities in other groups as well.

[Source: Military.com article Mar 2014 ++]

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## **Vet Jobs Update 148** ► **HillVets Programs | Congress**

What's the worst federal agency for hiring veterans? Try Congress. Despite numerous efforts by lawmakers in recent years to spur veterans employment in the private sector, few congressional offices have followed suit. A new survey estimates that fewer than 180 veterans are employed as Capitol Hill staff, a mere 3 percent of the 6,000-plus employees there. For comparison, in fiscal 2012 nearly half of all Defense Department employees were veterans. One in three Veterans Affairs and Transportation Department workers were veterans that year, and the Education Department — one of the lowest veteran hiring rates among federal agencies — had just under 10 percent.



Now, a network of veterans working in Congress is hoping to change that. HillVets, formed less than a year ago to connect and assist former military personnel working in the legislative branch, this month announced plans to double the number of veterans in those jobs by the start of the next legislative session, in January 2016. On 8 APR, Reps. Mike Thompson (D-CA) and Don Young (R-AK) will announce the formation of a new Veterans Congressional Fellowship Caucus, with a mission to increase the number of veterans working on Capitol Hill. That will include a new congressional fellowship program for veterans, which will accept its first participants this summer. Abigail Gage, director of outreach for HillVets and an Army National Guard captain, said getting each of the 535 members of Congress to hire just one veteran would almost triple the current total. "We're hoping we can reach out and help them understand the skill sets that veterans can bring to an office," she said. "I think a lot of people don't know how much research and writing some members of the military do."

Part of the problem may be the demographics of Congress itself. The current session opened with 108 lawmakers with military experience, roughly 20 percent of the two chambers. That number has dropped steadily since the



1970s, when more than 70 percent of members were veterans. Many of the lawmakers who have hired veterans as staffers in the HillVets survey sit on the Armed Services and Veterans' Affairs committees, giving them added incentive to add employees with military knowledge. But Gage said another issue is that until her organization launched last year, veterans had no organized network to help lobby for those jobs. Part of the HillVets effort is résumé reviews, to help show qualified veterans how to best market their skills toward legislative jobs and help market those candidates to colleagues on Capitol Hill.

Ian Staples, an Army Reserve captain who recently landed a job with Rep. William Enyart (D-IL) said having that support was invaluable in his job search. He returned from an Afghanistan deployment in January, and had some experience working on political campaigns but few contacts among elected officials' offices. But he was able to land interviews within weeks of contacting HillVets. "Having some kind of network is absolutely critical," he said. Gage said already a number of other qualified veterans have reached out to the organization in recent weeks. "These are people who appreciate long hours and hard work," she said. "They have first-hand experience with the claims backlog, deployments, issues like the integration of women into combat roles. And almost every congressional district has a VA facility. "So, they're valuable assets. But we're not seeing a lot of veterans in those discussions right now." For more information on the HillVets programs, visit its website at <http://hillvets.org>. [Source: NavyTimes | Leo Shane | 8 Apr 2014 ++]

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## **Vet Jobs Update 149 ► Pentagon Projects Lower Vet Unemployment**

The Pentagon this year will spend nearly a \$1 billion on a program that sends unemployment checks to former troops who left the military voluntarily. Unemployment Compensation for Ex-Servicemembers, a Labor Department program, is a spinoff of the federal-state unemployment insurance program. The Labor Department says the overall program is meant to help "eligible workers who are unemployed through no fault of their own" such as during layoffs. But eligibility for the military compensation requires only that a person served in uniform and was honorably discharged. In other words, anyone who joins the military and serves for several years, then decides not to re-enlist, is potentially eligible for what could amount to more than 90 weeks of unemployment checks. The program's cost rose from \$300 million in 2003 to \$928 million last year.

If the Pentagon's latest budget projections are any indication, the issue of veterans' unemployment may be easing. Buried in fine print inside DoD's recent budget submission is a request for \$486 million to cover unemployment claims in 2015 from newly separated service members that can provide up to two years of monthly checks. That would be down from a peak of more than \$1 billion in 2011, and from \$863 million requested for the 2014 budget year. The drop comes amid a modestly improving economy and after the White House and Pentagon heaped money and attention on the problem of veterans' unemployment, which was especially acute among the youngest troops who served in Iraq and Afghanistan.

Unemployment among the "post-9/11" generation of veterans has fallen during the past several years. In February, it was 9.2 percent, down from a peak of more than 15 percent in 2011, according to the Labor Department. Nevertheless, the jobless rate for those vets has remained stubbornly higher than the civilian population at large, which most recently was 6.9 percent in February. The \$486 million requested for next year is the lowest since fiscal 2008, before the most recent economic recession began and unemployment rates soared. Experts say veterans had a uniquely difficult time during the recession. That was blamed on a variety of factors, including the difficulty of translating military skills into a rapidly shifting civilian job sector, and an economy with diminished opportunities for the young men who make up most of the recent veteran population.

Since then, the Defense Department has put in place many new support services for separating service members to help them prepare for the job market, including résumé writing tips, education counseling and small-business mentorship programs. That new effort signaled a cultural shift inside the military, where for years, many senior leaders quietly feared that preparing service members to succeed in the civilian job market might hurt military retention. In addition, the White House and first lady Michelle Obama have put pressure on private-sector firms to hire more veterans through the “Joining Forces” initiative. [Source: NavyTimes | Andrew Tilghman | 9 Apr 2014 ++]

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## **Congressional Veterans Fellowship ► How to Apply**

Congressman Charles Michael Thompson (D-CA) is co-chair of the Congressional Veterans Fellowship Caucus, which seeks to increase the number of Veterans working on Capitol Hill by providing them with the resources and skills necessary to bridge the gap between military service and legislative work. While working in member offices, Fellowship participants will attend weekly classes on the legislative process, constituent relations and correspondence, and specific issues, including the budget and appropriations process. Fellows will work closely with Member office staff on projects and to develop and advance legislation. General responsibilities include:

- Responding to constituent requests and drafting correspondence.
- Attending and preparing for Congressional hearings.
- Assisting with legislative research and drafting legislation.
- Performing administrative tasks

Eligibility Requirements for the program are `prior military service with an honorable discharge plus a Bachelors Degree with 3.0 GPA. To apply, send a completed application including writing sample, your resume, cover letter, and a copy of your DD-214 to [veterans.fellowship@mail.house.gov](mailto:veterans.fellowship@mail.house.gov). The Summer program deadline for applications is April 18, 2014. If unable to submit by then look for the Fall/Winter program’s deadline date. Veterans can apply at [mikethompson.house.gov/constituent-services/veterans-fellowship-program](http://mikethompson.house.gov/constituent-services/veterans-fellowship-program). The summer Fellowship will run from May 26 – August 15, 2014. Please note that all Fellowships are unpaid. For more information on the Veterans Fellowship program contact Rep Thompson’s office via <http://mikethompson.house.gov/contact/offices>. [Source: NGAUS Washington Report 8 Apr 3014 ++]

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## **Vet Job Opportunities @ Hess ► Military Recruiting Programs**

Hess Corporation is a global independent energy company engaged in the exploration and production of crude oil and natural gas. They are a leading shale oil and gas producer, a leader in deepwater development and production, and a focused, high impact explorer. Their assets are focused in five areas where they have proven technical capabilities: Gulf of Mexico, North Sea, West Africa, Asia Pacific and Onshore U.S. Six core values guide everything they do, including their relationships with stakeholders: communities, employees, customers, business partners and shareholders. They are committed to help meet the world's growing need for energy while making a positive impact on the communities where they do business. They strive each day to be a trusted partner that ensures the safety of our workforce and host communities, and protects and preserves the environment. Hess employees say the company has a family feel and what they do gets recognized and rewarded. They describe a "can-do" spirit and a sense of empowerment to make a meaningful difference. They appreciate the team work and collaboration with colleagues and like the opportunities Hess provides to help them grow and advance in their careers.

Hess is committed to supporting veterans and active members of the military. They work with non-profit organizations and corporate entities to hire qualified veterans. And they participate in military recruiting events to help veterans transfer their skills and experience to civilian jobs. At Hess vets can explore ways to use your military experience and training at a global energy company. Once employed, the Hess Veterans' Group provides former members of the armed forces a platform to raise ideas, generate discussion and promote activities that align the veteran community's interests with their core values. There are plenty of reasons potential employees are attracted to Hess, including excellent benefits, highly competitive salaries and a range of opportunities for personal growth and development. But to many former members of the armed forces, the most compelling reasons to work at Hess are the company's deeply rooted corporate values: Integrity, People, Performance, Value Creation, Social Responsibility and Independent Spirit. For more information on Hess, jobs available and applying for a position go to <http://www.hess.com/default.aspx>. [Source: Military.com article Mar 2014 ++]

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## Retiree Appreciation Days ► As of 13 Apr 2014

Retiree Appreciation Days (RADs) are designed with you in mind. They're a great source of the latest information for retirees and Family members in your area. RADs vary from installation to installation, but, in general, they provide an opportunity to renew acquaintances, listen to guest speakers, renew ID Cards, get medical checkups, and various other services. Some RADs include special events such as dinners or golf tournaments. Due to budget constraints, some RADs may be cancelled or rescheduled. Also, scheduled appearances of DFAS representatives may not be possible. If you plan to travel long distances to attend a RAD, before traveling, you should call the sponsoring RSO to ensure the RAD will held as scheduled and, if applicable, whether or not DFAS reps will be available. The schedule as of 13 APR is provided in the attachment to this Bulletin titled, "**Retiree Activity\ Appreciation Days (RAD) Schedule**". For more information call the phone numbers of the Retirement Services Officer (RSO) sponsoring the RAD as indicated in the attachment. An up-to-date RAD list is always available online at <http://www.hostmtb.org/RADLIST-2014.html>. [Source: RAD List Manager | Milton Bell | 13 Apr 2014 ++]

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## Vet Hiring Fairs ► 15 Apr thru 15 Jun 2014

The U.S. Chamber of Commerce's (USCC) Hiring Our Heroes program **employment workshops** are available in conjunction with hundreds of their hiring fairs. These workshops are designed to help veterans and military spouses and include resume writing, interview skills, and one-on-one mentoring. For details of each click on the link next to the date in the below list. If it will not open refer to [www.uschamber.com/hiringourheroes/events](http://www.uschamber.com/hiringourheroes/events). **To participate, sign up for the workshop in addition to registering for the hiring fairs which are shown below for the next 8 weeks.** For more information about the USCC Hiring Our Heroes Program, Military Spouse Program, Transition Assistance, GE Employment Workshops, Resume Engine, etc. visit the USCC website at <http://www.uschamber.com/hiringourheroes/events>.

<u>Date</u>	<u>Location</u>
April 16, 2014 –	<b>New Orleans, LA</b>
April 16, 2014 –	<b>Hamden, CT</b>
April 17, 2014 –	<b>Los Angeles, CA</b>
April 22, 2014 –	<b>Celina, OH</b>

April 23, 2014 – **Dearborn, MI**  
April 23, 2014 – **Fort Campbell, KY - Veterans Jobs Summit**  
April 24, 2014 – **Evansville, IN**  
April 29, 2014 – **Chicago, IL**  
April 30, 2014 – **Trenton, NJ**  
April 30, 2014 – **Fayetteville, NC**  
April 30, 2014 – **Cheyenne, WY**  
May 7, 2014 – **Birmingham, AL**  
May 7, 2014 – **Kansas City, MO**  
May 8, 2014 – **Rochester, NY**  
May 8, 2014 – **Salisbury, MD**  
May 12, 2014 – **Arlington, TX**  
May 13, 2014 – **Tampa, FL**  
May 13, 2014 – **Rochester, MN**  
May 13, 2014 – **Greater San Antonio, TX Networking Reception**  
May 14, 2014 – **Camden, NJ**  
May 14, 2014 – **Military Spouse Hiring Fair, Lackland Air Force Base, TX**  
May 15, 2014 – **Military Spouse Networking Reception and Hiring Fair Whidbey Island, WA**  
May 15, 2014 – **Layton, UT**  
May 21, 2014 – **Boston, MA**  
May 22, 2014 – **Memphis, TN**  
May 22, 2014 – **Fort Wayne, IN**  
May 22, 2014 – **Riverside, CA**  
May 28, 2014 – **Martinsburg, WV**  
May 28, 2014 – **Military Spouse Program Networking Reception Joint Base Myer Henderson Hall, VA**  
May 28, 2014 – **Fargo, ND**  
May 28, 2014 – **Tulsa, OK**  
May 29, 2014 – **Military Spouse Hiring Fair Joint Base Myer Henderson Hall**  
May 29, 2014 – **Cincinnati, OH**  
June 4, 2014 – **Roseburg, OR**  
June 5, 2014 – **Jacksonville, FL**  
June 5, 2014 – **Peoria, IL**  
June 5, 2014 – **Las Cruces, NM**  
June 10, 2014 – **Harrisburg (FITG), PA**  
June 10, 2014 – **Dover, DE**  
June 10, 2014 – **Savannah, GA**

**Note:** A key tactic that most job-seekers overlook when attending a job or career fair is to Stop at every table! One mistake we all make on occasion is to generalize. For example, people assume that health-care companies are only hiring health-care workers, or that insurance companies only need agents. So when they encounter these tables or displays, they typically say nothing and keep moving. Also, sell yourself! Be an extrovert and your own agent! Finally, your mission is fact-finding and networking. By spending time at each table, one learns to overcome stereotypes that lead to erroneous assumptions [Source: U.S. Chamber of Commerce Assn 13 Apr 2014 ++]

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## WWII VETS 61 ► Allan~Paul E.

Hard luck hit the Allan family in 1940 when John T. Allan, a carpenter and father of two sons, died of a massive stroke. His older son, also named John, quit high school and started working as a butcher to help support his brother, Paul, and their stepmother, Ida. Then more bad luck occurred. “John took ill, and I had to quit high school and go out and work to help the family,” **Paul E. Allan** recalls. “I worked for three different truck farmers in Gardenville. My stepmother worked as a nurse’s aide at Mercy Hospital in the emergency room, but we needed more to make ends meet.” Paul, though, entertained some lofty notions about his work life. “I thought I’d like to fly and enlisted in 1944 with the Army Air Forces,” he says, not yet aware that his flyboy dreams would lead to quite a financial boost. As a farmhand, his monthly pay was about \$40; as a sergeant on a B-24 bomber, it was \$117. His family back home sure appreciated the extra money.

Paul paid a high price for his wages, flying from Okinawa up to Japan, nestled in the bomber’s nose, where his twin .50-caliber machine guns were located. “I would joke with the pilot that I arrived at the bomb site sooner than he did because my turret was ahead of him,” he says. “He’d smile when I told him.” As the “lead” crew member, he realized there was a good chance the enemy, if coming head-on, would most likely take aim at him first. “One time, as I was climbing into the turret as we approached the target site, either the pilot or co-pilot warned us that a Japanese Zero fighter plane was coming right at us with guns blazing,” Paul recalls. “That was kind of scary. He just made one pass and went on his merry way.” When the mission was completed and the B-24 was preparing to land, the pilot asked Paul to check the left landing gear. “It looked OK to me,” Paul says, “but when we touched down, the tire was flat. We started to sink, and the pilot and co-pilot put their feet on the brakes and pulled the throttles back on the two right-side engines and pushed the two left throttles forward to put more speed on, and we landed in a third of the normal runway it would take to land and straight as an arrow.”



**Paul E. Allan, 88**

The pilot was 21 and known as “the old man.” That landing made him a wise old man, not to mention a hero. “It could have been pretty rough for us,” Paul says. “When I had looked out the plane’s window and saw the tire, there was no weight on it, so it had looked OK.” In the weeks before the two atomic bombs were dropped on Japan, Paul Allan and his fellow crew members were no strangers to Hiroshima and Nagasaki, from about 15,000 feet above the cities. “We were mostly bombing factories and train yards. We dropped incendiary and general-purpose bombs,” he says. “Our plane was usually the first ahead of the squadron because of the fact that we were a radar unit. That allowed us to pick up railroad tracks, rivers, streams. In the dead of night, we could tell exactly where we were.” Three days before the first of the two A-bombs were dropped, he recalls seeing a notice that warned bomber crews not to fly within a certain radius of Hiroshima or Nagasaki. “We looked at each other and said, ‘Hey, what’s happening?’ When they dropped the bomb, three days later, we knew what was happening.”

The war ended Aug. 14, 1945. But Paul Allan's service continued just outside Tokyo. Part of Kelly's Cobras with the 494th Bomb Group. He and his fellow airmen wore an insignia that featured the head of a cobra holding a bomb. That did not go over well with the local citizenry they sometimes encountered. "They'd shake their fists at us and yell," Paul recalls. "We didn't understand a word of the Japanese, but we knew they didn't like us." Back home, he attended agricultural college and graduated in 1948 from Cobleskill State College. That opened the door to working at dairy farms, milking cows and cleaning barns. His hard work advanced him to milk testing with the Dairy Herd Improvement Cooperative, and he worked for the organization for 40 years until retiring in 2002. He had married Amelia Landahl, and they raised two sons. After 59 years of marriage, his wife died 6 DEC of last year, and he says he sorely misses her. "She cooked my meals for me. Now I have to cook for myself and, even worse, eat what I cook," Paul says, managing to maintain a sense of humor. During his service Paul Akllen earned the Asiatic-Pacific Theater Medal, World War II Victory Medal, and Army of Occupation Medal [Source: Buffalo City News | Lou Michel | 9 Mar 2014 ++]

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## State Veteran's Benefits & Discounts ► Vermont 2014

The state of Vermont provides several benefits to veterans as indicated below. To obtain information on these plus discounts listed on the Military and Veterans Discount Center (MCVDC) website, refer to the attachment to this Bulletin titled, "**Vet State Benefits & Discounts – VT**" for an overview of the below benefits. Benefits are available to veterans who are residents of the state. For a more detailed explanation of each of the below refer to <http://veterans.vermont.gov> & <http://militaryandveteransdiscounts.com/location/vermont.html>.

- Veteran Housing Benefits
- Financial Assistance Benefits
- **Employment and Training Assistance**
- Education Benefits
- Other State Veteran Benefits
- Discounts

[Source: <http://www.military.com/benefits/content/veteran-state-benefits/virginia-state-veterans-benefits.html>  
Mar 2014 ++]

### \*Vet Legislation\*





## CA Vet Sentencing ► Mental Health Consideration Required

A bill that passed the California Assembly 10 APR would require judges to consider a veteran's mental health status in sentencing. The bill is one of several the legislature is considering to deal with veterans in the criminal justice system, according to the Associated Press. Bill author Marc Levine cited statistics finding that one in five returning veterans from Iraq and Afghanistan suffer from post-traumatic stress disorder (PTSD), a condition that sometimes explains why an untreated individual turned to crime. Judges are already required under existing law to assess whether convicted defendants were a member of the military, and whether they suffer from conditions such as post-traumatic stress disorder, sexual trauma, or other illness that could affect their mental state. The bill dictates that judges weigh this factor in favor of a shorter sentence for felons, and in favor of probation over prison time for all defendants. During probation, individuals may be subject to treatment.

Favoring treatment over jail time for any inmates would be a positive development for California, where prisons continue to be so overcrowded that the state is subject to federal monitoring for conditions that were deemed cruel and unusual by the U.S. Supreme Court. California has come under particular fire for its neglect of mentally ill inmates. And a new report out this week adds to the evidence that prisons have become de facto asylums for the mentally ill after a decrease in the number of psychiatric beds. But the study found that inmates come out of prisons and jails sicker than they went in, and are particularly likely to re-offend if not funneled into treatment. The bill is one of several the California legislature is considering to deal with veterans in the criminal justice system, according to the Associated Press. [Source: ThinkProgress | Nicole Flatow | 10 Apr 2014 ++]

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## VA Caregiver Program Update 25 ► Hidden Heroes Act S.2243

Responding to a Rand Corp. report issued in the first week of APR on challenges facing those who care for ill or injured veterans, Sen. Patty Murray (D-WA) on 10 APR introduced a bill that would increase federal support for this largely invisible group. More than 5 million Americans provide care and support for veterans, with 1 million helping ill or injured Iraq and Afghanistan war-era veterans. According to the study, many often do so at great personal sacrifice, experiencing social isolation, income loss and poor health. Roughly a third do not have health insurance, 62 percent face financial strain as a result of their circumstances, 28 percent left jobs to care for a veteran and nearly 40 percent meet the criteria for symptoms of depression — more than double that of civilian caregivers. “Our caregivers work extremely hard without any recognition and rarely ask for anything for themselves, a lot like the service member and veterans themselves, who say they are just doing their jobs,” Murray said during a speech on the Senate floor.

The **Military and Veteran Caregiver Services Improvement Act** (S.2243), which Murray dubbed the “Hidden Heroes Act” after the Rand report, would broaden the Veterans Affairs Department caregiver program, removing restrictions on who is considered a caregiver for benefit purposes and increasing support for those caring for people with mental health issues. It would make tax-exempt the Defense Department benefit known as Special Compensation for Assistance with Activities of Daily Living and would expand eligibility for the program by increasing support of those caring for individuals with mental health conditions and/or traumatic brain injury. It also would remove the time restrictions for veterans eligible for the Post-9/11 GI Bill to transfer their benefits. “Injured veterans should not be penalized because their injury occurred early in their service,” Murray said.

Murray said she found inspiration for the proposed legislation in the Rand study as well as her parents' own story. Murray's father, a World War II veteran, was cared for by her mother after he developed multiple sclerosis. At the same time, mother Beverly Johns raised seven children and supported the family. According to the study, post-9/11 military and veterans caregivers save taxpayers more than \$3 billion a year by offsetting the cost of home health care and medical aides. The Rand study, written by researchers Rajeev Ramchand, Terri Tanielian and David Adamson, was commissioned by the Elizabeth Dole Foundation, after its founder, former Transportation Secretary and Sen. Elizabeth Dole became a caregiver herself, helping husband and World War II veteran Sen. Robert Dole during an 11-month hospitalization and subsequent care. When the Doles began hosting injured and ill troops and their caregivers for dinners in their Washington, D.C., home after Robert Dole's hospitalization, Elizabeth Dole felt compelled to do more. "Once these families are home, the challenges increase tremendously," Dole said last week at an event to unveil the study.

The White House on 11 APR will announce more initiatives for military and veterans caregivers under the Joining Forces program. First lady Michelle Obama and Jill Biden, along with Dole and former first lady Rosalynn Carter, founder of the Rosalynn Carter Institute for Caregiving, have invited caregivers to the East Wing for the event. [Source: MilitaryTimes | Patricia Kime | 10 Apr 2014 ++]

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## **VA Claims Backlog Update 135 ► VA Backlog GAO Survey Bill**

A coalition of senators and congressmen is preparing for a possible larger overhaul of the Department of Veterans Affairs, saying a 44 percent cut the agency reported making to reduce the backlog of first-time and supplemental disability claims by former military members is not good enough. Sen. Pat Toomey, a Lehigh Valley Republican and the son of a Marine, told reporters on 7 APR that large-scale reforms designed to dramatically revamp the VA are ahead if it can't slash deeper into the backlog of 337,357 claims languishing at 56 regional offices nationwide. "It's not acceptable for men and women who served their country and risked their lives, often with serious deleterious effects from their service, to wait for long periods of time to have their claims decided," Toomey said.

Toomey told the Tribune-Review that he plans to join Sen. Bob Casey, D-Scranton, in co-sponsoring legislation to revamp VA's handling of benefits claims. Casey's proposed 21st Century Veterans Benefit Delivery Act calls on the Government Accountability Office, the investigative wing of Congress, to survey how VA regional offices handled the backlog before proposing uniform changes to spur more accurate and timely decisions. Casey's bill has been championed by the Veterans of Foreign Wars, the American Legion and several other military groups. "Veterans deserve a comprehensive and permanent solution to this problem, and my hope is that this legislation will ensure we reach that goal," Casey told the Trib. Last week, the VA announced that vets are waiting 119 days less than they did a year ago for decisions on initial disability filings. Officials have blamed the backlog that peaked last year at more than 611,000 claims on a record number of new and complex filings since 2011.

In Pittsburgh, VA statistics show three out of every five claims are backlogged. The typical veteran filing for disability benefits in Pittsburgh can expect to wait 336 days for an agency decision. A Tribune-Review investigation found the appeals process for rejected claims takes about 3½ years, and some veterans, and even their spouses, die while waiting. "We will continue to work with our partners, stakeholders and Congress to execute our plan to end the backlog," VA spokesman Randal Noller said. Toomey said key senators, including members of the Veterans Services Committee, formed a Backlogs Working Group that meets regularly to brainstorm VA reforms. He and other senators are willing to perform a "massive overhaul" of the agency to streamline claims and appeals but first need to see "data-based conclusions" about sensible reforms, Toomey said. Darin Selnick, an independent consultant for Concerned Veterans of America and a former Air Force officer and VA executive from 2001-2009,

said the VA has been caught in a bureaucratic cycle for years. "I think what you're hearing is that fed-up members of Congress and their staffers is such that you will start to see bills coalescing together into a set of legislative reforms," he said. To review a draft of the bill go to <http://www.scribd.com/doc/211914285/Tester%E2%80%99s-21st-Century-Veterans-Benefit-Delivery-Act-pdf>

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## **VA Management ► H.R.4031/ S.2013 Punish or Fire Officials**

On 3 APR House Speaker John Boehner held a news conference with Rep. Jeff Miller (R-FL) and Sen. Marco Rubio (R-FL) to push for the advancement and passage of two bills to provide an easier means to punish or fire senior VA executives found to be negligent in their duties. The legislation would also make it easier to deny bonuses. H.R. 4031, introduced by Rep. Miller would provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance and S. 2013, an identical bill, introduced by Sen. Rubio which is named the Department of Veterans Affairs Management Accountability Act of 2014. Speaker Boehner stressed that he does not believe VA Secretary Shinseki should be removed or resign. "I think the secretary needs to have more authority to manage his own department. It's as simple as that," Boehner said. "That's what this bill would do." [Source: NAUS Weekly Update 4 Apr 2014 ++]

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## **VA Audiology Care ► H.R.3508 Would Enhance Services**

More veterans seek help from the Department of Veterans Affairs for hearing loss than any other disability facing them today. The demand for audiology services is growing at nearly 10 percent per year. But with limited resources, the VA is struggling to keep up. Veterans across the country are being forced to wait weeks, even months, for an appointment. In Marshfield, Wis., Roger, a 70-year-old Vietnam War veteran, sought help from the VA for his hearing loss. He was informed he could not get an appointment for six months. Unfortunately, Roger couldn't wait that long, so he went to his local hearing aid specialist and was seen that day. Roger was willing to pay out of pocket for his hearing aids, but that is not an option for many of our veterans — nor should it have to be. Currently, the VA is only allowed to use audiologists to provide hearing services to veterans. While audiology doctors are a great resource for the VA and provide adequate service for veterans, there are not enough to keep up with the demand and needs of veterans like Roger.



H.R.3508 to amend title 38, United States Code, to clarify the qualifications of hearing aid specialists of the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes provides another option. Hearing aid specialists go through a one to two year apprenticeship training period, complete a

comprehensive written exam, and are certified by the state to fit and sell hearing aids. They are more than qualified to support the specialized services of audiology doctors by fitting, adjusting, and making minor repairs to hearing aids. This legislation would give both our veterans and audiologists much needed relief while conserving resources at the VA. If the provisions of this bill are implemented, VA audiologists can turn their attention to specialized cases and complex conditions, and people like Roger won't have to wait six months for simple appointments to get hearing aids.

A recent report from the Office of Inspector General supported these findings: Forty-two percent of veterans wait more than 30 days from the time the medical facility receives the hearing aids to the time they are mailed back to the veteran, and often the delay in repairs is blamed on staff vacancies and an increase in workload. H.R.3508 would allow the VA to fill those vacancies with specialists certified for adjusting and repairing hearing aids. It has the support of the Iraq and Afghanistan Veterans of America (IAVA), the International Hearing Society, VetsFirst, Blinded Veterans Association, and American Veterans. As Americans, we can never repay our debt to veterans like Roger and Dilbert, but Congress can pass common-sense measures like H.R.3508 to help make their lives, and the lives of those who care for them, a little easier. [Source: The Hill | Reps. Sean Duffy (R-WI) and Tim Walz (D-MN) | 2 Apr 2014 ++]

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## **Florida GI Bill ► Gov. Scott Signs HB 7015 Into Law**

Flanked by military veterans, members of the Florida National Guard and lawmakers, Gov. Rick Scott signed into law on Monday the “Florida GI Bill,” modeled after the World War II-era program and intended to make Florida the most military-friendly state in the nation. The wide-ranging measure (HB 7015), rushed through the Legislature the first week of session as a priority of House and Senate leadership, provides university tuition waivers for veterans, pays for military and guard base improvements, is expected to help increase employment opportunities for veterans and allocates \$1 million a year to sell the state to veterans. Andrew Sloan, a Georgia native who spent six years in the U.S. Air Force and has been lobbying lawmakers since September on behalf of student veterans, said the bill will draw other veterans to Florida’s universities. “We served our nation and we only ask for that which we earned, by virtue of our service, (to) be there when we get home,” said Sloan, who is now a political science and German double-major attending Florida State University.

Scott tied his own experiences when leaving the U.S. Navy to wanting to support veterans and active duty service members. “I remember when I got out of the Navy back in the early ‘70s, it was not a good time to get out of the service in this country,” Scott said after the signing ceremony at the National Guard Armory in Panama City. “Our veterans were not respected; it was a tough time. We’re going to make sure that is this is the most military-friendly state for active-duty members, but also for all the veterans.” According to the Florida Department of Veterans’ Affairs, the state currently houses 1.5 million veterans, of which nearly one-third are from the Vietnam era and 231,000 served in the Afghanistan and Iraq wars. Florida’s nursing home population includes nearly 114,000 World War II-era veterans and more than 178,000 veterans of the Korean conflict. House Speaker Will Weatherford and Senate President Don Gaetz crafted the package during a statewide “listening” tour last summer. Weatherford called the legislation “the most important bill that we’ll pass this legislative session.”

The package, expected to cost more than \$30 million in its first year, includes an anticipated \$12.5 million for ongoing upgrades of the state’s National Guard facilities and \$7.5 million to purchase a total of 45 acres of buffer lands around MacDill Air Force Base in Tampa, Naval Station Mayport in Jacksonville and Naval Support Activity Panama City. The proposal also requires Visit Florida to spend \$1 million a year on marketing aimed at veterans, and allocate another \$300,000 to a new nonprofit corporation, Florida Is For Veterans, Inc. The nonprofit, to be

housed within the Florida Department of Veterans' Affairs, would be used to encourage veterans to move to Florida, and promote the hiring of veterans.

Meanwhile, state universities and colleges are expected to take an \$11.7 million hit in waivers for out-of-state tuition charges for all honorably discharged veterans, a proposal named the "Congressman C.W. Bill Young Veteran Tuition Waiver Act" after the late Pinellas County lawmaker who served more than four decades in Congress before his death last year. Because in-state tuition, covered by the federal GI Bill, is thousands of dollars cheaper than out-of-state rates, lawmakers hope the new waivers encourage veterans from outside of the state to apply to Florida schools. To assist families of active-duty service members, the bill also waives the requirement for spouses and dependents to get a Florida driver license if they get a job or enroll in a public school. [Source: Daytona Beach News-Journal | Jim Turner | 31 Mar 2014 ++]

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## **Medicare Reimbursement Rates 2014 Update 08 ► 1yr Patch Only**

For the 16th time since the flawed Sustainable Growth Rate (SGR) formula was established, Congress voted to delay deep cuts to Medicare and TRICARE payments to physicians. The House and Senate agreed on a one year patch, and President Obama signed the bill into law on 2 APR that will delay the 24 percent cut in payments until April 2015. Allowing such a deep cut would devastate access to health care for military retirees and American seniors. The Military Coalition (TMC) and many members of Congress hoped to pass a long term fix to this perennial problem this year. Both S.2000 and its companion bill, H.R.4015 attracted support over the past few weeks, but ultimately came up short. In the end, Congress was unable to agree on how to pay for the \$138 billion fix. Looking ahead, a new session of Congress will need to take on this contentious issue in 2015 if a permanent fix isn't found this year. [Source: MOAA Leg Up 4 Apr 2014 ++]

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## **Vet Legislation Offered in 113th Congress ► As of 13 Apr 2014**

For a listing of Congressional bills of interest to the veteran community introduced in the 113<sup>th</sup> Congress refer to this 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 of that likelihood is the number of cosponsors who have signed onto the bill. Any number of members may cosponsor a bill in the House or Senate. At <http://thomas.loc.gov> you can review a copy of each bill's content, determine its current status, the committee it has been assigned to, and if your legislator is a sponsor or cosponsor of it. To determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d111/sponlst.html>.

Congress headed home to their district offices for a two-week recess on 11 APR. During the extended recess, you are urged to attend a town hall meeting or schedule an appointment with your member of Congress. To find information on your members schedule, and how to schedule a meeting or invite them to speak at your Post, sign-up for their newsletters, and see what bills they support, visit the House website and type in your zip code at <http://www.house.gov/representatives/find>.

Grassroots lobbying is the most effective way to let your Congressional representatives know your wants and dislikes. Members of Congress are the most receptive and open to suggestions from their constituents. The key to increasing cosponsorship support 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 your legislator's phone number, mailing address, or email/website to communicate with a message or letter of your own making at <http://thomas.loc.gov/bss/d111/sponlst.html>. Refer to [http://www.thecapitol.net/FAQ/cong\\_schedule.html](http://www.thecapitol.net/FAQ/cong_schedule.html) for dates that you can access them on their home turf.

**FOLLOWING IS A SUMMARY OF VETERAN RELATED LEGISLATION INTRODUCED IN THE HOUSE AND SENATE SINCE THE LAST BULLETIN WAS PUBLISHED:**

- H.R.4356 : **Department of Veterans Affairs Information Security Protection Act.** A bill to amend title 38, United States Code, to make certain improvements in the information security of the Department of Veterans Affairs, and for other purposes.
- H.R.4359 : **Honor Guardsmen and Reservists Act.** A bill to amend title 38, United States Code, to make memorial headstones and markers available for purchase on behalf of members of reserve components who performed inactive duty training or active duty for training but did not serve on active duty.
- H.R.4363 : **Work for Warriors Act of 2014.** A bill to amend title 10, United States Code, to establish a direct employment pilot program for members of the National Guard and Reserve, to be known as the "Work for Warriors Program", and for other purposes.
- H.R.4370 : **Veterans Information Security Improvement Act.** A bill to improve the information security of the Department of Veterans Affairs by directing the Secretary of Veterans Affairs to carry out certain actions to improve the transparency and the governance of the information security program of the Department, and for other purposes.
- H.R.4394 : **Serve Our Heroes Now Act.** A bill to prohibit the awarding of contracts to contractors responsible for delayed openings of Veterans Affairs facilities.
- H.R.4399 : **Comprehensive Department of Veterans Affairs Performance Management and Accountability Reform Act of 2014.** A bill to amend title 38, United States Code, to improve the performance appraisal system for senior executives of the Department of Veterans Affairs, and for other purposes.
- H.R.4422 : **Establish Veterans' Job Corps.** A bill to authorize the President to establish the Veterans' Job Corps as a means of providing gainful employment to unemployed veterans and widows of veterans through the performance of useful public works, and for other purposes.
- H.R.4446 : **VA Study on Vet Unclaimed Remains.** A bill to require the Secretary of Veterans Affairs to conduct a study on matters relating to the claiming and interring of unclaimed remains of veterans, and for other purposes.
- S.2190 : **Hire More Heroes Act of 2014.** A bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.
- S.2217 : **Military Mental Health Review Board Improvement Act.** A bill to amend title 10, United States Code, to enhance the participation of mental health professionals in boards for the correction of military records and boards for the review of the discharge or dismissal of members of the Armed Forces.
- S.2243 : **Military and Veteran Caregiver Services Improvement Act of 2014.** A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

[Source: <http://www.loc.gov> & <http://www.govtrack.us/congress/bills> 13 Apr 2014 ++]

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## Veteran Hearing/Mark-up Schedule ► As of 14 Apr 2014

Following is the current schedule of recent and future Congressional hearings and markups pertaining to the veteran community. Congressional hearings are the principal formal method by which committees collect and analyze information in the early stages of legislative policymaking. Hearings usually include oral testimony from witnesses, and questioning of the witnesses by members of Congress. When a U.S. congressional committee meets to put a legislative bill into final form it is referred to as a mark-up. Veterans are encouraged to contact members of these committees prior to the event listed and provide input on what they want their legislator to do at the event.

Membership of each committee and their contact info can be found at

<http://www.congress.org/congressorg/directory/committees.tt?commid=svete>. Missed House Veteran Affairs committee (HVAC) hearings can viewed at <http://veterans.house.gov/in-case-you-missed-it>.

Text of completed Senate Veteran Affairs Committee (SVAC) hearings are available at

<http://www.gpo.gov/fdsys/browse/committee.action?chamber=senate&committee=va&collection=CHRG&plus=CHRG>:

- **April 22, 2014.** HVAC O&I will hold an oversight field hearing titled, “Construction Conundrums: A Review of Continued Delays and Cost Overruns at the Replacement Aurora, Colorado VAMC.”
- **April 24, 2014.** HVAC, Subcommittee on Oversight and Investigations will conduct a field hearing entitled “Access to Mental Health Care and Traumatic Brain Injury Service: Addressing the Challenges and Barriers for Veterans.”
- **Wednesday, April 30, 2014 (tentative).** HVAC will hold a full Committee hearing to mark up pending legislation.
- **Wednesday, June 11, 2014 (tentative).** SVAC will hold a hearing to discuss pending legislation.
  - S. 1606 (Udall) CBOC naming
  - S. 1637 (Manchin) United We Stand to Hire Veterans Act
  - S. 1643 (Cardin) Veterans' Advisory Committee on Education
  - S. 1662 (McConnell) Veterans Health Care Improvement Act of 2013
  - S. 1682 (Casey) Veterans Education Counseling Act of 2013
  - S. 1684 (Toomey) Service members Transition Improvement Act of 2013
  - S. 1717 (Kaine) SERVE Act of 2013
  - S. 1736 (Durbin) Serve Act
  - S. 1740 (Landrieu) VA Major Medical Facility Lease Authorization of 2013
  - S. 1751 (Heller) Authority for contracted disabilities exams for disability
  - S. 1755 (Toomey) Dignified Interment of Our Veterans Act of 2013
  - S. 1863 (Brown) Continued Education program for Medical Professionals
  - S. 1892 (Collins) Canadian Forces Base Gagetown, New Brunswick Veterans registry
  - S. 1985 (Moran) Veterans Health Care Access Closer to Home Act 2014
  - S. 1987 (Feinstein) EUL at the West Los Angeles Medical Center
  - S. 1993 (Warren) Veterans Care Financial Protection Act of 2014
  - S. 1999 (Graham) SCRA Rights Protection Act of 2014
  - S. 2009 (Udall) Rural Veterans Improvement Act of 2014
  - S. 2013 (Rubio) VA Management Accountability Act of 2014
  - S. 2014 (Durbin) GI Education Benefit Fairness Act of 2014
  - S. 2091 (Heller) 21st Century Veterans Benefits Delivery Act
  - S. 2095 (Moran) Veterans Health Care Access Closer to Home Act 2014
  - S. 2128 (Cornyn) VAMC naming
  - S. 2145 (Feinstein) Veteran Voting Support Act

- S. 2179 (Murray) Homeless Veterans Services Protection Act of 2014
- S. 2182 (Walsh) Suicide Prevention for American Veterans Act
- S. 2184 (Wyden) CBOC naming
- S. RES. 399 (Cornyn) Expressing support for the American GI Forum

[Source: Veterans Corner w/Michael Isam 14 Apr 2014 ++]

**\*Military\***



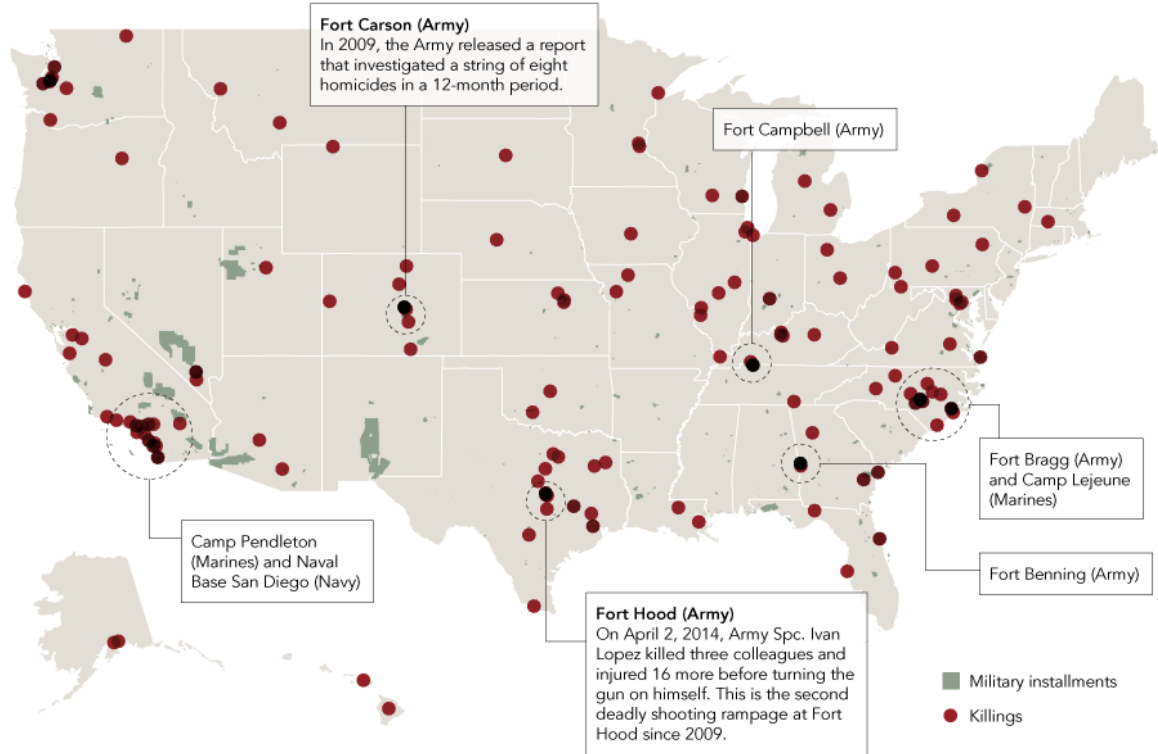
**Cost of Wars Update 04 ► OEF/OIF Collateral Casualties Infographic**

Army Spc. Ivan Lopez, the veteran who fatally shot three people before taking his own life 2 APR at Fort Hood, Texas, is among a growing number of recent veterans who have committed violent crimes after returning from war. Lopez, 34, was struggling with depression, anxiety and insomnia and was being evaluated for post-traumatic stress disorder, military officials said. Of the more than 2.6 million Americans who have served in Iraq and Afghanistan, it is estimated that about one in five have suffered from PTSD, according to data provided by the Department of Veterans Affairs. Researchers and therapists have found that certain people who suffer from PTSD display anger and aggression, but there is no research that supports a link between war trauma and violence back home. "[PTSD] can cause outbursts when someone is provoked, but it does not provoke mass murder," Dr. Charles R. Marmar, chairman of the department of psychiatry at New York University Langone Medical Center, told the Los Angeles Times.

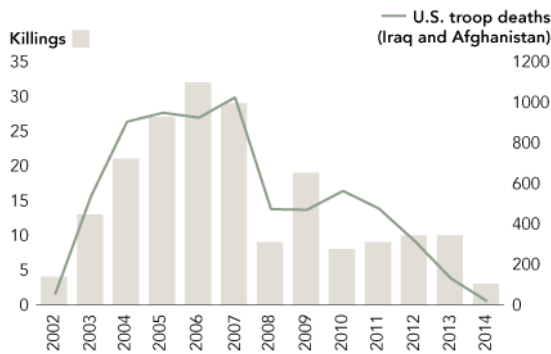
The vast majority of veterans do not come home to commit violent crimes. The veteran population is no more violent than the general population, and veterans are many, many times more likely to harm themselves than they are to harm others. Still, each time a former service member takes the life of an American citizen -- often a loved one, as shown below -- people struggle to figure out how the tragedy could have been averted. "Obviously we have a gap," U.S. Defense Secretary Chuck Hagel told reporters on 3 APR. "Any time we lose an individual, something's gone wrong." In 2008, The New York Times compiled a list of 121 cases in which veterans were charged with a killing after returning home, and Current TV, GOOD and MGMT.design collaborated to update the research in 2010. The Huffington Post collected data from these sources and more recent news articles to create the infographic below, which shows that at least 194 veterans have been charged with killings after returning from Iraq or Afghanistan. It also shows that there has been a concentration of such incidents around military bases. Our research may not be a complete tally, but these were the cases we could confirm

# The Collateral Casualties Of War

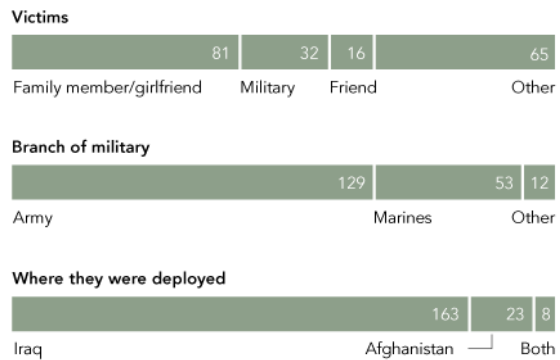
The deadly shooting at Fort Hood on April 2 wasn't the first time a recent veteran has returned home to commit a deadly crime. Here are incidents where Iraq and Afghanistan veterans have been charged with killing — often a loved one. Violence has also plagued the areas around military bases.



## Killings at home keep track with the deadliest years for combat abroad



## Most killings committed by Iraq veterans, loved ones often the victims



Note: This data was compiled from a variety of sources, including a 2008 New York Times report on the topic and more recent news articles. Research may be incomplete. No analysis has been done to show a correlation between combat deaths and killings at home.  
Sources: The New York Times, GOOD, Current TV, Huffington Post research, Colorado Springs Gazette, U.S. Army Center for Health Promotion and Preventive Medicine, iCasualties.org

THE HUFFINGTON POST

[Source: Huffington Post 8 Apr 2014 ++]

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## **Liquid Hydrocarbon Fuel ► Seawater to Fuel Hurdle Overcome**

The US Navy believes it has finally worked out the solution to a problem that has intrigued scientists for decades: how to take seawater and use it as fuel. The development of a liquid hydrocarbon fuel is being hailed as “a game-changer” because it would significantly shorten the supply chain, a weak link that makes any force easier to attack. The US has a fleet of 15 military oil tankers, and only aircraft carriers and some submarines are equipped with nuclear propulsion. All other vessels must frequently abandon their mission for a few hours to navigate in parallel with the tanker, a delicate operation, especially in bad weather. The ultimate goal is to eventually get away from the dependence on oil altogether, which would also mean the navy is no longer hostage to potential shortages of oil or fluctuations in its cost.

Vice Adm. Philip Cullom declared: “It’s a huge milestone for us. We are in very challenging times where we really do have to think in pretty innovative ways to look at how we create energy, how we value energy and how we consume it... We need to challenge the results of the assumptions that are the result of the last six decades of constant access to cheap, unlimited amounts of fuel,” added Cullom. “Basically, we’ve treated energy like air, something that’s always there and that we don’t worry about too much. But the reality is that we do have to worry about it.” US experts have found out how to extract carbon dioxide and hydrogen gas from seawater. Then, using a catalytic converter, they transformed them into a fuel by a gas-to-liquids process. They hope the fuel will not only be able to power ships, but also planes. That means instead of relying on tankers, ships will be able to produce fuel at sea.

The predicted cost of jet fuel using the technology is in the range of three to six dollars per gallon, say experts at the US Naval Research Laboratory, who have already flown a model airplane with fuel produced from seawater. Dr Heather Willauer, an research chemist who has spent nearly a decade on the project, can hardly hide her enthusiasm. “For the first time we’ve been able to develop a technology to get CO<sub>2</sub> and hydrogen from seawater simultaneously, that’s a big breakthrough,” she said, adding that the fuel “doesn’t look or smell very different.” Now that they have demonstrated it can work, the next step is to produce it in industrial quantities. But before that, in partnership with several universities, the experts want to improve the amount of CO<sub>2</sub> and hydrogen they can capture. “We’ve demonstrated the feasibility, we want to improve the process efficiency,” explained Willauer.

Collum is just as excited. “For us in the military, in the Navy, we have some pretty unusual and different kinds of challenges,” he said. “We don’t necessarily go to a gas station to get our fuel, our gas station comes to us in terms of an oiler, a replenishment ship. “Developing a game-changing technology like this, seawater to fuel, really is something that reinvents a lot of the way we can do business when you think about logistics, readiness.” A crucial benefit, says Collum, is that the fuel can be used in the same engines already fitted in ships and aircraft. “If you don’t want to re-engineer every ship, every type of engine, every aircraft, that’s why we need what we call drop-in replacement fuels that look, smell and essentially are the same as any kind of petroleum-based fuels.” Drawbacks? Only one, it seems: researchers warn it will be at least a decade before US ships are able to produce their own fuel on board. [Source: Defense News | Agence France-Presse | 7 Apr 2014 ++]

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## **Military Fast Food Outlets ► 40 Lawmakers Oppose Closing**

Forty lawmakers have signed a letter asking the Labor Department to exempt some military morale, welfare and recreation and exchange operations — such as fast food concessions — from wage regulations affecting federal contractors on military bases. “Should these policy changes be fully implemented, we are concerned they will

eliminate jobs, negatively impact recreational services on military bases, and limit the dining options for service men and women on military installations,” states the April 10 letter, signed by Rep. Joe Wilson (R-SC), chairman of the House Armed Services Committee’s personnel panel, Rep. John Kline (R-MN), chairman of the House Education and the Workforce Committee; and 38 others. McDonald’s restaurants already have closed on three Navy bases, and Marine Corps officials have said one will close on a Marine Corps base. Another eatery, “I Love Country,” has closed at Naval Station Pearl Harbor, Hawaii.



**Troops and civilians enjoy American fast food at the Kaiserslautern Military Community Center's food court**

“Such a drastic policy change should have received thorough examination,” Wilson said in a statement announcing the letter. “In light of recent spending reductions targeted towards military installations, now is not the time to reduce support services our military families have grown to depend upon. Additionally, this government mandate threatens to destroy jobs at a time when American workers need them most.” At issue are recently implemented Labor Department rules for fast food workers on federal contracts under the Service Contract Act that require an increase in their minimum wage, varying by region. The rules also require payment of new, additional “health and welfare” benefits at a rate of \$3.81 per hour. The Navy’s waiver request noted that in six areas in Florida, California and Virginia, the increase in the hourly wage ranged from 72 percent to 76 percent. For example, in one area in California, the prior wage rate of \$7.25 per hour has increased to \$12.79 per hour with the regional increase and the \$3.81 health and welfare benefits addition.

More closures may come unless relief is granted. Navy and Marine Corps exchange officials estimate that up to 390 fast food concession operations would close on installations across the U.S. and its territories, which would result in the loss of jobs for nearly 5,750 employees, according to an April 8 letter to Labor Department officials signed by Russell Beland, deputy assistant secretary of the Navy for military manpower and personnel, asking for exemption from the wage regulations. These contracts are negotiated for different bases at different times, so the effects will be seen incrementally. The Navy and Marine Corps exchange systems already have suspended 74 contracts for “new concepts,” according to the Navy letter. Many family members and veterans are employed by the fast food restaurants. Officials of the two exchange services estimate a combined loss of about \$27 million a year in profits associated with food service sales alone. The companies that build and operate the restaurants on base make payments to the exchange systems.

Concessionaires can’t increase their prices on bases as a way to mitigate their increased labor costs, the lawmakers noted. “Price increases are not allowable under most contracts because they cannot charge more for similar services within a specified radius of a military installation,” the letter states. And fast food restaurants outside base gates are not bound by the minimum wage rules associated with the federal contracts. The increased cost from the new rules eliminates any profit potential fast food concessionaires might have had, the Navy’s Beland said in his letter, and puts them “in an impossible business dilemma insofar as performing under his concession agreement.” One company told the Navy that “a restaurant on a military base is not paid by the federal government;

it relies on the revenue it receives from its customers, and provides revenue payments to the military exchange systems that help support MWR programs. ... Dramatically increasing costs for restaurants operating on base will simply result in the closure of those facilities over time because they will no longer be profitable.” An exemption is necessary to avoid serious effects on the exchanges’ operations, and on the amount of money the exchanges contribute to MWR, Beland said.

In 2012, 32 percent of Navy exchange profits came from food services in the U.S. and its territories, as did 17 percent of Marine Corps exchange profits. Both the Navy and Marine Corps exchange systems contribute about 70 percent of their profits to MWR programs. “Contracted operations for fast food and other services are a key aspect of these operations and provide much needed and desired services for our military personnel while generating tens of millions of dollars to underwrite vital community support programs,” the lawmakers wrote. If Labor Department officials do not grant exemptions, the wage-related issues may intensify next year as a result of an executive order signed Feb. 12 by President Obama. The order will raise the minimum wage for federal contracts from \$7.25 to \$10.10 per hour for employees working on new and renegotiated federal contracts beginning 1 JAN. That means all federal contract employees on military bases — including those working in fast food establishments — would earn \$13.91 per hour. “We applaud the effort of Chairman Wilson to provide relief to the exchanges,” said an industry source. “A number of factors are converging on the exchanges that inhibit their ability to provide goods and services to military families.” [Source: MilitaryTimes | Karen Jowers | 10 Apr 2014 ++]

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## **DoD Mobilized Reserve 8 APR 2014 ► Increase of 61**

The Department of Defense announced the current number of reservists on active duty as of 8 APR. The net collective result is 61 more reservists mobilized than last reported in the 1 APR 2014 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 27,164; Navy Reserve 3,759; Marine Corps Reserve 1,474; Air National Guard and Air Force Reserve 7,279; and the Coast Guard Reserve 429. This brings the total National Guard and Reserve personnel who have been activated to 40,105 including both units and individual augmentees. Since 911 there have been 895,278 reservists activated for duty. A cumulative roster of all National Guard and Reserve personnel currently activated as of 8 APR is available at <http://www.defense.gov/documents/8-April-2014-ONE-OEF-report.pdf>. [Source: DoD News Release No. NR-174-14 dtd 9 Apr 2014 ++]

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## **USS Zumwalt (DDG-1000) Update 01 ► 1<sup>st</sup> Ship with a Brain**

When the U.S. Navy christens the first of its newest class of destroyers this month, it will launch the first ship with a brain of its own. Among the high-tech features included on the USS Zumwalt—cannons that fire rocket-propelled, GPS-guided rounds and stealth design that gives the 610-foot ship the radar signature of a small fishing vessel—there’s also a computer intelligence capable of preparing the ship for battle and engaging enemy targets on its own. Think of it as a gigantic floating drone: “Most UAVs [unmanned aerial vehicles] are a few million dollars,” says Wade Knudson, who heads the Zumwalt project for Raytheon (RTN), which made most of the ship’s computer systems. “This is a \$5 billion UAV.” Unlike aerial drones, however, the Zumwalt will still have a human crew and it will know how to anticipate their needs. If the ship’s smoke alarms and cameras detect a fire, the ship will turn on the sprinklers and seal off the area. When the fire is out, the ship knows to drain the water so the crew can



investigate. All of this automation means the ship will carry a crew of just over 150—half of what would normally be required on a ship of this size. In a pinch, it can be manned by a crew of 40.



The Zumwalt also boasts what Raytheon calls a Total Ship Computing Environment, which allows it to be controlled from any of a couple dozen consoles around the ship. If the captain happens to be on the bow or the stern rather than up on the bridge when there's an emergency, he can still take control of the ship. "He's got that capability right where he's at; he doesn't have to run 600 feet and up multiple levels to get up to where he has to be," says Knudson. The captain just signs in to the nearest console and enters a password, as if he's doing some online banking. In an age of rampant hacking and password pilfering, you don't have to be clinically paranoid to find something worrying in the prospect of a highly automated warship that can be controlled by anyone who has the right login information. Asked how the ship will be guarded against hackers, Knudson replies: "It's the same ways that we protect information in classified networks, through having processes and procedures to make sure the password is sophisticated. It's incumbent on the captain not to share it with anybody. Everyone's got to protect their password, and it can't be 'password.'" Even if an impostor did succeed in tricking the ship into thinking he was the captain, it's unlikely a hacker could fire the weapons—that process involves more than one person. Of course, not all hackers work alone.

Perhaps the greatest comfort for those who fear the idea of an agile, 15,000-ton naval drone with stealth technology and missiles is that there won't be too many of them. The original plan was for 32 Zumwalt-style ships, but escalating research and development costs drew congressional ire. After repeated pruning, the Navy will now have only three of its next-generation destroyers. [Source: Bloomberg | Drake Bennett | 2 Apr 2014 ++]

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## **Military Grooming Standards Update 01 ► CBC Says Discriminatory**

Black female lawmakers are urging Defense Secretary Chuck Hagel to reconsider revised Army regulations that ban hairstyles frequently worn by minority women in the military. Sixteen female members of the Congressional Black Caucus (CBC) signed a letter 10 APR to Hagel, stating that the changes are "discriminatory rules targeting soldiers who are women of color." They say that references in the rule calling hairstyles worn mostly by black women "unkempt" and "matted" are offensive and show a lack of "cultural sensitivity." The lawmakers are encouraging Hagel to reconsider the regulation. The Army regulation issued earlier this month bans most twists, dreadlocks and large cornrows- styles predominantly worn by African-American women with natural hairstyles. AR-670-01 at <http://www.documentcloud.org/documents/1097843-uniform-policy-leaders-training.html#document> illustrates

what is no longer approved. Though it's meant to help make uniform soldiers' appearances, black military women have criticized the update as racially biased. [Source: Associated Press | Stacey A. Anderson | 10 Apr 2014 ++]

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## **Mt. Soledad Veterans Memorial Update 11 ► Cert Petition Update**

The States of Texas, Alabama, Alaska, Colorado, Florida, Idaho, Indiana, Kansas, Michigan, Mississippi, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, West Virginia, and Wisconsin, The American Legion, Veterans with plaques surrounding the Memorial Cross, including Bronze Star Recipient and Retired U.S. Army Colonel David G. Epstein, and members of the U.S. Congress are among the parties, who filed friend-of-the-court briefs this week in support of the Mt. Soledad Memorial Association's (MSMA) petition asking the United States Supreme Court to save the historic Mt. Soledad Veterans Memorial Cross in San Diego. Liberty Institute and Morgan Lewis & Bockius LLP, which represent the MSMA, submitted the petition to the Supreme Court last month.

“We are encouraged by the outpouring of support that the Mt. Soledad Memorial Association has received for its petition to have the U.S. Supreme Court settle, once and for all, the constitutionality of the Mt. Soledad Veterans Memorial Cross,” said Kelly Shackelford, Liberty Institute President and CEO. “In addition to this national treasure—the nation’s oldest Korean War Veterans Memorial—the fate of hundreds of other similar veterans memorials, erected to honor the selfless sacrifice of our nation’s war heroes, hangs in the balance.” To view the briefs online, follow these five links:

- <http://www.libertyinstitute.org/document.doc?id=142>
- <http://www.libertyinstitute.org/document.doc?id=143>
- <http://www.libertyinstitute.org/document.doc?id=144>
- <http://www.libertyinstitute.org/document.doc?id=145>
- <http://www.libertyinstitute.org/document.doc?id=146>

The MSMA’s cert petition (i.e. writ seeking judicial review) to the Supreme Court seeks review of the case, Mt. Soledad Memorial Association v. Steve Trunk, et al., follows a district court’s order in December requiring the removal of the Mt. Soledad Veterans Memorial Cross. Erected in 1954, the Mt. Soledad Veterans Memorial is the nation’s oldest Korean War Veterans Memorial. It contains more than 3,600 plaques honoring individual veterans’ selfless sacrifice and service. Liberty Institute is a nonprofit legal group dedicated to defending and restoring religious liberty across America — in our schools, for our churches, in the military and throughout the public arena. For additional information go to <http://www.LibertyInstitute.org>. [Source: PRNewswire-USNewswire | Liberty Institute] 10 Apr 2014 ++]

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## **TERA Update 04 ► Marine Corps FY 2015**

For fiscal year 2015, the Marine Corps has been authorized to offer voluntary retirement at a reduced monthly retainer-pay rate to Reserve-component staff sergeants. The Marine Corps Active Reserve Enlisted Temporary Early Retirement Authority Program (TERA) gives early retirement benefits to Active-Reserve Marines. Applicants must have more than 15 years and less than 20 years of active-duty service, be a staff sergeant and hold one of several specific military occupational specialties. The Marine Corps established a submission window for TERA between the dates of March 21, 2014 and Sept. 1, 2014. The first eligible date to transfer to the Marine Corps

Reserve, under TERA, is July 31, 2014. TERA is not an entitlement. Each request will be considered on an individual basis. [Source: NAUS Weekly Update 11 Apr 2014 ++]

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**Medal of Honor Citations** ► **Timmerman~Grant F. WWII**



*The President of the United States in the name of The Congress  
takes pleasure in presenting the  
Medal of Honor posthumously  
to  
**Timmerman~Grant F.***

***Rank and organization:*** Sgt, U.S. Marine Corps, 2d Battalion, 6th Marines, 2d Marine Division

***Place and date:*** Saipan, Marianas Islands, 8 July 1944

***Entered service at:*** San Francisco, California February 1942

***Born:*** 19 February 1919, Americus, Kansas

***Citation:***

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as tank commander serving with the 2d Battalion, 6th Marines, 2d Marine Division, during action against enemy Japanese forces on Saipan, Marianas Islands, on 8 July 1944. Advancing with his tank a few yards ahead of the infantry in support of a vigorous attack on hostile positions, Sgt. Timmerman maintained steady fire from his antiaircraft sky mount machinegun until progress was impeded by a series of enemy trenches and pillboxes. Observing a target of opportunity, he immediately ordered the tank stopped and, mindful of the danger from the muzzle blast as he prepared to open fire with the 75mm., fearlessly stood up in the exposed turret and ordered the infantry to hit the deck. Quick to act as a grenade, hurled by the Japanese, was about to drop into the open turret hatch, Sgt. Timmerman unhesitatingly blocked the opening with his body holding the grenade against his chest and taking the brunt of the explosion. His exception valor and loyalty in saving his men at the cost of his own life reflect the highest credit upon Sgt. Timmerman and the U.S. Naval Service. He gallantly gave his life in the service of his country.

/S/ HARRY S. TRUMAN



**Sgt Grant F. Timmerman**

Grant Timmerman was born in Americus, Kansas on February 19, 1919. Educated in the public schools of Emporia, Kansas, he graduated from Emporia High School in 1936. He played the saxophone in the high school band for two years, enjoyed hunting small game, and read, wrote, and spoke French and Russian. He attended Kansas State Teacher's College in Emporia for one year, where he took a pre-engineering course. In the summer of 1937, he went to California and worked as an electric welder at San Mateo, California. He enlisted in the United States Marine Corps in San Francisco on October 28, 1937 and went through United States Marine Corps Recruit Training at San Diego. His first assignment was at the Puget Sound Navy Yard in Bremerton, Washington. After a few weeks duty there, Pvt Timmerman went to Mare Island Naval Shipyard, California, where he boarded the old China transport, USS Henderson.

He crossed the 180th meridian on April 10, 1938, was duly initiated into the Imperial Domain of the Golden Dragon and arrived in Wusong, China, on the May 5, 1938. Assigned to the Motor Transport Company of the 4th Marines, Pvt Timmerman served as a truck driver and as a motorcycle dispatch rider. Once in Shanghai, he and another Marine observed a white woman surrounded by a crowd of menacing Chinese. Playing the part of "Marines to the rescue," he and his buddy dispersed the angry crowd and stood by until a policeman was summoned. The lady turned out to be the wife of a U.S. Navy commander. A Letter of Commendation and appreciation from the commander were added to the young Marine's record book. It was July 1940 before Pvt Timmerman was promoted to private first class. When the usual 18-month tour of duty was completed, PFC Timmerman requested that his tour be extended. His request was granted and it was thirty-three months in all before he set foot on the California shore again. Returning to Mare Island in April 1941, he was given duty at the Naval Prison there and stayed at that post until his discharge at the completion of his four year enlistment on October 27, 1941.

He went back to electric welding and got a job at the ship yard of the Bethlehem Steel Corporation in San Francisco, welding electrical fixtures and armor plates on destroyers. After five weeks of civilian life, the Japanese attacked Pearl Harbor and in February 1942, he reenlisted and was reappointed to his old rank of private first class. Since he had only been out of the Marine Corps for four months, the 23-year-old China Marine did not have to repeat basic training, but was immediately sent to the Transport Company at the Marine Corps Base at San Diego. Five weeks later he went to San Francisco as a clerk in the office of the Commanding General of the Department of the Pacific, where he stayed two months. Next assigned to the 2nd Tank Battalion of the 2nd Marine Division, he was promoted to corporal in July, he was advanced to sergeant in October, and in November was once more on his way overseas. His battalion went to Wellington, New Zealand, and when he crossed the equator, Sgt Timmerman was initiated in the realm of King Neptune Rex.

After a period of intensive training in Wellington, the 2nd Division made their landing on Tarawa, Gilbert Islands on November 20, 1943. However, it was two days later that Sgt Timmerman came in with the tanks. In December, they went to Hawaii for a rest and more training, and in May 1944 left for another combat mission — the last for Timmerman. He landed on Saipan on D-Day, June 15, 1944, and on June 28, sustained a slight shrapnel wound in the right forearm. A few days later — on July 8 he posthumously earned the Medal Of Honor noted in the above citation. The Medal and also a Bronze Star earned earlier in the Saipan campaign were presented to his parents on July 8, 1945, the first anniversary of his death, in their home by Col Norman E. True of the Marine Barracks in Great Lakes, Illinois. This quiet informal presentation was made at the request of the Marine's mother.



Initially buried in the 2nd Marine Division Cemetery on Saipan, Marianas Island, Sgt Timmerman was later reinterred in the National Cemetery of the Pacific in Honolulu, Hawaii. In January 1946, the Navy named one of its new Gearing class destroyers after Sgt Timmerman. The USS Timmerman (DD-828) was christened by his mother. [Source: <http://www.history.army.mil/html/moh/wwII-t-z.html#TIMMERMAN> & [http://en.wikipedia.org/wiki/Grant\\_F.\\_Timmerman](http://en.wikipedia.org/wiki/Grant_F._Timmerman) Apr 2014 ++]

**\*Military History\***





**Aviation Art 61** ► **The Fleet's In**



**The Fleet's In**  
**by John Young**

**Carrier based Boeing F4B-2s pass over 1920s Manhattan, heralding the arrival of the fleet.**

[Source: <http://www.brooksart.com/Fleetsin.html> Apr 2014 ++]

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**Wings of Freedom Tour** ► **2014 Schedule**

For over twenty years The Collings Foundation has recovered and restored many of the true landmark aircraft that built world aviation history. Aircraft from the very roots of aviation up until the supersonic jets of modern day are represented in their collection which spans nearly 80 years of powered flight. The Collings Foundation visits over 150+ locations nationwide per year to help promote aviation's living history and the remembrance of our veterans. Your chance to see or in cases fly aircraft spanning from the early days of aviation up to the thunderous roar of modern jet fighters like the F-4 Phantom is coming to the below locations. For schedule changes refer to <http://www.collingsfoundation.org/menu.htm> Click on each city below for Location and Times at that location

**4/14-4/16 [Palm Springs, CA](#)** (B-17, B-24 & P-51) Airport: Palm Springs Intl.

**4/16-4/18 [Ontario, CA](#)** (B-17, B-24 & P-51) Airport: Ontario Intl. Airport Location: Guardian Jet Center

**4/18-4/20 [Long Beach, CA](#)** (B-17, B-24 & P-51) Airport: Long Beach Airport

4/20-4/21 [Murrieta, CA](#) (B-17, B-24 & P-51) Airport: French Valley Airport

4/23-4/25 [Carlsbad, CA](#) (B-17, B-24 & P-51) Airport: Ramona Airport

4/25-4/27 [Carlsbad, CA](#) (B-17, B-24 & P-51) Airport: McClellan-Palomar Airport

4/28-4/30 [LaVerne, CA](#) (B-17, B-24 & P-51) Airport: Brackett Field

5/1-5/4 [Burbank, CA \[TBD\]](#) (B-17, B-24 & P-51) Airport: Burbank-Glendale-Pasadena Airport

5/5-5/7 [Camarillo, CA](#) (B-17, B-24 & P-51) Airport: Camarillo Airport

5/7-5/12 [Santa Ana, CA](#) (B-17, B-24 & P-51) Airport: John Wayne Intl. Airport Location: [Lyon Air Museum](#)

5/12-5/14 [Santa Barbara, CA](#) (B-17, B-24 & P-51) Airport: Santa Barbara Municipal Airport

5/14-5/16 [Monterey, CA](#) (B-17, B-24 & P-51) Airport: Monterey Peninsula Airport

5/16-5/24 [Mountain View, CA](#) (B-17, B-24 & P-51) Airport: Moffett Federal Airfield

5/25-5/27 [Livermore, CA](#) (B-17, B-24 & P-51) Airport: Livermore Municipal Airport

5/28-5/30 [Santa Rosa, CA](#) (B-17, B-24 & P-51) Airport: Charles M. Schulz - Sonoma County Airport

5/30-6/1 [Sacramento, CA](#) (B-17, B-24 & P-51) Airport: McClellan Airfield

6/2-6/4 [Minden, NV](#) (B-17, B-24 & P-51) Airport: Stead Field Location: Main Ramp

6/4-6/6 [Reno, NV](#) (B-17, B-24 & P-51) Airport: Stead Field Location: Main ramp on Texas Ave.

6/6-6/8 [Concord, CA](#) (B-17, B-24 & P-51) Airport: Buchanan Field

6/13-6/15 [Everett, WA](#) (B-17, B-24 & P-51) Airport: Snohomish County Airport

6/20-6/22 [Seattle, WA](#) (B-17, B-24 & P-51) Airport: Boeing Field

8/29-9/1 [Farmingdale, NY](#) (B-17, B-24, & P-51) Airport: Republic Field

**NOTES:**

- Flight Experiences Donations are \$450 per person aboard the B-17 or B-24.
- Flight training in the [TP-51C "Betty Jane"](#) will be at most locations on the Wings of Freedom Tour. Flight training in the P-51 is \$2200 for a half hour flight, and \$3200 for a full hour. All participants will get the chance to feel what it was like to fly one of the most legendary fighters of WWII.
- Walk through tours of the aircraft are \$12 for adults, and \$6 for children 12 and under for access to all of the aircraft. WWII Veterans get into the ground tours at no charge.

[Source: <http://www.collingsfoundation.org> Apr 2014 ++]

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## **Military History** ► **U.S. Soldier's Home & Lincoln**

The U.S. Soldier's Home in Washington D.C. (now designated the Armed Forces Retirement Home) was established on March 3, 1851, when the U.S. Congress passed legislation to found "a military asylum for the relief and support of invalid and disabled soldiers of the army of the United States." Events leading to the establishment of a military asylum had been building for a number of years, beginning with the first recommendation for a soldiers' home in November 1827, when Secretary of War James Barbour suggested the founding of an Army Asylum in his Annual Message to the President. The institution is a large building, built of stone, in castelated style, about two miles and a half from Washington, due north. The grounds are extensive and beautiful, and belong to the Government, which erected the large central building. Near the central building are several two-story cottages constructed in the Gothic style. Beginning with James Buchanan and ending with Chester A. Arthur, the Soldiers' Home served as a seasonal home for at least four presidents. The prestigious presidential connections and beautiful campus made the Soldiers' Home a popular driving destination for the local elite as well as visitors to the capital city.



***Buchanan, Lincoln, Hayes, and Arthur***

President Lincoln developed the Emancipation Proclamation while living at the Soldiers' Home. Lincoln's time there bookends the Civil War--he first visited the grounds three days after his inauguration and last rode out to the site the day before his assassination. While living at the Cottage for 13 months from 1862-1864, Lincoln regularly commuted to the White House. At the Soldiers' Home just as at the White House, Lincoln shouldered the burdens of wartime leadership and personal and national tragedy. During this time of grief and stress, Lincoln often was described as sad, restless, and always anxious about the future of his country. One officer from the Union Light Guard stationed at the Soldiers' Home encountered the President outside around midnight one evening. The officer commented: *I saw a man walking alone and leisurely across the path I was taking . . . and as I came near him I saw it was Mr. Lincoln. At an earlier hour I would have kept from speaking, but, prompted by anxiety, I said, "Mr. President isn't it rather risky to be out here at this hour?" He answered, "Oh, I guess not I couldn't rest and thought I'd take a walk." He was quite a distance outside the line of infantry guards about the house where the family was staying. He turned back after I spoke to him, and I passed on to where the escort was camped.*

After a \$15 million restoration by the National Trust for Historic Preservation, a private, non-profit organization, President Lincoln's Cottage opened to the public for the first time in 2008, giving Americans an intimate, never-before-seen view of Abraham Lincoln's presidency and family life. To learn more on this subject refer to <http://lincolncottage.org> or the attachment to this bulletin titled, "**U.S. Soldier's Home & Lincoln**". [Source: Vantage Point | Tim Hudak | 12 Mar 2014 ++]

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**WWII Prewar Event** ► **FDR 1939 Noninvolvement Promise**

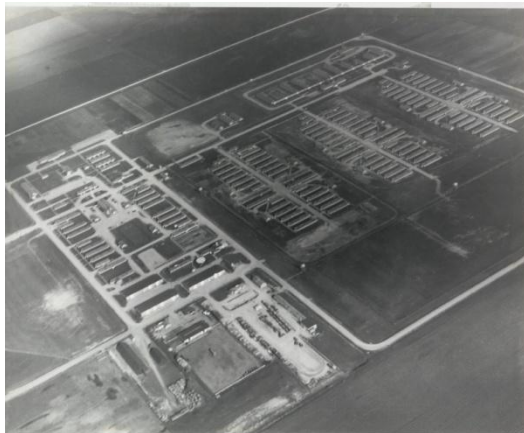


Solemnly promising the nation his utmost effort to keep the country neutral, U.S. President Franklin D. Roosevelt is shown as he addressed the nation by radio from the White House in Washington, Sept. 3, 1939. In the years leading up to the war, the U.S. Congress passed several Neutrality Acts, pledging to stay (officially) out of the conflict.

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**WWII POW Camp Algona** ► **Algona Iowa**

They came as enemies, starting 70 years ago this month. After serving time at Camp Algona, one of two World War II prisoner-of-war camps in Iowa, many of the approximately 10,000 mostly German POWs left 18 months later as friends. “They realized they had it pretty good. They remember it as a good, safe place to be. They had good food and a decent place to sleep. They appreciated their humane treatment in a camp operated in strict accordance with the Geneva Convention,” said Jerry Yocum, curator of the Camp Algona POW Museum.



**Camp Algona**

Yocum, 75, a retired history teacher at both Algona High School and Iowa Lakes Community College, said the museum, at 114 S. Thorington St., was established in 2004 — 58 years after the last prisoners left and the camp itself disappeared from the face of the earth. Despite the lengthy interval, the museum has assembled an impressive display of artifacts and conducted extensive research, which includes interviews with 60 POWs as well as 30 Americans who worked at the camp. Algona received word in 1943 that a prison camp would be built there. The federal government bought 287 acres and, in three months, erected a complex of 178 wood frame buildings that began housing POWs in April 1944, Yocum said. The prison stockade consisted of 60 barracks enclosed by a double-row, 10-foot-tall chain link fence topped with barbed wire. Guards in eight towers with search lights and machine guns overlooked the stockade.

After England reached its prisoner capacity, about 400,000 mostly German POWs were brought to 155 U.S. camps, which included Iowa prisons in Algona and Clarinda. About 10,000 POWs passed through the Algona camp, with a peak population of 5,452 in September 1945. “With 18 million Americans under arms, we needed their labor. That’s why we brought them here,” Yocum explained. Most of the prisoners were moved from one branch camp to another where they worked on farms and in factories for 80 cents a day, paid in script negotiable at prison canteens. In one impressive effort, 2,400 POWs working in southern Minnesota saved an estimated 65 percent of a record-breaking pea crop. Camp Commander Lt. Col. A.T. Lobdell credited them with saving 2.6 million cases of canned peas worth \$9.8 million.

As a child in 1944, Yocum said he rode on a busload of POWs hauled by his father to clean up after a tornado in Pocahontas County. “They picked up a toy and brought it back to me. I remember thinking, ‘These guys are OK,’” Yocum recalled. “Dad was apparently not too worried about me being on the bus with them.” Among the museum displays are cultural mementos including poems, paintings, letters and diaries left behind by the prisoners. The prisoners’ best known and most appreciated legacy is the spectacular 20-by-40-foot nativity scene created by six prisoners in 1945. About 2,500 people continue to visit the display each December at the Kossuth County Fairgrounds, according to Marv Chickering, a member of the First United Methodist Church in Algona, which owns and cares for the 65-piece work of art. “The idea was born in 1944 when German POW Eduard Kaib, an architect in civilian life, built a 12-foot-wide nativity scene that was displayed in a mess hall during the 1944 Christmas season,” Chickering said.

Lobdell, the camp commander, was so impressed that he encouraged Kaib to build a larger display. mKaib and five friends, with funding provided by fellow inmates, spent their free time in 1945 constructing more than 60 half-life-size pieces. They are built of concrete over wood and wire frames, many of them finished with hand-carved and painted plaster. “The sheep weigh 40 pounds apiece, and the camels each weigh about 500 pounds,” Chickering said. First displayed at the camp during the 1945 Christmas season, the scene so impressed local residents that they requested it remain in Algona, where it has since been displayed annually. Kaib and his family visited in 1968, and Kaib, who died in 1988, later wrote to an Algona grade school class: “I never intended to create a piece of art. The only intention when making the nativity scene was to help bring the joy of Christmas to our camp. “And you can imagine that I am very glad that the nativity scene still helps to heal the wounds of war.”

All 400,000 Germans imprisoned in the United States were sent home after the war, but 3,000 of them later returned to live, according to Yocum. In an odd parallel, while thousands of German soldiers were imprisoned at Algona, about 2,600 Kossuth County residents were serving overseas in the U.S. military, many of them in hostilities with the Germans, and 24 Kossuth County residents were captured and imprisoned by the Germans, Yocum said. In a painful irony, five Iowans who had been imprisoned in German stalags were, after their release, assigned to guard duty at Camp Algona. After the last prisoners left in February 1946, the camp was dismantled in a matter of months and the land was ceded to the city of Algona. The city airport and a National Guard Armory now



occupy the site, which reveals no trace that it was ever a prisoner of war camp, Yocum said. For more details on the camp go to <http://www.pwcamp.algona.org>. [Source: The Gazette (Cedar Rapids IA) | Orlan Love | 8 Apr 2014 ++]

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### **Military History Anniversaries** ▶ 16 Apr thru 15 May

Significant events in U.S. Military History are listed in the attachment to this Bulletin titled, “**Military History Anniversaries 16 Apr thru 15 May**”.

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### **Spanish American War Image 47** ▶ Camp Barber 1898



**Trooper at work between drill calls : Tampa, Florida, 1898**

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### **WWII U.S. Internment Camps** ▶ Exhibit | Japanese-Americans

After Japan's naval and air forces attacked Pearl Harbor and the Philippines in December 1941, life for 7-year-old Lily Imahara and her family changed forever. They were among hundreds of thousands of Japanese-Americans who were forcibly moved from their homes on the West Coast to internment camps by the U.S. government. President Franklin D. Roosevelt's February 1942 order gave the War Department the power to declare any part of the country a restricted military zone and exclude anyone from such an area. The next month, orders to move were posted for people of Japanese ancestry in Washington, Oregon, California and southern Arizona. More than 60 percent were

American citizens. What followed for the Imaharas — as well as Japanese-Americans who fought for the United States during World War II — is the focus of "From Barbed Wire to Battlefields: Japanese American Experiences in World War II," an exhibit on display through October at the National World War II Museum in New Orleans. The exhibit is built primarily from artifacts in the National World War II Museum's collection and with some items on loan from the Smithsonian Institution.



**Photo shows a Buddhist altar crafted by one of the 16,000 Japanese Americans forced to move from the West Coast to Jerome Relocation Center (1 of 10 such camps around the country), built on heavily wooded swampland near Jerome, Ark., soon after the U.S. entered World War II.**

Lily Imahara Metz, now 80, of Baton Rouge, often visits high schools in the Baton Rouge area to discuss her family's past and said the artifacts are must-see history. "American people need to know," she said. "This is part of American history. You can't erase it. I know it's on the shameful side of history, but you can't ignore it." Some show barbed wire encasing the camps and their guard towers. Others show the suitcases interned people brought to the camps — families were allowed only one. And then there are the images of Japanese Americans in U.S. military uniforms preparing for battle. The Imaharas were housed at the Rohwer Relocation Center in Desha County, Ark. The camps were well-maintained and functioned much like small towns, said Walter Imahara, Metz's younger brother. "We had our own schools and baseball games and dances and music," he recalled. "We just couldn't go anywhere. What was tragic was that the older people, like my parents, lost everything when we were moved."

Museum curator Kimberly Guise said the exhibit touches on the lives of about 120,000 people who lived in the camps. About 6,000 babies were born in the camps. "There are a lot of people still around who experienced that," she said. Guise said she hopes the exhibit would draw a broad spectrum of visitors, and create conversations. "Was what happened just? Was it fair?" The exhibit also recognizes the service of the 33,000 Japanese-Americans who served the United States military. On display is Jimmie Kanaya's diary, which he wrote while a prisoner of war in Germany. Kanaya enlisted in the Army at age 20 in April 1941 and fought in Italy and France. He was captured in October 1944. Also on display is a Congressional Gold Medal, one of the nation's highest honors, that was presented to Tokuji Yoshihashi, 91, of San Gabriel, Calif., for his World War II service. Yoshihashi was drafted in 1944 at age 21 and served in the Army's 100th Infantry Battalion, 442 Regimental Combat Team — two years after being sent to an Arizona relocation camp with his family. Before he was accepted into the service, he had to answer a loyalty questionnaire that asked whether he would pledge allegiance to the United States. "I was born here," he said, "and decided I should fight for the country of my birth." [Source: The Associated Press | Chevel Johnson | 30 Mar 2014 ++]

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## Faces of WAR (WWII) ► Field Hospital Nurses 1944



Field Hospital nurses who arrived in France via England & Egypt after 3 yrs. of service, during WWII.  
August 1944

### \*Health Care\*



## Medicare Database Update 01 ► Provider Payments Now Public

For the first time, totals of what Medicare pays individual healthcare providers are now freely available to download and browse on a government website. Patients, other healthcare providers, journalists, and anybody else willing to sift through a 141 MB Excel spreadsheet nearly 900,000 rows deep can discover what each physician, nurse practitioner, and other professional who billed Medicare Part B earned from the program in 2012. For access go to <https://www.cms.gov/Research-Statistics-Data-and-Systems/Statistics-Trends-and-Reports/Medicare-Provider-Charge-Data/Physician-and-Other-Supplier.html> . Some of the statistics were startling. For instance, “Some top earners were paid as much as 100 times the average for their respective fields,” Bloomberg News said. But don’t be quick to assume that the top earners on the Medicare list are scamming the system.

Read more at <http://www.moneytalksnews.com/2014/04/10/how-much-does-your-doctor-bill-medicare-now-you-can-find-out/#f5UHxyiqifBJlbKB.99>

The Centers for Medicare and Medicaid Services (CMS) released the information 9 APR after a long legal battle to make the data public and hopefulness by the Obama administration that the information will lead to wiser healthcare consumers. CMS actually released two spreadsheets.

- The first one lists more than 880,000 providers by name, address, national provider identifier, specialty, number of Medicare patients, number of services billed, submitted charges, and -- most importantly for the voyeurs -- the total Medicare payment.
- The second spreadsheet provides a breakdown of common Medicare services and procedures, the number of providers administering it, the number of times it was performed, the number of patients it was given to, and the total amount Medicare paid. Spreadsheets are listed alphabetical. To locate a physician go to:  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(A\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(B\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(CD\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(EFG\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(HIJ\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(KL\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(MN\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(OPQ\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(R\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(S\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(TUVWX\)](#)  
[Medicare Physician and Other Supplier PUF, CY2012, Microsoft Excel \(.xlsx\) Provider Last Name \(YZ and Numeric\)](#)

Many, if not most physicians are unhappy with the government's release of the Medicare payment data for all physicians, if comments submitted to MedPage Today are any indication. In the words of one respondent to a survey they posted 9 APR, "IT'S NONE OF YOUR BUSINESS WHAT I'M GETTING FOR MY SERVICES." Others, less angry, expressed worry that patients and the media would confuse the payments with net earnings, and that high totals reported in the Centers for Medicare and Medicaid Services database reflect greed if not outright fraud. Comments included:

- **Dermatologist Paul Laser** said that the payment data should be public, but added: "The hard part is educating the curious public as to how to make sense of this information." He went on, "It isn't all profit ... If you are being reimbursed for items such as 'buy and bill' medications where the reimbursement doesn't always cover the cost of the meds -- ustekinumab [the psoriasis drug] at \$6,500-\$13,000 per injection! -- some amounts become more comprehensible. It will be a can of worms for some time."
- **Linda Girgis, MD**, a family physician in South River, N.J., said in an email that "patients don't understand my charges are not the same as what I am getting paid."
- **June Persons, FNP-C**, Montana-based nurse practitioner said in a survey comment, "On paper, it looks like I have received many federal dollars, when in reality, I was working for an hourly wage and the institution got the money." The data release also covers nurse practitioners, physician assistants, and other healthcare providers in addition to physicians, and they also were concerned about misunderstandings.
- **Neal Haynes, MD**, a neurosurgeon in Nacogdoches, Texas, told MedPage Today by telephone that the data release is yet another burden the government has placed on physicians. "It's more and more and more," he said, citing such mandates as the ongoing electronic health records requirement. "It's one more poke from



the government." Haynes said he was concerned that release of his Medicare payment data -- almost \$170,000 in 2012 -- may cause patients in his small town to assume he's financially secure and that therefore they can be slow with their out-of-pocket payments. "That's how patients think," he said. "They have no clue what my expenses are." But Haynes said it was making him reconsider his commitment to medicine. "Is this the straw that breaks the camel's back? Of course not," he said. But he said he had been teaching his son, "literally since age 4," to follow him into neurosurgery. "I'm having a harder and harder time justifying to myself that I'm leading him down the right path," Haynes said.

- **Kay Funk, MD**, a family physician in Yakima, Wash., said in an email that the release is "a step toward transparency but [with] limited value." She added, "It would be much more interesting to publish the figures that CMS/Medicare pays to hospitals for facility fees. That is public money which subsidized hospitals only, and delivers no value for patients."
- Some other negative responses from the MedPage Today survey were:
  - "... Grossly misinterpreted"
  - "Releasing this information with no guidance on how to interpret it was misguided"
  - "... Can only serve to embarrass practitioners"
  - "... Medicare is on a witch hunt"
  - "I consider it a serious breach of privacy"
  - "... Public backlash against the doctors"
  - "A waste of time and our tax dollars"

However, some physicians expressed support for the payment data release.

- **Tristan Huie, MD**, a critical care physician at National Jewish Health in Denver, told MedPage Today in an interview that he was okay with having his payment data released (\$48,833 in 2012). "It's important for CMS to have greater transparency. And I think it's important to understand the limitations of this dataset, but I think a move toward greater transparency is beneficial for the healthcare system." Huie said that such granular payment data could help in determining whether some procedures or treatments are overused or not cost-effective. But, he added, "this data that was released by CMS is only providing a limited glimpse into that information."
- **Robert Eidus, MD**, a family physician, asserted that the payments represent the taxpayers' money. "I would be hard-pressed to figure [out] why they should not have access to where the money goes. Of course, the data could be misinterpreted, but that goes with just about any healthcare data or information that consumers have access to. Hiding the data hurts us even more."
- A nonphysician geriatrician writing to MedPage Today with the pseudonym "quacker" said, "Distribution of public monies = public information. I've had my salary published on the front page of the only statewide newspaper in my state. No, it was not fun. But yes, my salary was paid for by the taxpayers and they are entitled to that information."

[Source: MedPage Today | John Gever | 10 Apr 2014 ++]

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## **Gulf War Syndrome Update 28** ► **Study Finds Mitochondrial Impact**

A minuscule study of cell function in veterans of the 1990-91 Persian Gulf War could have widespread impact on future research into Gulf War illness. Researchers at the University of California-San Diego School of Medicine found that the mitochondria — the cell's power plants, responsible for converting oxygen and glucose into chemical energy — in veterans with Gulf War illness don't function as well as mitochondria in unaffected individuals. By testing recovery time of muscles at the cellular level following exercise, the researchers found that affected Gulf War veterans "displayed significantly delayed recovery." According to the study, recovery time in normal



individuals was less than 31 seconds. But all except one Gulf War illness veteran measured recovery time between 35 seconds and 70 seconds.

The study was small — just seven veterans with Gulf War illness and seven controls. But researcher Dr. Beatrice Golomb described the difference in results as “visibly striking,” with “a large average difference as statistically significant.” She said the mitochondrial impairment could account for many of the symptoms of Gulf War Illness. “The classic presentation for mitochondrial illness involves multiple symptoms spanning many domains, similar to what we see in Gulf War illness. These classically include fatigue, cognitive and other brain-related challenges, muscle problems and exercise intolerance, with neurological and gastrointestinal problems also common,” Golomb said. Golomb believes the evidence could explain why an antioxidant, the coenzyme Q10, helped relieve some of the symptoms of Gulf War illness, including headaches, problems focusing and fatigue, in another study she conducted.

The research needs replication and further study, possibly using different mitochondrial assessment tools for further validation, the researchers said. But as the UC-San Diego public affairs staff noted, the study does imply that "Gulf War illness is not in veterans' heads, but in their mitochondria." "Some have sought to ascribe Gulf War illness to stress, but stress has proven not to be an independent predictor of the condition," Golomb said. "On the other hand, gulf veterans are known to have been widely exposed to acetylcholinesterase inhibitors, a chemical class found in organophosphate and carbamate pesticides, nerve gas and nerve gas pre-treatment pills given to troops ... [with] known mitochondrial toxicity." The study was funded by a UC-San Diego Academic Senate Award and the Defense Department. The findings were published in the journal PloS ONE on March 27 and can be seen online at <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0092887>. [Source: MilitaryTimes | Patricia Kime | 8 Apr 2014 ++]

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## Prescription Drug Disposal Update 06 ► 8<sup>th</sup> National Take Back Day

The 8th National Prescription Drug Take Back Day is Saturday, April 26, 2014, 10:00 am - 2:00 pm. This event aims to provide a safe, convenient, and responsible means of disposing of prescription drugs, while also educating the general public about the potential for abuse of medications. Collection site locations are now available. At [https://www.deadiversion.usdoj.gov/NTBI/NTBI-PUB.pub?jsessionid=E0385BFBF797FA57641B17D69A924C95?flowExecutionKey=c76E4FCF2-5DF1-DD25-BBA9-E29473198EFA\\_kC7E83BF8-D575-AAA2-077B-29A5652B1D55](https://www.deadiversion.usdoj.gov/NTBI/NTBI-PUB.pub?jsessionid=E0385BFBF797FA57641B17D69A924C95?flowExecutionKey=c76E4FCF2-5DF1-DD25-BBA9-E29473198EFA_kC7E83BF8-D575-AAA2-077B-29A5652B1D55) can be found the location of a collection site that's closest to you. Check back often; sites are added daily. Contact the Call Center at 1-800-882-9539 if you require assistance.



In the last Take Back Day on 3 Nov 2013 citizens turned in 647,211 pounds (324 tons) of expired and unwanted medications for safe and proper disposal at the 5,683 take-back sites that were available in all 50 states, the District of Columbia, and U.S. territories. This was the second-largest collection of medications in seven Take-Back Days. When the results of the seven events to date are combined, the DEA and its state, local, and tribal law-enforcement

and community partners have removed over 3.4 million pounds (1,733 tons) of medication from circulation. This initiative addresses a vital public safety and public health issue. Prescription drugs that languish in home medicine cabinets are highly susceptible to diversion, misuse, and abuse. Rates of prescription drug abuse in the U.S. are alarmingly high; more Americans (6.8 million) currently abuse prescription drugs than the number of those using cocaine, heroin, hallucinogens like LSD, and inhalants (sniffed household products) combined, according to the 2012 National Survey on Drug Use and Health. Studies show that a majority of abused prescription drugs are obtained from family and friends, including from the home medicine cabinet. [Source: DOJ Drug Enforcement Administration site [http://www.deadiversion.usdoj.gov/drug\\_disposal/takeback](http://www.deadiversion.usdoj.gov/drug_disposal/takeback) Apr 2014 ++]

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## **Endometriosis** ► **5 Million Women Affected**

More than 5 million women are affected by endometriosis in the United States, according to the U.S. Department of Health and Human Services. This illness is one of the most common health problems for women, and yet many women are not aware that they suffer from it. This Endometriosis Awareness Month, TRICARE beneficiaries can learn more about the disease and take steps to find out if they are one of the millions of women living with this illness. Endometriosis generally occurs when the tissue that normally lines the uterus or womb grows in other parts of the body. Once outside of the uterus, the endometrial tissue continues to grow and bleed during menstruation. Over time, the growths become larger and bleed more, causing pain and other symptoms. The most common symptom of endometriosis is pain in the lower abdomen, pelvis or lower back during menstrual periods. Other symptoms include painful cramps or periods, intestinal pain, pain during or after sex and infertility.



It is unclear what causes this endometriosis, but it can occur at any time in women who menstruate. The following factors have been associated with endometriosis which most frequently occurs in women in their 30's and 40s.

- Having a mother or sister with endometriosis .
- Starting menstruation at a young age.
- Having frequent periods lasting more than seven days.
- Having a mother or sister with endometriosis.
- Having a closed hymen.

TRICARE covers the diagnosis and treatment of endometriosis. The American College of Obstetricians and Gynecologists suggests three common methods for detecting endometriosis: a pelvic exam, ultrasound or laparoscopy. Treatments can be administered medically or surgically. Oral contraceptives, which TRICARE covers, can help to make menstrual periods regular, lighter and shorter, or can stop the menstrual cycle for several months. If symptoms persist, laparoscopic surgery may be an option to remove tissue growth. Women should talk with their primary care manager if they have questions about endometriosis, are experiencing symptoms, or if symptoms return after treatment. To learn more about endometriosis, go to [www.womenshealth.gov](http://www.womenshealth.gov). For more information on

TRICARE coverage visit: [www.tricare.mil/coveredservices](http://www.tricare.mil/coveredservices). [Source: TRICARE Healthy Living article 31 Mar 2014 ++]

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## **PTSD Update 164 ► Transcendental Meditation Use Urged**

Over half a million U.S. troops suffer from stress-induced problems like Post-traumatic Stress (PTS). Less than 20 percent of them receive proper care due to ineffective treatments, insufficient government resources, or fear of stigma. Half get no care at all. Left untreated, PTS cripples functioning and puts military personnel and veterans at greater risk for self-destructive and violent behavior: severe depression, alcoholism, drug abuse, anxiety, emotional numbness, unemployment, family problems and suicide. More than 6,500 Veterans commit suicide every year. The Department of Defense (DoD) has invested millions of dollars in programs to prevent stress-related psychological disorders such as PTS. However, the Institute of Medicine panel of the National Academies concluded there is little evidence that they are effective.

Their new report, "Preventing Psychological Disorders in Service Members and Their Families, an Assessment of Programs" faults these programs for not being consistently evidence-based or adequately evaluated. In fact, experts acknowledge that PTS has generally been highly resistant to the many conventional approaches traditionally used to treat psychological disturbance. There is, however, an alternative approach highly effective in treating PTS. We suggest that more attention be given to the large body of evidence supporting this alternative approach, the Transcendental Meditation Program. Transcendental Meditation, also known as TM, is an evidenced-based solution, with a substantial amount of published, peer-reviewed research that has accumulated since 1970. In both case studies and clinical trials, TM has vastly outperformed other modalities by dramatically reducing stress, anxiety, depression and a host of PTS symptoms.

Numerous studies show that TM uniquely calms the stress of wired-up, burnt-out, anxious, and depressed people. In particular, a 2013 meta-analysis of 10 controlled studies found that TM, significantly reduced anxiety, and the higher the anxiety level, the greater the reduction. Over 350 research studies on TM have been published in 160 peer-reviewed academic and medical journals. The peer-reviewed process ensured that this evidence-based research met the highest standards of scientific methodology. No other stress-reduction program has comparable research support. American Heart Association, in a Summary paper to physicians, recommended TM as being a safe and uniquely effective meditation program to lower high blood pressure to reverse and prevent cardiovascular diseases. This, based on a long-term study they published showing a 48 percent reduction in strokes, heart attacks and early death. Here are some evidence-based examples relating to PTS:

- The February 2014 issue of the Journal of Traumatic Stress documents significant reductions in PTS symptoms within ten days among African war refugees from the Congo who were taught TM. In a month, eleven subjects were virtually free of symptoms.
- An April 2013 study in the same journal showed that PTS symptoms among African refugees went from "severe" to "non-symptomatic levels" after 30 days of TM and remained low at 135 days.
- In 2011, the journal Military Medicine published a study showing the effectiveness of TM in reducing PTS in veterans of Operation Enduring Freedom and Operation Iraqi Freedom. Participants had a 50 percent reduction of symptoms after eight weeks of TM.
- And in 1985, a report in the Journal of Counseling and Development demonstrated a significant reduction of symptoms among Vietnam War veterans practicing TM for at least three months. A control group using psychotherapy was found to have had no significant improvements.

Retired U.S. Army Reserve Colonel Brian Rees, M.D., M.P.H. primary author of the Congo studies and veteran of five tours of duty in Afghanistan and Iraq, says that Transcendental Meditation "provides the mind and body with a unique state of 'restful alertness' that reduces deeply-rooted stress and improves brain function." The military needs more of that - personnel who operate with greater efficiency and with less stress, during their service and beyond. The DoD is beginning to recognize the potential. It announced the funding of a \$2.4 million study at the San Diego Veterans Administration Medical Center study to compare the TM program to psychotherapy. This is a positive start. However, the results will not be known for about five years. In the meantime, many US military personal and veterans desperately need help now.

This is why the authors Army Lt. Gen. Clarence E. McKnight Jr. (Ret.) and David Leffler urge DoD leaders to adopt the best evidence-based solutions like TM, even if they are unfamiliar. They are both veterans practicing TM who have experienced positive changes in our lives due to this meditation. They observed positive changes in so many others, including military men and women. The TM evidence-based research tells an objective story pointing to a simple, fast, effective, and cost-effective solution. That's what we all want for our military men and women, sooner, if possible, than later. [Source: The Hill Congress Blog | Lt. Gen. Clarence E. McKnight Jr. (Ret.) and David Leffler | 9 Apr 2014 ++]

## \*Finances\*



### **Tax Refund Seizure** ► Parents Decades-Old SSA Debt Payments

A few weeks ago, with no notice, the U.S. government intercepted Mary Grice's tax refunds from both the IRS and the state of Maryland. Grice had no idea that Uncle Sam had seized her money until some days later, when she got a letter saying that her refund had gone to satisfy an old debt to the government — a very old debt. When Grice was 4, back in 1960, her father died, leaving her mother with five children to raise. Until the kids turned 18, Sadie Grice got survivor benefits from Social Security to help feed and clothe them. Now, Social Security claims it overpaid someone in the Grice family — it's not sure who — in 1977. After 37 years of silence, four years after Sadie Grice died, the government is coming after her daughter. Why the feds chose to take Mary's money, rather than her surviving siblings', is a mystery. Across the nation, hundreds of thousands of taxpayers who are expecting refunds this month are instead getting letters like the one Grice got, informing them that because of a debt they never knew about — often a debt incurred by their parents — the government has confiscated their check.

The Treasury Department has intercepted \$1.9 billion in tax refunds already this year — \$75 million of that on debts delinquent for more than 10 years, said Jeffrey Schramek, assistant commissioner of the department's debt management service. The aggressive effort to collect old debts started three years ago — the result of a single sentence tucked into the farm bill lifting the 10-year statute of limitations on old debts to Uncle Sam. No one seems

eager to take credit for reopening all these long-closed cases. A Social Security spokeswoman says the agency didn't seek the change; ask Treasury. Treasury says it wasn't us; try Congress. Congressional staffers say the request probably came from the bureaucracy. The only explanation the government provides for suddenly going after decades-old debts comes from Social Security spokeswoman Dorothy Clark: "We have an obligation to current and future Social Security beneficiaries to attempt to recoup money that people received when it was not due."



**Mary Grice of Takoma Park, MD, talks with her attorney Robert Vogel April 5, 2014**

Since the drive to collect on very old debts began in 2011, the Treasury Department has collected \$424 million in debts that were more than 10 years old. Those debts were owed to many federal agencies, but the one that has many Americans howling this tax season is the Social Security Administration, which has found 400,000 taxpayers who collectively owe \$714 million on debts more than 10 years old. The agency expects to have begun proceedings against all of those people by this summer. "It was a shock," said Grice, 58. "What incenses me is the way they went about this. They gave me no notice, they can't prove that I received any overpayment, and they use intimidation tactics, threatening to report this to the credit bureaus." Grice filed suit against the Social Security Administration in federal court in Greenbelt this week, alleging that the government violated her right to due process by holding her responsible for a \$2,996 debt supposedly incurred under her father's Social Security number. Social Security officials told Grice that six people — Grice, her four siblings and her father's first wife, whom she never knew — had received benefits under her father's account. The government doesn't look into exactly who got the overpayment; the policy is to seek compensation from the oldest sibling and work down through the family until the debt is paid.

The Federal Trade Commission, on its Web site, advises Americans that "family members typically are not obligated to pay the debts of a deceased relative from their own assets." But Social Security officials say that if children indirectly received assistance from public dollars paid to a parent, the children's money can be taken, no matter how long ago any overpayment occurred. "While we are responsible for collecting delinquent debts owed to taxpayers, we understand the importance of ensuring that debtors are treated fairly," Treasury's Schramek said in a statement responding to questions from The Washington Post. He said Treasury requires that debtors be given due process. Social Security spokeswoman Clark, who declined to discuss Grice's or any other case, even with the taxpayer's permission, said the agency is "sensitive to concerns about our attempts to arrange repayment of overpayments." She said that before taking any money, Social Security makes "multiple attempts to contact debtors via the U.S. Mail and by phone." Grice, who works for the Food and Drug Administration and lives in Takoma Park, in the same apartment she's resided in since 1984, never got any notice about a debt.

Social Security officials told her they had sent their notice to her post office box in Roxboro, N.C. Grice rented that box from 1977 to 1979 and never since. And Social Security has Grice's current address: Every year, it sends her a statement about her benefits. "Their record-keeping seems to be very spotty," she said. Treasury officials say that before they will take someone's refund, the agency owed the money must certify the debt, meaning there must be evidence of the overpayment. But Social Security officials told Grice they had no records explaining the debt.



“The craziest part of this whole thing is the way the government seizes a child’s money to satisfy a debt that child never even knew about,” says Robert Vogel, Grice’s attorney. “They’ll say that somebody got paid for that child’s benefit, but the child had no control over the money and there’s no way to know if the parent ever used the money for the benefit of that kid.” Grice, the middle of five children, said neither of her surviving siblings — one older, one younger — has had any money taken by the government. When Grice asked why she had been selected to pay the debt, she was told it was because she had an income and her address popped up — the correct one this time.

Grice found a lawyer willing to take her case without charge. Vogel is exercised about the constitutional violations he sees in the retroactive lifting of the 10-year limit on debt collection. “Can the government really bring back to life a case that was long dead?” the lawyer asked. “Can it really be right to seize a child’s money to satisfy a parent’s debt?” But many other taxpayers whose refunds have been taken say they’ve been unable to contest the confiscations because of the cost, because Social Security cannot provide records detailing the original overpayment, and because the citizens, following advice from the IRS to keep financial documents for just three years, had long since trashed their own records.

In Glenarm, Ill., Brenda and Mike Samonds have spent the past year trying to figure out how to get back the \$189.10 tax refund the government seized, claiming that Mike’s mother, who died 33 years ago, had been overpaid on survivor’s benefits after Mike’s father died in 1969. “It was never Mike’s money, it was his mother’s,” Brenda Samonds said. “The government took the money first and then they sent us the letter. We could never get one sentence from them explaining why the money was taken.” The government mailed its notice about the debt to the house Mike’s mother lived in 40 years ago. The Social Security spokeswoman said the agency uses a private contractor to seek current addresses and is supposed to halt collections if notices are returned as undeliverable. After hours on the phone trying and failing to get information about the debt Mike’s mother was said to owe, the Samonds gave up.

After waiting on hold for two hours with Social Security last week, Ted Verbich also concluded it wasn’t worth the time or money to fight for the \$172 the government intercepted last month. In 1977, Verbich, now 57, was in college at the University of Maryland when he took a full-time job in an accountant’s office. Because he was earning income, he knew he had to give up the survivor’s benefits his mother had received since his father died, when Verbich was 4. But his \$70 monthly checks — “They helped with the car payment,” he said — kept coming for a short time after he started work, and Verbich was notified in 1978 that he had to repay about \$600. He did. Thirty-six years later, with no notice, “they snatched my Maryland tax refund,” said Verbich, a federal worker who has lived at the same address in Glendale, Md., for 30 years and regularly receives Social Security statements there. The feds insisted that he owed \$172 but could provide no documents to back up the claim.

Verbich has given up on getting his refund, but he wants a receipt stating that his debt to his country is resolved. “I’ll put in the request,” a Social Security clerk told Verbich, “but in reality, you’ll never get anything.” Grice was also told there was little point in seeking a waiver of her debt. Collections can only be halted if the person passes two tests, Clark said: The taxpayer must prove that he “is without fault, and [that] repayment of the overpayment would deprive the person of income needed for ordinary living expenses.” More than 1,200 appeals have been filed on the old cases, Clark said; taxpayers have won about 10 percent of those appeals. The Treasury initially held the full amount of Grice’s federal and state refunds, a total of \$4,462. Last week, after The Washington Post inquired about Grice’s case, the government returned the portion of her refund above the \$2,996 owed on her father’s account. But unless the feds can prove that she ever received any of the overpayment, Grice wants all of her money back. “Look, I love a good fight, especially for principle,” she said. “My mom used to say, ‘This country is carried on the backs of the little people,’ and now I see what she meant. This is really sad.” [Source: Washington Post | Marc Fisher | 10 Apr 2014 ++]

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## Long Term Care Insurance ► Necessity or Rip Off

None of us are getting out alive and there is a pretty good chance we'll all need some form of skilled nursing services if we live long enough. So, the question up for debate is "Is long-term care insurance a necessity or rip off?" **What's the worst that could happen if you do buy long-term care insurance – you'll never need care and will have lost the opportunity to invest the money.** What's the worst that could happen if you DON'T buy long-term care insurance:

Fear	Response
I'll run out of money for my care before I die.	Long-term care insurance doesn't guarantee that you won't run out of money.
My heirs won't get an inheritance if I use up my money on my care.	Too bad, that's what your money is for. They should be working to secure their own future!
I'll leave my spouse/partner destitute if I use all the money on my care.	Not a bad point. But if you've saved well it probably won't be an issue. If you haven't, why not buy a much less expensive term life insurance instead?

A review of the State Farm website <https://www.statefarm.com/insurance/long-term-care> reveals some simple scenarios to figure out what it would cost to buy a premium at age 40 vs 60 and how that would compare with someone who instead chose to invest the premium amounts. Using the criteria for purchasing a policy; New customer; Live in TX (they don't offer the product in CA); Premiums start at age 40 for one scenario and 60 for the second; 90 day waiting period before benefits kick in; Daily cap of \$150, which covers around \$4,500 a month depending on the number of days in the month; and 5 year payout, which is the longest one they offer, here's how it plays out assuming State Farm never increases the premium and our buyers start using benefits at age 80:

Starting Age	Annual Amount	Total in Premiums Paid by 80 Yrs Old	Waiting Period	Daily Cap	Monthly Cap (based on daily cap & 30 day mo)	Benefits end after
40	\$1,782	\$71,280	90 days	\$150	\$4,500	5 years
60	\$3,639	\$72,780	90 days	\$150	\$4,500	5 years

If instead that same 40 year old and 60 year old saves and invests the premium amount where they earn 6% annually the results are:

Starting Age	Annual Amount	Balance Saved by 80 Yrs Old	Waiting Period	Daily Cap	Monthly Cap (based on daily cap & 30 day mo)	Savings Run Out in
40	\$1,782	\$292,332	None	None	None	5 yrs, 4 months
60	\$3,639	\$141,894	None	None	None	2 yrs, 6 months

It appears that if you save the money the benefit is you have control over it. If you ultimately do need skilled nursing care you'll have the cash to get the care you need. Another approach is to consider your home as your long-term care protection. If your home is mortgage-free, that asset can be used to handle your care if you can no longer live by yourself. The risk with purchasing the LTC insurance is you have no control over what the company will do or whether you will be able to keep up the payments. If you decide that purchasing a long-term care insurance policy is the right choice for you, then make sure you do your research BEFORE signing on the line. Here are a few things to make sure you understand:

1. What is the waiting period before your benefits kick in?
2. What is the cap on the daily amount they will pay?
3. What is the monthly cap?
4. How many years does your policy cover?
5. Is there anything that the policy specifically will not cover?
6. Can the company raise your rates? If so, is there a cap?
7. Can the company reduce your benefits? If so, is there a floor below which they cannot go?
8. If you miss a payment, can they cancel your policy?
9. What is their payout track record?
10. What kinds of complaints have been made against the company specific to payouts on LTC insurance policies?
11. How is the company rated by the rating agencies?
12. What happens if the company goes out of business?

[Source: MoneyTalksNews | Ree Klein | 6 Sep 2013 ++]

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## **Major League Baseball Ticket Discounts ► Military Community**

Major League Baseball teams are showing their appreciation for service members, both past and present, with military discounts on 2014 game tickets. Many teams also hold military appreciation days to honor those who have served our country. Look for your favorite team in the list below and take advantage of the military discounts that can help get you to the ballpark for less. Click on the team name for details

### **American League**

#### **Baltimore Orioles**

The Baltimore Orioles offer a \$3 discount off of all tickets for military (active, retired and reserve) and their families, available at the Oriole Park Box Office. You can also find bigger discounts by contacting your nearest ITT/Leisure Travel office.

#### **Boston Red Sox**

The Red Sox offer special pricing on tickets to active-duty, Reserve, veteran, and retired service members and families who purchase tickets online.

#### **Chicago White Sox**

Active duty military can receive one free ticket at the U. S. Cellular Field Box Office on the day of the game.

#### **Houston Astros**

The Astros offer half price tickets to any active or veteran military member any Sunday through Thursday game (exclusions apply). The offer includes up to eight half-price tickets and is available at the Minute Maid Park Box office only.

#### **Minnesota Twins**

The Minnesota Twins are offering Military Mondays. For 6 games, active military members or veterans, plus four guests will receive a half-price ticket in Home Plate View seating locations. Military Mondays are May 26, June 30, July 21, August 18, September 15, and September 22.

#### **New York Yankees**

The New York Yankees are offering active duty military one complimentary ticket in the Grandstand Level or Bleachers, or the purchase of one half-price ticket in other areas in Yankee Stadium.

The Yankees also offer up to 50% off the advance ticket price on select seats to military members when they [purchase tickets online](#). Verification through GovX.com is required.

#### **Seattle Mariners**

Military members can receive 10% off select seats at all Seattle Mariners home games, excluding Opening Night. This discount is limited to 4 tickets and is available in-person at Mariners Team Stores and Safeco Field Box Office.

#### **Texas Rangers**

The Texas Rangers are inviting active duty military, retired, Reserve and veterans to purchase discounted tickets to their home games online.

### **National League**

#### **Arizona Diamondbacks**

The Arizona Diamondbacks offer all active, reserve, retired and veteran military personnel a 50% discount on up to four tickets for all Sunday home games.

#### **Atlanta Braves**

The Braves are offering active, retired, Reserve, and veteran military personnel discounted tickets for 50% off Upper Box or Outfield tickets. This offer is available both at the Turner Field ticket windows (day of game only) and for tickets purchased online.

#### **Cincinnati Reds**

Convergys Corporation and the Cincinnati Reds have partnered to provide free and discounted tickets to military personnel. These tickets are for Cincinnati Reds home games. A total of 6 tickets may be purchased per game with each military ID. Tickets must be acquired/purchased the day of the game.

#### **Miami Marlins**

All active and retired military personnel and veterans receive complimentary tickets for Monday Miami Marlins games. This offer includes 4 complimentary tickets, which are to be used for spouses and children of the individual with the ID.

#### **New York Mets**

Active duty military receive complimentary tickets to Mets games. This offer is good day-of-game only in the [Ticket Office](#) lobby in the Jackie Robinson Rotunda.

#### **San Diego Padres**

The Padres are offering active duty, Reservists, retirees, veterans and family members military discounts on tickets for all regular season home games. The military discount includes \$6 off any available ticket priced at \$14 or more or \$10 tickets in select seating for all Sunday home games.

### San Francisco Giants

The San Francisco Giants offer discounted tickets purchased online to active duty and retired military, Guard, Reserve, veterans and their families.

### St. Louis Cardinals

The St. Louis Cardinals are offering all military personnel, their family and friends a special offer for All-Inclusive tickets for five select games. Tickets are available for as low as \$60 and include a buffet and complimentary beer and soda.

### Washington Nationals

Military service members receive discounted Washington Nationals tickets. Tickets can be purchased through MWR and ITT offices at area bases and the Pentagon. Most ticket levels also include a food and beverage credit.

[Source: Military.com | Heather Sweeney | Apr 2014 ++]

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## Saving Money ► Duct Cleaning

If someone in your family has allergies, at some point you might consider getting your heating and cooling ducts cleaned. Consumers' Checkbook (<http://www.checkbook.org/cgi-bin/memberonly/newsletter/archive/bos/air-duct-cleaners.cfm>) says not to. "Some duct cleaners advertise health benefits, or suggest that duct cleaning will lower your power bills by improving your system's efficiency," the group says. "Is there anything to these claims? In short: No." It cites research from the U.S. Environmental Protection Agency that concluded duct cleaning has never been shown to prevent health problems (<http://www.epa.gov/iaq/pubs/airduct.html>), or that some dust in the duct system poses health risks. Most dust settles and gets stuck to the duct surface, and it doesn't come loose again — until some duct cleaner sticks a brush or nozzle in there, anyway. The Canada Mortgage and Housing Corp., which did its own research, and the American Lung Association, back up the EPA.

**What do They do.** To clean ductwork, companies place the duct system under negative pressure—essentially connecting a very large, powerful vacuum cleaner to an opening in the ductwork and sucking out loose dust and other debris. More than one opening might be used. And because a vacuum isn't powerful enough to loosen and remove all particles, duct cleaners must agitate the dust inside the ducts using a rotary brush, compressed air nozzles, and a special tool called a "skipper ball." Duct-cleaning companies often also clean the heating and cooling equipment (heat exchangers, cooling coils, condensate drain pans, fan motors, fan blades, and fan housings), but cleaning this equipment isn't necessarily included in a duct-cleaning company's basic service. You might have to pay extra for equipment cleaning, and you might not need equipment cleaning if your air conditioner and furnace are regularly maintained by a heating and air-conditioning contractor who routinely does such cleaning (some don't).

**What Can Go Wrong.** A thorough duct cleaning removes dust and other particles from your system. Performed improperly, however, duct cleaning can do more harm than good.

- If the vacuum pressure isn't applied carefully, some of the dust that settled in the ducts will be loosened by the agitation and blown into the living space after the cleaning. (This explains the results of the Canadian study in which particle levels actually rose right after a cleaning.)
- Running brushes or using compressed air also risks breaking seals in the duct system, which can be especially problematic in the return air portion and lead to an increased risk of mold. Most forced-air systems are designed as closed loops, and leaks in the return-air circuit allow unfiltered air to be sucked from basements or attics, bringing with it dust and moisture.



- Not every home has sheet-metal ductwork. Flexible coil-style ducts— the kind that looks like a Slinky toy—are more vulnerable to being punctured.
- Ductwork fabricated from fiberglass-insulated material, which is less expensive than metal ductwork, has become more common in new homes. These ducts have fiberglass insulation on their interior surfaces. The fiberglass surface is sealed, but if a duct-cleaning company is not careful, the cleaning can damage the insulation, loosening fibers that can become airborne.
- And, of course, there are the usual types of problems that can occur when you deal with any contractor— evidenced by the negative comments posted on many air-duct-cleaning companies at [Checkbook.org](http://Checkbook.org) .

**What It Will Cost.** The table below shows low, average, and high prices CHECKBOOK’s mystery shoppers were quoted for two different duct-cleaning jobs: one in a relatively small home and one in a larger home. Our researchers asked for the price two ways: (1) not including cleaning the equipment (blower fan assembly, heat exchangers, pans, and evaporator coils); (2) including cleaning the equipment.

Low, Average, and High Prices Quoted for Illustrative Duct-Cleaning Work			
Job	Low price	Average price	High price
Price to clean ducts for a small house (1,500 square feet, 2 levels,7 duct openings and 2 returns)	\$270	\$404	\$500
Price to clean ducts and blower fan assembly, pans, and evaporator coils for a small house (described above)	\$585	\$658	\$775
Price to clean ducts for a large house (3,000 square feet, 3 levels,15 duct openings and 5 returns)	\$425	\$508	\$600
Price to clean ducts and blower fan assembly, pans, and evaporator coils for a large house (described above)	\$598	\$788	\$1,175

You can see that there were big price differences, even though all the companies were bidding on the same specifications. For example, quotes for the larger home ranged from \$598 to \$1,175, including equipment cleaning. With some companies, cleaning the equipment was part of the deal—they did it whether you wanted it or not. Other companies impose an extra charge for equipment cleaning.

Duct cleaning should be considered only when a specific problem has been identified, such as pest infestation or substantial mold growth. One of the best things you can do is regularly replace the air filter, Consumers’ Checkbook says. This is also one of the cheapest ways to improve your home’s energy efficiency. Consumers’ Checkbook also suggests having a heating and cooling contractor check for leaks and clean equipment such as condenser coils and fan blades.

### If You Have Special Concerns About Mold

If you suspect a mold problem—either because of visible growth or a musty smell consistently coming from supply vents—cleaning ducts won't do much good if it doesn't eliminate the mold. Mold always begins with a moisture problem, and the ducts themselves are unlikely to be the source of the problem. The most likely culprits are the cooling system's evaporator coils, which your heating and air-conditioning contractor—and most duct-cleaning companies—can inspect and maintain. Leaky return ducts can also introduce moisture, and, again, if you suspect a mold problem, consider having a service company inspect the duct system for leaks. If you suspect—but aren't sure—that what you see is mold, you might be tempted to have it tested. But experts we spoke with generally recommend against it, reasoning that:

- Mold is present in all homes; it becomes problematic only when there is a moisture problem.
- It's generally not worth the cost and effort to test for mold or to identify the different kinds of mold present. That time and money is better spent tracking down and eliminating moisture problems—whether under a sink or part of a heating and cooling system.

[Source: MoneyTalksNews & Consumer Checkbook Sep 2013 ++]

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## **Homeless Cellphone Contracts Scam ► How It works**

As if life on the street isn't tough enough, a cellphone scam is destroying homeless people's credit and racking up huge debts in their names. Scammers prey on the down and out, convincing the homeless to sign up for multi-phone cellphone contracts. The scammers keep the phones and sell them "on the streets, online or abroad." The homeless people are paid a pittance, maybe \$50 or \$100. Meanwhile, hundreds or thousands of dollars in charges are racked up on the cellphones, which are in the names of the homeless victims. No one pays the bills, and their credit goes down the drain. Joe Ridout, a manager at Consumer Action, told CNN: This is one of the most heartless scams I've ever seen. They're preying on a person's desperation and making the prospects of that person improving their livelihood much worse by destroying their credit rating — causing them to face barriers getting a job, getting an apartment.

Rita Purcell, a 49-year-old from Boise, ID, said she and a friend were walking back to a homeless shelter after buying cigarettes when two men drove up in a car and asked if they wanted to make some quick cash. At first Purcell liked the sound of it, but she became wary once they began asking for her Social Security number and other personal information to check her credit. She ended up signing contracts for eight phones, and the men gave her \$100. A few weeks ago, when applying for affordable housing, Purcell discovered through a credit check that she had debts totaling \$5,000 from Sprint and Verizon that had been sent to collections. Her application is still being processed, but now she's worried she won't qualify. "I'm homeless, I'm on fixed income, and now I've got thousands of dollars in phone bills when there's no way I can pay for anything," Purcell said. "I'm screwed as far as my credit report goes."

Law enforcement said the scammers are hitting cities across the nation, according to Boise, Idaho-based KTVB. Tom Shuler of the Boise Police Department. The Boise Police Department caught the ring leader involved with the scheme, but they were unable to charge him with anything, because it wasn't technically considered theft or fraud since the homeless people had willingly bought the phones in their names. Shuler said the ring leader told him that he started in California and has been stopping in every state to pick up cell phones -- acquiring hundreds of phones and then sending them overseas -- receiving thousands of dollars in exchange. Last year, police in St. Louis, Mo., caught two men who had picked up homeless people at a shelter, paid them each \$100 to set up cell phone contracts at Walmart and dropped them off at a liquor store, said Andrew Soll, a detective at the St. Louis County Police

Department. The officer followed the scammers' van to a motel, where he found a bed covered in heaps of brand new iPhones and Samsung Galaxies. The two men were taken into custody, and one was sentenced to six months in prison, while the other man is under probation for five years. But the men claimed to be part of a larger network, so there are likely many more scammers out there, traveling from city to city and continuing the scheme, said Soll.

It's hard enough for homeless people to get back on their feet, and this scam is exacerbating the problem. Many retailers will sell you as many phones as you want, as long as you have decent credit -- and even a very limited credit history is often acceptable. While some homeless folks are likely knowingly complicit in the fraud, others may not understand that what they're doing is wrong or that it could have major repercussions. "[Among the homeless], you've got the guys who have alcohol problems, the guys down their luck and the guys with mental illness -- it's quite the spectrum, but when you flash \$100 or \$150, that kind of overrides common sense," said Shuler. [Source: CNN Money | Blake Ellis | 26 Feb 2014 ++]

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## Snapchat Sweepstakes Scam ► How It works

Everyone loves getting something for nothing. And scammers have been cashing in on that desire for a long time, through phone, email, text message... and now the new social media app Snapchat. Snapchat is popular with teens and young adults for its ability to send photos and videos that vanish after viewing.

### How the Scam Works:



You use Snapchat to stay in touch with friends. One day, you get a snap, or visual message, from a user you don't recognize. The snap is a graphic (see image at left) saying you are "Today's Winner." To claim your prize, you need to visit the website listed.

You go to the site, and the homepage prompts you to "confirm your username." You enter your name and click the "finish" button. But when the next page loads, you realize that you aren't done. The next webpage instructs you to choose from a list of smartphone apps and download one. After you do so, then you can supposedly claim your prize.

Don't do it! This could just be an unscrupulous way to generate app downloads. But downloading apps outside official stores opens you up to infecting your phone with a virus.

### How to protect yourself from a Snapchat sweepstakes scam:

1. **You can't win a contest you didn't enter:** You need to buy a ticket or complete an application to enter a contest or lottery. Be very careful if you've been selected as a winner for a contest you have never heard of.
2. **Change your settings:** Set Snapchat so you can only receive snaps from those on your friends list. This will block most spam. For instructions go to <http://support.snapchat.com/a/privacy-settings>
3. **Report spam accounts.** Use <http://support.snapchat.com/ca/abuse> for reporting spam and hacked accounts to Snapcaht.
4. **Use official app stores.** Be sure to download apps through the official app store on your phone, not alternative markets.

5. **Be wary of unexpected texts, emails and other messages that contain links or attachments.** Never click on links or open files from unfamiliar sources.

For more information about protecting your Snapchat account, check out <http://support.snapchat.com/ca/abuse>. To find out more about scams, check out BBB Scam Stopper at <http://www.bbb.org/council/bbb-scam-stopper>. [Source: BBB Scam alert 14 Mar 2014 ++]

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## **Tax Burden for Kansas Retirees ► As of Apr 2014**

Many people planning to retire use the presence or absence of a state income tax as a litmus test for a retirement destination. This is a serious miscalculation since higher sales and property taxes can more than offset the lack of a state income tax. The lack of a state income tax doesn't necessarily ensure a low total tax burden. Following are the taxes you can expect to pay if you retire in Kansas:

### **Sales Taxes**

**State Sales Tax:** 6.3% (prescription drugs exempt); Cities and counties may add another 4%.

**Gasoline Tax:** 43.4 cents/gallon (Includes all taxes)

**Diesel Fuel Tax:** 51.4 cents/gallon (Includes all taxes)

**Cigarette Tax:** 79 cents/pack of 20

### **Personal Income Taxes**

**Tax Rate Range:** Low - 3.5%; High - 6.45%

**Income Brackets:** Two. Lowest - 3% for income up to \$30,000; Highest - 4.9% for income over \$30,000

**Personal Exemptions:** Single - \$1,860; Married - \$4,590;

**Dependents** - \$2,250

**Standard Deduction:** Single - \$4,500; Married filing jointly - \$9,000

An additional \$850 can be claimed if you are 65 years or older. An additional \$850 can also be claimed if you are blind. If your spouse is 65 years or older, you can claim an additional \$850. An additional \$850 can also be claimed if your spouse is blind. If both you and your spouse are 65 years or older and blind, your standard deduction would be \$8,800.

**Medical/Dental Deduction:** Federal amount. Up to \$800 per contract, per taxpayer can be deducted if you have a long term care insurance contract.

**Federal Income Tax Deduction:** None

**Retirement Income Taxes:** Military, civil service, state/local government pensions are exempt. Out-of-state government pensions are fully taxed. Railroad retirement is fully exempt. Social Security is exempt for residents with a federal adjusted gross income of \$75,000 will be exempt from any state tax on their Social Security benefits.

**Retired Military Pay:** Not taxed.

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

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

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

### **Property Taxes**

Taxable property is assessed at its fair market value. Homeowners 55 and older who earn \$30,800 or less are eligible for a refund of up to \$700 under the Homestead Property Tax Refund Act. You must also meet one of the following requirements: Be 55 years of age or older, or be blind or disabled, or have a dependent child under 18 who lived with you all year whom you claim as a personal exemption. Additionally, 50 percent of Social Security benefits will be excluded from the definition of income for the purposes of qualifying for the program, resulting in additional property tax relief for seniors. A property tax refund is available for homeowners 65 or older with a household income of \$17,700 or less. The refund is 45% of the property taxes paid. Those who claim this refund cannot claim a Homestead refund.

The effective property tax burden for renters is 15 percent of total rent. A homeowner with a residence valued at more than \$350,000 or more is prohibited from participating in the program. Call 877-526-7738 or 785-296-2365 for property tax details or click here.

### **Inheritance and Estate Taxes**

There are two Kansas estate acts applicable to the estates of decedents dying prior to January 1, 2010; the “pic-up” tax and the “stand-alone” estate tax. While both of these acts have been repealed they continue to apply, based on the decedent’s date of death. Both of these are now subject to “sunset” provisions which will casue these taxes to end in 2017 and 2020, respectively.

For further information, visit the Kansas Department of Revenue site <http://www.ksrevenue.org>. [Source: <http://www.retirementliving.com/taxes-kansas-new-mexico#KANSAS> Apr 2014 ++]

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## **Thrift Savings Plan 2014 ► Share Prices + YTD Gain or Loss**

**TSP Share Prices for 11 Apr 2014**

	<b>Close</b>	<b>YTD</b>
<b>G Fund</b>	\$14.3802	<b>+0.65%</b>
<b>F Fund</b>	\$16.1930	<b>+2.87%</b>
<b>C Fund</b>	\$23.5963	<b>-1.17%</b>
<b>S Fund</b>	\$32.9534	<b>-2.13%</b>
<b>I Fund</b>	\$25.5227	<b>-0.16%</b>
<b>L 2050</b>	\$13.9737	<b>-0.64%</b>
<b>L 2040</b>	\$24.7230	<b>-0.45%</b>
<b>L 2030</b>	\$23.3989	<b>-0.26%</b>
<b>L 2020</b>	\$21.7939	<b>-0.01%</b>
<b>L Income</b>	\$16.8975	<b>+0.48</b>

[Source: <http://tspcenter.com/tspReturns.php?view=year> 13 Apr 2014 ++]



**\*General Interest\***



**Notes of Interest** ► 15 thru 31 Mar 2014

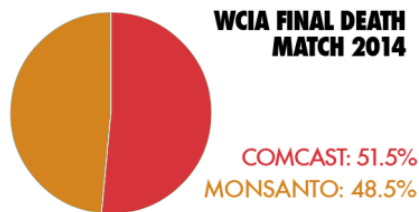
- **Visa.** In a real life clash of the titans, Walmart is suing Visa, claiming the card company conspired with banks to fix prices on the transaction fees retailers pay Visa. The world’s largest retailer is asking for \$5 billion in damages from the alleged price fixing and other antitrust violations.
- **Divorce.** In a recent survey of divorced individuals by Credit.com, 40 percent of respondents said it took them more than six months to separate finances, and for 11 percent of them, it took more than three years.
- **USS Arizona.** Check out [http://www.youtube.com/embed/MgE2KiPd3xg?feature=player\\_detailpage](http://www.youtube.com/embed/MgE2KiPd3xg?feature=player_detailpage) to see what takes place after the tourists have gone for the day.

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**Golden Poo Award** ► Comcast Rated WCIA for 2014

The award for the Worst company In America (WCIA) for 2014 goes to ... Comcast. The cable giant was neck and neck with Monsanto, which produces and sells herbicides like Roundup and enormously controversial genetically enhanced seeds. But in the end, Comcast held the lead in the annual poll, the Consumerist said. It won by a slight 3 percentage points. This is not the first time Comcast has received the dubious distinction of being named the country’s worst company. Consumerist said Comcast won in 2010 as well. It is one of just two companies to be “victorious” in the annual worst company poll more than once. This is how Consumerist describes Comcast:

*“Not so long ago, Comcast was just another inept large cable operator that, like its kin, didn’t care about shoddy service; techs who may or may not show up; questionable billing procedures; and charging fees for everything under the sun. But in the last five years, Comcast showed that it could somehow convince federal regulators that it should also be allowed to buy a major broadcaster/movie studio/cable network by promising it wouldn’t suck as much and paying lip service to the notion of providing Internet access to low-income families.”*



Consumerist’s Golden Poo award was announced on the same day that Comcast and Time Warner Cable filed their merger proposal paperwork with the Federal Communications Commission. Comcast is trying to persuade

Congress that its takeover of Time Warner Cable would benefit the public. But according to The Huffington Post, Comcast hasn't made clear what "benefits" (besides an improved DVR) exist for consumers. And the company's top lobbyist has admitted, "We're certainly not promising that customer bills are going to go down or that they'll increase less rapidly." But we might get better DVRs, so there's that. If the merger is approved, "Comcast will control nearly 50 percent of the truly high-speed Internet market, and it will be the only broadband provider that can deliver Internet and pay-TV services to nearly 4 out of every 10 U.S. homes," HuffPo said. For more detailson how Comcast won go to <http://consumerist.com/2014/04/08/congratulations-to-comcast-your-2014-worst-company-in-america/>. [Source: MoneyTalksNews | Krystal Steinmetz | 11 Apr 2014 ++]

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## **Bizarre U.S. Tax Laws ► 15 Unusual Ones**

In the state of New Mexico people over 100 years old are tax-exempt. The logic is by the time you're 100, you've paid enough in taxes. The rest of us are subject to the following dependent on where we in the U.S.:

- **Flush Tax.** If it's yellow, let it mellow could be the motto of some Maryland and Virginia residents looking to save money. In these two states there's a tax on flushing the toilet, according to Bing.
- **Crack Tax.** Tennessee anonymously collects a tax on illegal drugs, according to NPR. In 2006, the state collected \$1.5 million from the tax.
- **Diaper Tax.** Adult diapers are exempt from sales tax in Connecticut, but if you're buying diapers for your kids you'll have to pay taxes on those, according to Thomson Reuters.
- **Napkin Tax.** Colorado levies a tax on "non essential" food packaging items, according to Business Insider. That means you'll pay a tax on paper cup lids and napkins, but not on paper cups themselves
- **Sex Tax.** Businesses in Utah that employ nude or partly nude workers are required to pay a 10 percent sales tax, according to U.S. News and World Report.
- **Card Deck Tax.** If you buy cards in Alabama you'll pay a 10 cent tax on the deck, according to Turbo Tax. Meanwhile, Nevada gives free decks in exchange for completed returns.
- **Holiday Decorations Tax.** In Texas, holiday-themed pictures that are meant to be placed on walls are taxed, according to efile.com.
- **Tattoo Tax.** In Arkansas, there's a 6 percent sales tax on tattoos, according to Turbo Tax
- **Litigation Tax.** New York has a tax on litigation, according to ABC News.
- **Hot Air Balloon Tax.** In Kansas, you have to pay taxes on that hot air balloon ride -- or risk flying away. In that state tethered balloons are taxed, but those that roam free are not because they are considered a legitimate form of transportation, according to ABC.
- **Fresh Fruit Vending Machine Tax.** Another reason not to buy your fruit from a vending machine. Fresh fruit is exempt from sales tax in California, unless it's sold from a vending machine, according to U.S. News and World Report.

[Source: The Huffington Post | Jillian Berman | 30 Jan 2013 ++]

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## **Gold Star Wives Day ► April 5 Designated by Congress**

April 5, 2014, has been designated by Congress as "Gold Star Wives Day." The intent is to publicly recognize the sacrifices made by our service members in support of our nation. Though the official designation of the Gold Star Wives Day is relatively new, the gold star has officially been recognized as a symbol of loss since 1918. Throughout

the First World War, families would hang blue service stars in their windows to indicate that their loved ones were serving in the war effort. By 1918, it became common practice to pin a gold star over the blue star to indicate that their service member had died. President Wilson also authorized mothers to wear a gold star on the traditional black mourning band to signify their loss was war-related in 1918. During the Second World War, service flags and what they represented were standardized and codified by Congress. In April of 1945, a non-profit group calling themselves "Gold Star Wives of America" filed incorporation paperwork signed by Eleanor Roosevelt. Less than two years later Congress approved the design, manufacture and distribution of the Gold Star Label Pin to be presented to surviving family members of those who died in that conflict.



Though service flags and Gold Star pins fell out of favor in the sixties, in 1973 the Army approved a lapel pin to be worn by those who lost their lives while serving on active duty but not in combat operations. The rise of patriotism and pride in service after September 11 brought about a resurgence of the use of both the blue and gold stars in flags, bumper and window stickers and lapel pins. But it's not enough, said Engeman, who manages the Survivor Outreach Services program for the Army. During World War II, more than 16 million people served in the war effort overseas, and most of the country supported the war effort through rationing, victory gardens, war bonds, and other public displays of support. Only 2.5 million service members have deployed during the war on terror; less than 1 percent of the American population. While service flags can be readily found in windows in the residential areas on military installations, it's rare to see them in mainstream America.



To help raise awareness, the Army has produced a series of public service announcements describing the significance of Gold Star pins. The PSAs will be released over the course of the year, to expand awareness efforts beyond a single day proclaimed by Congress. The Army, recognizing that families who have paid the ultimate sacrifice deserve our respect, gratitude and the very best we can provide, created Survivor Outreach Services to provide long-term support services and family case management for surviving families. A program in the G9, Family and MWR Services Directorate of the Installation Management Command, SOS is integral to the Army's support system and casualty notification office.

"Our support service coordinators and financial counselors are dedicated to helping survivors from all eras understand--and apply for--the benefits they're entitled to" said Hal Snyder, chief of IMCOM's Wounded and Fallen Support Services Office. "We also help them stay connected to the Army family for as long as they desire. "SOS currently supports more than 55,900 surviving military family members, and is spearheading the effort to raise awareness through the PSAs. "We're committed to our survivors," said Lt. Gen. Mike Ferriter, IMCOM commander. "So educating the public on the meaning behind the gold star pins is simply another way to reaffirm that we honor and understand the sacrifices they've made for our country." To learn more about the gold Star organization go to <http://www.goldstarpins.org/Home/tabid/56/Default.aspx>. [Source: Gold Star Pins | Bobbie O'Brien | 5 Apr 2014 ++]

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## **RP~China Dispute Update 04 ► USS Harnett County Still in Service**

Its hull riddled with holes and rust, the BRP Sierra Madre has become a fragile symbol of the Philippines' claim to Second Thomas Shoal, an eight-kilometer (five-mile) -long submerged coral outcrop that has been disputed by China and the Philippines for years. On board the crumbling carcass of this World War II-era warship, Filipino marine 1st Lt. Mike Pelotera and his eight men make their way to a mid-level deck to raise the Philippine flag up a leaning pole and then salute it. Across the calm, turquoise waters, two Chinese coast guard ships lurk, looking on. It's a lonely ship, where Pelotera and his team wage a daily battle against isolation. "There's a point where you tend to feel low," Pelotera said of the challenges of his team's four-month deployment at the reef, where there is no land to stand on and nothing to stare at all day but sea. "But we have to kill the boredom because there is an important mission to fulfill."



**First Lt. Mike Pelotera of the Philippine Marines and fellow servicemembers receive bronze cross medals for their actions in a five-month mission on board the dilapidated navy ship Sierra Madre**

The Philippine navy inherited the former U.S. tank-landing ship USS Harnett County in 1976, and ran it deliberately aground at Second Thomas Shoal in 1999. A Chinese frigate and maritime surveillance ships arrived last year to press China's claim to the shoal, which is believed to be sitting atop undersea oil and gas reserves. The move was an example of China's increasing assertiveness in the South China Sea, something that is alarming the United States, Manila's longtime ally. Analysts say China's strategy is to slowly take possession of islands and outcrops in the South China Sea, using intimidation where necessary but avoiding any major confrontation. Its military might and economic dominance in the region mean it can push its weight around with little fear. Second Thomas Shoal and the nearby Spratly Islands lie about 120 miles (190 kilometers) from the western Philippine province of Palawan, and about 700 miles (more than 1,000 kilometers) from southern China. China's foreign ministry says Beijing has "indisputable sovereignty" over the shoal.

The Sierra Madre is now effectively a shipwreck, but the Philippine military has not decommissioned it. This makes the ship an extension of the government and means any attack on the ship is tantamount to an assault against the Philippines. The Chinese ships are around 5 miles (8 kilometers) from the outpost, clearly visible to those on board. When Associated Press journalists and other members of the media were allowed to board the ship over the weekend, the marines went about their day, washing dishes and giving the visitors a short tour. The slow strain of Kid Rock's late 1990's song "Only God Knows" played from an old stereo set. "We're marines," Pelotera said in an interview. "We can adapt to life anywhere." Another marine, Cpl. Sheffrey Luna, said people should look beyond the ship's disrepair. "They should see the determination of the soldiers in it," he said. "If you're not determined here, where everything you see is water, you won't last long."

In the last 15 years, the Sierra Madre has slowly crumbled, beaten by the sun, sea and storms. Its main deck, used as a helipad before, is now home to an upturned lifeboat and toppled iron poles. Doors and wooden scraps cover holes and weak deck sections that could collapse and hurl a marine down into the cavernous cargo hold. Its towering mast is heavily rusted and could be toppled by the next big storm. Three weeks ago, the Chinese succeeded in blocking for the first time a Philippine boat bringing troops and supplies to the Sierra Madre. Manila deployed a civilian boat last week with a fresh batch of marines and 10 tons of food. In a bid to draw global attention to what Philippine officials have called China's bullying tactics, they invited more than a dozen journalists, TV cameramen and photographers to come along on the 30-hour-plus journey from the Philippine mainland. Two Chinese coast guard ships tried to block the slow-moving vessel, with one cutting dangerously through the Philippine boat's path twice. The Chinese coast guard warned the boat by radio to turn back, saying it was illegally venturing into Chinese territory. The Chinese ships blew their horns continuously, but the boat maneuvered toward a shallow approach to the shoal dotted with submerged rocky outcrops, preventing the Chinese from continuing.

Carl Thayer, a professor at the University of New South Wales and an expert on the dispute, said China is trying to wear the Philippines down. "China is mainly motivated to squelch the Philippines and its vocal and legal opposition to Chinese assertiveness, less this inspire other regional states to do the same," Thayer said. "Bit by bit, China hopes to condition regional states into accepting its hegemony." Philippine navy Lt. Ferdinand Gato, who led the resupply mission, smiled as the boat approached the Sierra Madre, with the outgoing marines, some of them sporting beards, waving and smiling on the deck. He had served as a gunnery officer of the warship during military campaigns against Muslim insurgents and Abu Sayyaf extremists in the mid-1990s. A regional military commander, Lt. Gen. Roy Deveraturda, awarded Pelotera and his men with bronze cross medals 31 MAR for their work on the Sierra Madre. "You can now shave and have a haircut," he told the marines. He said he was heartened when he asked each of them if they were willing to return to the Philippine ship on the shoal. "They told me, 'anytime, sir.'" [Source: Associated Press | Jim Gomez | 31 Mar 2014 ++]

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**Photos That Say it All** ► **Niagara Falls**



**Niagara's generating stations can produce about 4.4 gigawatts of power.**

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**Navy Parachute Demo Team** ► **Leap Frogs 2014 Schedule**

The U.S. Navy Parachute Demonstration Team, the Leap Frogs, has released their full 2014 show season schedule, which includes sporting events, air shows, and Navy-sponsored Fleet Weeks. The team is scheduled to perform at 28 events in 16 states, ranging from New York to Hawaii. “We hit the training pretty hard this winter,” said Lt. Dan Gibson, the team’s officer in charge, “and now we’re ready to hit the country and show everyone just what we can do.” The eight-man team is made up of members of Naval Special Warfare, including a select group of Sea, Air and Land commandos (SEALs) extensively trained in parachuting. The Leap Frogs’ aerial performances demonstrate the high-altitude jumps, in-air maneuverability, and linked-canopy teamwork the team is famous for. The show season started March 3 with a Joint Military Capabilities Demonstration in New Orleans and wraps up with San Diego’s annual Holiday Bowl game December 29. “Some of these places are old favorites, and it’s always good to revisit these areas,” Gibson said. “Others we’ve never been to before, or at least not recently, and bring the joy of demonstrating to a whole new audience.” For more information visit <http://www.leapfrogs.sealswcc.com>.



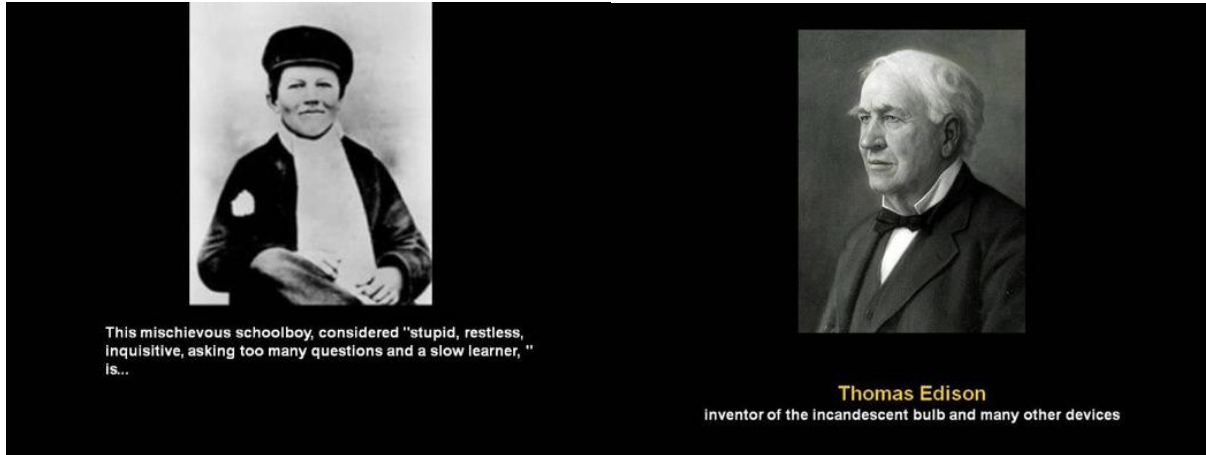
**Date            Event & Location**

- April 24-27 ..... Dallas/Ft. Worth Navy Week, Dallas
- April 30 – May 4 .....St. Louis Navy Week, St. Louis
- May 9 Padres Vs Marlins, San Diego
- May 23-25 ..... Jones Beach Air Show, Jones Beach, N.Y. \
- June 6-8 ..... Pittsburgh Navy Week, Pittsburgh
- June 13-15 ..... Ocean City Air Show, Ocean City, Md.
- June 20-22 ..... Milwaukee Air Show, Milwaukee, Wis.
- June 29 ..... Challenge Triathlon, Atlantic City, N.J.
- July 5 ..... Coke Zero 400, Daytona Beach, Fla.
- July 17-20 ..... Omaha Navy Week, Omaha, Neb.
- July 28 ..... Padres vs. Diamondbacks, San Diego
- Aug. 6-7 ..... Denver Showcase, Denver
- Aug. 15-17 Chicago Air And Water Show, Chicago, Illinois
- Aug. 21-24 ..... Duluth Navy Week, Duluth, Minn.
- Aug. 30 ..... Notre Dame vs. Rice, South Bend, Ind.
- Sept. 11-14 Baltimore Navy Week, Baltimore
- Sept. 20-21 ..... Speed Fest, San Diego
- Sept. 27-28 ..... Hickam Air Force Base Air Show, Oahu, Hawaii
- Oct. 3-5 ..... Miramar Air Show, San Diego
- Oct. 10-12 ..... San Francisco Fleet Week, San Francisco
- Nov. 11 ..... Land Of The Free Golf Tournament, Los Angeles
- Dec. 13 ..... Army vs. Navy Baltimore, Maryland
- Dec. 29 ..... Holiday Bowl, San Diego

[Source: Shift Colors Spring 2014 ++]

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## They Grew Up to Be? ► Thomas Edison



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## Have You Heard? ► Wrong E-Mail Address

A Minneapolis couple decided to go to Florida to thaw out during a particularly icy winter. They planned to stay at the same hotel where they spent their honeymoon 20 years earlier.

Because of hectic schedules, it was difficult to coordinate their travel schedules. So, the husband left Minnesota and flew to Florida on Thursday, with his wife flying down the following day.

The husband checked into the hotel. There was a computer in his room, so he decided to send an email to his wife. However, he accidentally left out one letter in her email address, and without realizing his error, sent the e-mail.

Meanwhile, somewhere in Houston, a widow had just returned home from her husband's funeral. He was a Baptist minister who was called home to glory following a heart attack.

The widow decided to check her e-mail expecting messages from relatives and friends. After reading the first message, she screamed and fainted.

The widow's son rushed into the room, found his mother on the floor, and saw the computer screen which read:

*To: My Loving Wife  
Subject: I've Arrived  
Date: March 21, 2012*

*I know you're surprised to hear from me. They have computers here now and you are allowed to send emails to your loved ones. I've just arrived and have been checked in.*



*I've seen that everything has been prepared for your arrival tomorrow. Looking forward to seeing you then! Hope your journey is as uneventful as mine was.*

*P. S. Sure is freaking hot down here!!!*

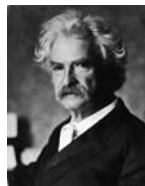
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## Interesting Inventions ► Bicycle Parking



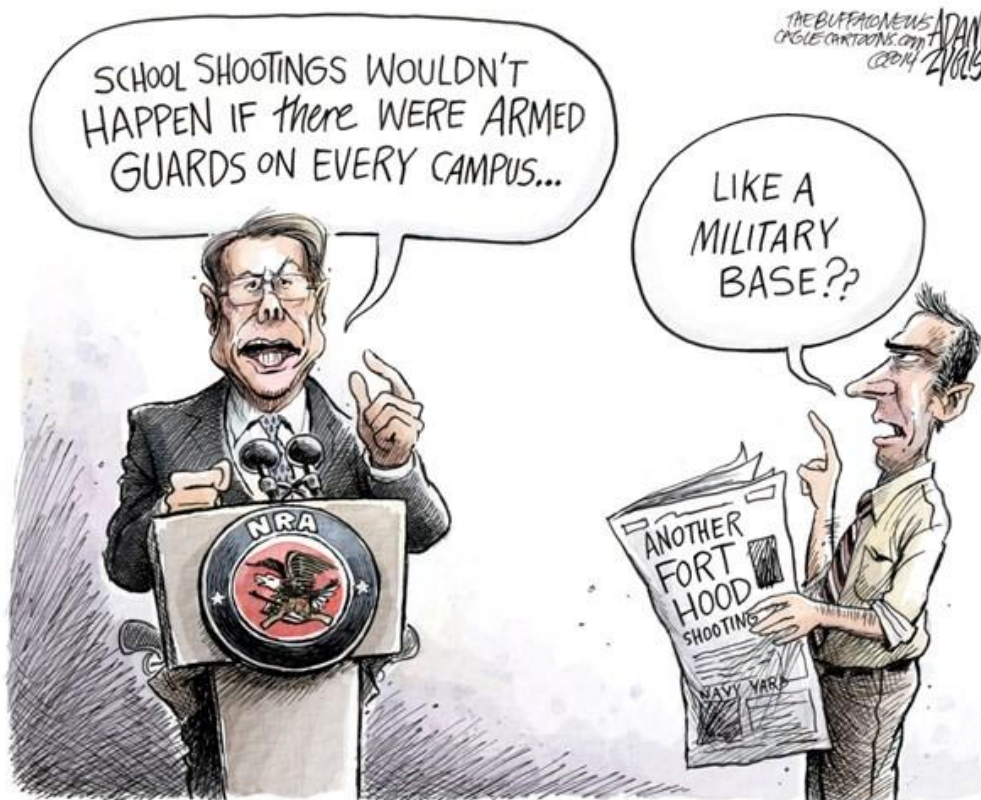
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“Never argue with stupid people, they will drag you down to their level and then beat you with experience.”  
— **Mark Twain**, U.S. humorist (1835 – 1910)



**Samuel Langhorne Clemens, a.k.a “Mark Twain” 1871**

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### Secrets to a long happy marriage



A old woman was sipping on a glass of wine, while sitting on the patio with her husband, and she says, "I love you so much, I don't know how I could ever live without you"... Her husband asks, "Is that you, or the wine talking?"... She replies, "It's me... talking to the wine."





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1. The Bulletin will be provided as a website accessed document until further notice. This was necessitated by SPAMHAUS who alleged the Bulletin's former size and large subscriber base (94,000+) were choking the airways interfering with other email user's capability to use it. They directed us to stop sending the Bulletin in its entirety to individual subscribers and to validate the subscriber base with the threat of removing all email capability if we did not.
2. Readers who have not yet validated their email addressee who desire to continue to receive the Bulletin can send a message to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) with the word "KEEP" in the subject line to restore their subscription. Anyone who no longer wants to receive the Bulletin should send a message to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) with the word "DELETE" in the subject line. This Bulletin notice was sent to the 17,194 subscribers who have responded to date.
3. Bulletin recipients who reside, or have an interest in the Philippines can request to be added to the RAO's Philippine directory for receipt of notices on Clark Field Space 'A', U.S. Embassy Manila, and TRICARE in the RP.
4. New subscribers and those who submit a change of address should receive a message that verifies their addition or address change being entered in the mailing list. If you do not receive a message within 7 days it indicates that either I never received your request, I made an error in processing your request, or your server will not allow me to send to the email addressee you provided. Anyone who cannot reach me by email can call (951) 238-1246 to ask questions or confirm info needed to add them to the directory.
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