

RAO BULLETIN

15 October 2010

Note: Anyone receiving this who does not want it request click on the automatic “Change address / Leave mailing list” tab at the bottom of the email containing this attachment or hit reply and place the word "Remove" in the subject line.

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ISP's Blocking RAO Bulletin Update 09: In Update 07 I noted that because of continuing problems with AOL preventing their customers from receiving the Bulletin I was starting to phase out all AOL subscribers. I had planned to do this over the next couple of years through normal attrition and by not signing up any new AOL subscribers. However, AOL has accelerated that time table by blocking almost all of their customers from receiving the 15 OCT Bulletin. In response to that Bulletin their system sent me notices on 8,638 of their customers stating, "Email address does not exist or has been cancelled". To make matters worse, I can no longer send any message with text to any AOL addressee. In trying to respond to numerous emails complaining about not receiving the 15 OCT Bulletin I discovered that the only means of communication with these subscribers was forwarding them an email limited to only a comment in the Subject line.

Apparently, everybody received my subject line message which read: "Removed - AOL not allowing any RAO Message w/text to reach you – Send COA or call 951-238-1246". Thus, in spite of AOL signaling their customer's email addressees were no longer valid it is obvious that they were. In response I received a large number of replacement non-AOL email addressees to send to which have been entered on the Bulletin directory. Unfortunately, I also received a larger number of emails asking questions about why AOL was preventing them from receiving their Bulletin " or what COA meant (i.e. Change of Address). I attempted to respond again with a subject line comment and AOL only allowed about half of my responses through. For those AOL subscribers now going to the website to read their Bulletin this should clear up what has happened and why they did not get a Bulletin or a response.

For the last 5 years AOL has been telling their customers who request assistance to resolve this problem that there is no problem. The current situation is that I can receive email from any AOL email addressee but I can no longer communicate with that addressee. This is an unacceptable and unworkable situation. This problem has only accelerated over the last five years and I no longer have the time to deal with it. Accordingly I have removed the 8,638 AOL subscribers from the Bulletin directory. After removing almost 19,000 addressees in the last five years I now only have 274 AOL subscribers left who will also be removed as problems arise with their addressees. Since AOL has effectively blacklisted the RAO Bulletin I in turn am blacklisting them. Any former AOL subscriber who desires to be reinstated will be readded to the directory if they provide a non-AOL email addressee to use. Providers should not forget to include their old AOL addressee along with the new one. Those who do not have or do not want to obtain an alternate email addressee can always go to http://post_119_gulfport_ms.tripod.com/rao1.html on the 1st and the 15th of each month to read the Bulletin. [Source: RAO Bulletin Editor/Publisher 14 Oct 2010 ++]

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Medicare Reimbursement Rates 2010 Update 15: When looking at the many serious matters that Congress will need to take up in their lame duck session it is very important not to forget that they must deal with the Medicare "Doc Fix". The latest stop gap measure expires on 1 DEC. Congress included a temporary 2.5% increase in the last Medicare rate bill so the reimbursement doctors treating Medicare patients will be allowed will be reduced by 23.5%. Then, on 1 JAN 2011, there is scheduled to be an additional 6.1% fee cut which means a total cut in their reimbursement of 29.6%. Not a good incentive for doctors to treat patients in the military community and it is anticipated many physicians currently providing treatment will opt out.

It is crucial for military retirees and their families and survivors that this terrible problem be permanently corrected. Not only is Medicare Part B the first payer for Tricare for Life but Tricare rates are set based on Medicare rates. Congress is now recessed until 15 NOV and has until 30 NOV until the moratorium expires. So while it appears that two months remain on the calendar, Congress has only two weeks to correct the issue during the lame duck session. When you see your members of Congress campaigning remind them of this matter. You might consider printing a copy of the suggested letter at [http://capwiz.com/usdr/issues/alert/?alertid=18167506&queueid=\[capwiz:queue_id\]](http://capwiz.com/usdr/issues/alert/?alertid=18167506&queueid=[capwiz:queue_id]), make an appointment with the local district office and personally hand it to your elected officials when they next appear. At a minimum click on the site and forward a copy via email to the President, your senators, and your representative in the House. [Source: USDR Legislative Alert 1 Oct 2010 ++]

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Mobilized Reserve 12 OCT 2010: The Department of Defense announced the current number of reservists on active duty as of 12 OCT 2010. The net collective result is 5,466 fewer reservists mobilized than last reported in the 1 OCT 2010 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 74,390; Navy Reserve, 6,748; Air National Guard and Air Force Reserve, 12,533; Marine Corps Reserve, 4,070; and the Coast Guard Reserve, 693. This brings the total National Guard and Reserve personnel who have been activated to 98,434 including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found at <http://www.defense.gov/news/d20101012ngr.pdf>. [Source: DoD News Release No. 931-10 dtd 13 OCT 2010 ++]

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VA Vet Access Update 01: The Department of Veterans Affairs unveiled a multimillion advertisement campaign 11 OCT designed to encourage more military veterans to enroll for government benefits and services. Only about 8 million of the nation's 23 million veterans use VA benefits and health-care services, and the department hopes new TV and Internet advertisements and other outreach efforts will persuade more vets to sign up, the agency said. The ad campaign began with a TV spot airing in the six media markets where most service members returning from Operation Enduring Freedom and Operation Iraqi Freedom will first arrive: El Paso, Texas; Norfolk; Raleigh; Savannah, Ga.; Seattle; and Watertown, N.Y. "Welcome home! You've served your country," Marine Staff Sgt. Robert Kugler says in the ad. "Now that you've completed your service, you've got lots of opportunities for your future. But health comes first. Sign up for health care at your nearest VA." Kugler also encourages veterans to apply for the VA's Post 9/11 GI Bill, job assistance services and a zero down home loan from the department.

Kugler is an aspiring actor who moved with his wife to California shortly after his brother, Mike Doheny, a private security contractor and former Marine, was killed in Iraq. The advertising campaign is called "What Lies Ahead," and it talks about various reasons why veterans might want to contact the VA. "The sooner we meet their needs, the less likely they are to encounter the repercussions commonly associated with the post-combat experience," said VA spokeswoman Katie Roberts. The new ad takes a "big brother approach," reminding veterans of the importance of using the benefits available to them, Kugler said. "I think there could be somewhat of a stigma as far as maybe thinking that they wouldn't get the benefits or they don't want to be portrayed as weak," he said about the low number of vets seeking VA benefits. The first wave of the multiyear ad campaign will cost VA about \$5 million, it said. A second ad will start airing before Thanksgiving, and the department also plans to buy time

during national telecasts of the Country Music Awards and college bowl games. The first batch of ads are targeted at recent veterans, but future messages will focus on older veterans. [Source: Washington Post Ed O'Keefe 11 OCT 2010 ++]

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Vet Benefit Legislation Update 01: Bills being introduced in the House and Senate will ensure that veterans of the new mission in Iraq will receive the same benefits earned under the previous one. Rep. Bob Filner (D-CA), and Sen. Jon Tester (D-MT) want no technicalities in the law to prevent veterans of Operation New Dawn from receiving the same benefits that go to veterans of Operation Iraqi Freedom. The mission name changed in September when President Barack Obama announced an end to combat operations in Iraq and the start of an "advise and assist" mission. The concern is that laws written specifically for the earlier mission may not apply to the current operation. Filner, the chairman of the House Veterans' Affairs Committee, said he wants no inadvertent denial of special benefits, such as access to health care, to occur under the new mission. Tester, who sits on the Senate Veterans' Affairs Committee, wants New Dawn veterans to have the same access to mental health, nursing home and hospital care provided veterans of the previous mission. "We've got to make sure those benefits don't get hung up on technicalities," he said. Retired Maj. Gen. Gus L. Hargett Jr., the president of NGAUS, wrote a letter to Tester saying, "Our members are concerned that veterans' benefits specifically awarded by law for service in Operation Iraqi Freedom may be legally denied to those who serve in Operation New Dawn without legislation correcting this technicality." Sen Tester's bill can be seen at http://tester.senate.gov/Legislation/upload/Operation_New_Dawn.pdf . [Source: NGAUS Washington report 12 Oct 2010 ++]

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Military Discounts Update 05: To honor servicemen and women currently serving or who have previously served their country on Veterans Day this year, veterans and active duty military personnel will get more than just recognition for their service. More than 400 bed and breakfasts and inns in 46 states and Canada are offering current and former military members and their families a no charge a night's stay on 10 NOV (only), the day before Veterans Day. According to Kathleen Panek, owner of the Gillum House in Shinnston, W.Va., the promotion first was offered in 2009 by ten members of the West Virginia B&B Association but this year has expanded nationwide. Participating locations must offer at least one room at no charge, and members of the military community wishing to take advantage of the promotion must present a current military or VA identification. For a list of participating properties, go to www.BnBsForVets.org . Reservations need to be made directly with the participating Inns and B&Bs. Availability is limited, so Inns may not have a specific room listed for the promotion and once the available rooms are booked, the B&B may not be able to provide another room. For more information contact Kathleen at (304) 592-0177 or via email at gillum@GillumHouse.com. [Source: Govexec.com Pay + Benefits Watch Emily Long article 30 Sep 2010 ++]

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Military Discounts Update 06: The following Veterans day discounts are being offered this year:

- **Golden Corral** Military Appreciation Night. Golden Corral restaurants will host their Military Appreciation Night on Monday 15 NOV from 5-9 PM with a meal at no cost for all military active, retired and veterans. No proof is required to enjoy this buffet meal. Guests of veterans will have to pay the regular meal price. No take outs. This is their 10th year with this program. For more information refer to <http://goldencorral.com/military/faq.asp>. Over the past 8 years Golden Corral restaurants have served over 2.5 million 'thank you' meals to our heroes in the military. Golden Corral restaurants and their guests have donated over \$4.4 million dollars to the Disabled American Veterans organization in the past 9 years.
- **Applebee** restaurants will again provide a meal at no cost for all military active, retired and veterans on Thursday, November 11, 2010. This year, Applebee's is offering a new Veterans Day menu, which includes some of its signature and favorite items. All U.S. veterans and active duty personnel with proof of current or former military service are eligible. Proof of service is required in the form of a Services

Identification Card, U.S. Uniform Services Retired Identification Card, Current Leave and Earnings Statement, Veterans Organization Card, photograph in uniform or wearing uniform, DD214, or Citation or Commendation. Applebee initiated this program nationwide for the first time last year and provided over a million meals to members of the military.

[Source; Various Oct 2010 ++]

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Illinois Vet Cemetery Update 01: Secretary of Veterans Affairs Eric K. Shinseki has announced a \$22.9 million construction contract to develop another section of Abraham Lincoln National Cemetery in Elwood, IL for local Veterans. VA awarded the contract to Kepa Services, Inc., a service-disabled Veteran-owned small business from Milwaukee, Wis., in the amount of \$22,978,000. The project is scheduled for completion in summer of 2012. The expansion will develop 20 acres and support 10 years of projected burials. The project includes approximately 12,122 pre-placed crypts, 325 conventional gravesites, 2,577 cremains burial sites and 6,584 columbarium niches for cremains. Other improvements to the cemetery will include the main entrance gate, new roadways, parking, signage, an assembly area, committal shelters and accessibility and handicap access. The project also will include walkways, site furnishings, grading, drainage, fencing, landscaping, a utility distribution system and environmental preservation and mitigation. The public information center and other buildings will receive upgrades to incorporate improvements in energy conservation and environmental design.

On 26 AUG 03 Abraham Lincoln National Cemetery inaugurated an all-volunteer Memorial Squad to assist in military honors. When possible, the melodic sound of live Taps can be heard echoing throughout the serene cemetery grounds, otherwise, electronic Taps are available at three committal shelters. The DOD program, "Honoring Those Who Served," calls for funeral directors to request military funeral honors on behalf of the veteran's family. When requested, a detail consisting of at least two uniformed military persons, with at least one being a member of the veteran's branch of service provide folding and presentation of the U.S. flag and can also play Taps, either by a high-quality recording or a bugler. The Cemetery has a memorial walk that commemorates soldiers of 20th century wars on 11 memorials. An 18-foot granite obelisk crowned by a bronze eagle with outstretched wings commemorates the 2,403 who died in the surprise attack on Pearl Harbor on Dec. 7, 1941.

Veterans with a discharge issued under conditions other than dishonorable, their spouses and eligible dependent children can be buried in a VA national cemetery. Also eligible are military personnel who die on active duty, their spouses and eligible dependents. Other burial benefits available for all eligible Veterans, regardless of whether they are buried in a national cemetery or a private cemetery, include a burial flag, a Presidential Memorial Certificate and a government headstone or marker, or service medallion for a private marker. Families of eligible decedents may also order a memorial headstone or marker when remains are not available for interment. Information on VA burial benefits can be obtained from national cemetery offices, from the Internet at www.cem.va.gov or by calling VA regional offices 1(800) 827-1000. Additional information about the Abraham Lincoln National Cemetery located at 27034 South Diagonal Road, Elwood, IL 60421 is available by calling the cemetery office at 815-423-9958. This cemetery has space available to accommodate casketed and cremated remains. To make burial arrangements at the time of need at any VA national cemetery, call the national cemetery scheduling office at 800-535-1117. [Source: VA News Release 6 Oct 2010 ++]

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Tricare Pharmacy Policy Update 05: As Tricare officials explore ways to control costs while continuing to provide the best health care possible, they're encouraging beneficiaries, especially those taking long-term medications, to get their prescriptions delivered to their doorsteps. Navy Rear Adm. Christine S. Hunter, deputy director for the Tricare Management Activity, cited increased usage of the health care system's home delivery option as a win-win situation that saves patients, as well as the government, money. Tricare's almost 9.7 million beneficiaries filled 10.5 million prescriptions through home delivery in 2009, officials noted. That's up from just over 9 million in 2007, but still represents only about 8% of the 130 million prescriptions filled in 2009. Thirty-seven percent of those prescriptions -- just over 48 million -- were filled at military medical facilities, which is the least expensive delivery method for the Defense Department, and patients pay no copayment, Hunter said. But

getting prescriptions filled at a military facility isn't always convenient for beneficiaries, who are increasingly turning to retail pharmacies within the Tricare network.

Last year, beneficiaries filled more than half of their prescriptions -- 71.4 million -- at retail pharmacies. This is the fastest-growing of the Tricare delivery options, officials noted, up from more than 67 million retail pharmacy-provided prescriptions in 2008 and just under 63 million in 2007. While retail pharmacies may be convenient and often the best choice for patients needing short-term medications, Hunter noted that they're also the most expensive, all around. Beneficiaries pay the same co-payment for a 30-day supply of medication at the corner drugstore that they'd pay for a 90-day supply delivered through Tricare's home-delivery option. "So the cost to them is one-third" using home delivery, Hunter said. "That's a real incentive there." Mail order is the hands-down best choice even for those who value convenience over cost, she said. "I don't know how it gets more convenient than in your own mailbox at your house, not having to go anywhere to get your prescription," she said. Tricare can mail order prescriptions almost anywhere in the world, including deployment sites where specific medications may not be available. The only exceptions are extremely hot climates that may affect some temperature-sensitive drugs.

In addition, beneficiaries who sign up for home delivery can get automatic refills -- a big plus for anyone taking medications for a chronic, long-term condition. "We'll send you an email saying, 'It looks like your refill is due. Unless you say you don't need it for some reason, we are going to ship it,'" Hunter said. That eliminates last-minute dashes to the drugstore when a prescription runs out, or worse, gaps before patients resume taking the drugs they need. "The key to staying healthy and using medications to help you manage your health is to take them," Hunter said. "And if you don't have them, you can't take them." Regardless of where beneficiaries get their medications, they're protected by a safety feature built into the Tricare pharmacy program, Hunter said. The patient data transaction service monitors the medications every Tricare beneficiary receives to flag potential adverse drug interactions or allergic reactions. "Both the military services and Tricare are very focused on prevention and keeping people healthy," Hunter said. "All of these programs are designed to support patients partnering with us to stay healthy." Partnering is a new emphasis in health care, she said, with patients playing an increasingly key role in their health. "We are really moving toward partnering for health, and giving you the information and the services you need to be active and healthy for as long as possible," Hunter said. [Source: AFPS Donna Miles article 8 Oct 2010 ++]

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Tricare Patient Stats: On 7 OCT the Deputy Director of Tricare Management RADM Christine Hunter briefed representatives from several Veterans' Service Organizations on what the present status of Tricare is. She outlined the programs that cover the 9.7 million beneficiaries. Weekly there are 21,800 inpatient admissions, 1.6 million outpatient appointments, 2300 births and 2.5 million prescriptions filled. She also presented what Tricare's annual cost per beneficiary was for FY09. They were \$4,202 for Tricare Prime, \$3,584 for Tricare Standard, and \$3,874 for Tricare for Life. These figures do not include Medicare costs. However, they do include the 20% payment Tricare pays as 2nd Payer after Medicare and the Tricare Pharmacy costs. [Source: TREA Washington Update 8 Oct 2010 ++]

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Military Holiday Mailing: The recommended mailing deadline for sending economy-priced holiday packages to servicemembers in Afghanistan, Iraq and other places around the world is 12 NOV, officials at the U.S. Postal Service say. "Shipping holiday packages early helps ensure that they arrive in time for the holidays," Pranab Shah, vice president and managing director of global business at the Postal Service, said in a press release this week. "They are a great morale boost for those men and women serving their country in places far from home." Other deadlines for arrival by 25 DEC are 26 NOV for space-available mail; 3 DEC for parcel airlift mail; 10 DEC for priority mail and first-class mail, letters and cards; and 18 DEC for express mail military service. Holiday packages and mail headed for Iraq and Afghanistan must be sent a week earlier than the deadlines above, Postal officials say. Express mail military service is not available to those destinations. The Postal Service offers a discount on its largest priority-mail flat-rate box -- a 12-inch by 12-inch by 5.5-inch carton that can accommodate laptop computers, small conventional ovens, and military care packages.

Mail sent to overseas military addresses costs the same as domestic mail and the usual price for the large flat-rate box is \$14.50. But for packages heading to APO/FPO addresses, the Postal Service charges \$12.50 or \$11.95 for those who print the priority-mail postage label online. Priority-mail flat-rate boxes are available at any Post Office at no charge and can be ordered online at shop.usps.com. Postage, labels and customs forms can be printed online at the Postal Service website. APO/FPO addresses usually require customs forms, Postal officials say, and each country has customs regulations that apply to all mail, including U.S. military mail, coming into the country. Mail addressed to military and diplomatic post offices overseas is subject to restrictions in content, preparation and handling. Each five-digit military and post office ZIP code [APO/FPO] has specific restrictions. For specific restrictions and mailing prices to an APO/FPO address, visit the Postal Service's online price calculator or a local post office or call 1-800-ASK-USPS. The following are prohibited in the regions of Operation New Dawn in Iraq and Operation Enduring Freedom in Afghanistan:

- Horror comics and obscene articles like prints, paintings, cards, films and videotapes;
- Anything depicting nude or seminude persons, pornographic or sexual items, or unauthorized political materials;
- Bulk quantities of religious materials contrary to the Islamic faith, though items for personal use are permitted, and,
- Pork or pork by-products.

[Source: AFPS Cheryl Pellerin article 8 Oct 2010 ++]

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Pentagon 9/11 Memorial Update 01: The Pentagon Memorial is designed so that the nation may remember and reflect on the events that occurred on September 11, 2001. The Memorial is open to the public seven days a week at no charge. Groups and individuals are welcome in the Memorial each day but guided tours are not offered; the Memorial is meant to be experienced on a more personal level. It is located at 1 Rotary Road on the Pentagon Reservation in Arlington, Virginia. The mailing address is: Pentagon Memorial, ATTN: Pentagon Building Management Office, Room 2E1040, Pentagon, Washington, DC 20301-1155. Hours of Operation are Mon-Sun 24 hours. Support Staff are on Hand Mon-Sun 1000-2000 EST. Located on the West side of the Pentagon, the memorial park features 184 stainless steel benches, one for each victim of the attack, each set over a lighted pool of water. The memorial is within a short distance of the Pentagon City Mall, Air Force Memorial and the Arlington Cemetery. Many other points of interest are just a short trip away on the DC Metro. There are no souvenirs or merchandise at the Pentagon Memorial Park. You may tour the Pentagon after visiting the memorial but tour must be planned in advance. Refer to <http://pentagon.afis.osd.mil/tours.html> for more details. The following restrictions apply:

- Photography is strictly prohibited everywhere on the Pentagon Reservation except for inside the Memorial.
- All other activities that are prohibited on the Pentagon Reservation, are also prohibited in the Pentagon Memorial Park. The most common prohibited items and activities are: possession of firearms, fireworks, open containers of alcoholic beverages, narcotics and other dangerous substances are prohibited on the Reservation.
- All commercial or political soliciting, vending and hanging of posters, flyers, handbills, etc. are prohibited.
- Out of respect, and to keep the Memorial clean, smoking is not permitted in the Memorial.
- Animals are prohibited from entering the Memorial and are not permitted anywhere on the Pentagon reservation. The only exceptions will be made for service animals.
- There is no food or drink permitted inside the Memorial. The only exception is that you may drink bottled water. Picnics are also prohibited on the Pentagon Reservation; however, the DC area has many places to eat after leaving the Pentagon.
- Sporting activities are not permitted in the Memorial. Also, wheeled vehicles and objects, such as bicycles, skates, and skateboards, are prohibited. However, strollers and vehicles used for persons with disabilities are permitted.
- You may leave a memento in the Memorial. However they will be collected and processed appropriately at the end of each day.

[Source: www.whs.mil/memorial Sep 2010 ++]

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Tricare Pharmacy Policy Update 05: As Tricare officials explore ways to control costs while continuing to provide the best health care possible, they're encouraging beneficiaries, especially those taking long-term medications, to get their prescriptions delivered to their doorsteps. Navy Rear Adm. Christine S. Hunter, deputy director for the Tricare Management Activity, cited increased usage of the health care system's home delivery option as a win-win situation that saves patients, as well as the government, money. Tricare's almost 9.7 million beneficiaries filled 10.5 million prescriptions through home delivery in 2009, officials noted. That's up from just over 9 million in 2007, but still represents only about 8% of the 130 million prescriptions filled in 2009. Thirty-seven percent of those prescriptions -- just over 48 million -- were filled at military medical facilities, which is the least expensive delivery method for the Defense Department, and patients pay no copayment, Hunter said. But getting prescriptions filled at a military facility isn't always convenient for beneficiaries, who are increasingly turning to retail pharmacies within the Tricare network.

Last year, beneficiaries filled more than half of their prescriptions -- 71.4 million -- at retail pharmacies. This is the fastest-growing of the Tricare delivery options, officials noted, up from more than 67 million retail pharmacy-provided prescriptions in 2008 and just under 63 million in 2007. While retail pharmacies may be convenient and often the best choice for patients needing short-term medications, Hunter noted that they're also the most expensive, all around. Beneficiaries pay the same co-payment for a 30-day supply of medication at the corner drugstore that they'd pay for a 90-day supply delivered through Tricare's home-delivery option. "So the cost to them is one-third" using home delivery, Hunter said. "That's a real incentive there." Mail order is the hands-down best choice even for those who value convenience over cost, she said. "I don't know how it gets more convenient than in your own mailbox at your house, not having to go anywhere to get your prescription," she said. Tricare can mail order prescriptions almost anywhere in the world, including deployment sites where specific medications may not be available. The only exceptions are extremely hot climates that may affect some temperature-sensitive drugs.

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VA Compensation & Pensions Update 03: Hawaii's U.S. Sen. Daniel Akaka is urging widows and widowers of deceased veterans to be sure they received compensation for the month of their spouse's death. The island Democrat is quoting the Department of Veterans Affairs as saying, 196,000 widows and widowers have received a total of \$124 million in month-of-death back payments since he uncovered a VA accounting error in DEC 08. Akaka, the chairman of the Senate Veterans' Affairs Committee, said 7 OCT in a Washington news release that he wants to be sure that all surviving spouses receive the compensation they are due. Akaka's office says surviving spouses of veterans had been wrongfully denied the benefits for almost 12 years. [Source: www.kpua.net AP article 8 Oct 2010 ++]

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Mojave Desert Veteran Memorial Update 07: Five months after the controversial Mojave Cross war memorial was stolen from its High Desert perch, a group of proponents of the monument appealed 6 OCT to President Barack Obama to allow them to replace it. "We ask for your immediate intervention to defend the integrity of federal war memorials against those who would desecrate them by directing the National Park Service to allow a replacement cross to be erected in the Mojave Desert," reads an excerpt of an open letter to Obama. The letter was organized by FamilySecurityMatters.org, which, according to the Web site, is designed to keep people informed on national security issues. Among those signing the letter is former Republican House Speaker Newt Gingrich and dozens of retired military officers. This is the second request to Obama to allow a replacement. The first, made by a group of veterans organizations, was unsuccessful. The plea comes as the legal battle drags on over whether the religious symbol should be allowed on public land in the Mojave National Preserve. The American Civil Liberties Union is leading the charge against the cross, saying it violates the constitutional provision barring the government from embracing any one religion. Backers of the cross say it isn't religious in nature, but rather stands as a tribute to fallen service members. Seventy-six years after the cross was erected by a group of World War I veterans who had made their home near the San Bernardino County town of Baker, the U.S. Supreme Court in April reversed lower court rulings that the cross must come down. Instead, the justices remanded the case back to California federal court. Settlement talks are currently under way. [Source: The Press Enterprise Ben Goad article 6 Oct 2010 ++]

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Agent Orange Stateside Use Update 03: A 2006 report to the U.S. Department of Defense reveals that Fort Detrick played a primary role in developing herbicides for military operations, the extent of which today's scientists at the fort were unaware of until a few months ago. The report, written by Alvin L. Young of Wyoming, a former professor of environmental toxicology at the University of Oklahoma and a retired U.S. Air Force colonel, reveals that Fort Detrick was active in formulating and testing herbicides, including Agent Orange, for the better part of a decade beginning in the early 1950s. Taking a lead role in Agent Orange research, Detrick employed aerial spraying of the herbicide to test deployment methods, the report states. That contrasts with what Detrick scientists revealed in August, when they said they believed that herbicide testing was limited to on-base greenhouses, and not used outside of enclosed buildings.

Bob Craig, an environmental scientist at Fort Detrick, has been researching the use of herbicides at the fort and said in an interview that he and other scientists only recently discovered the 2006 report along with other documents. "It's not something that receives a lot of talk," Craig said. "Some of it is not even releasable." Some of the documentation Craig referred to is still classified after 50 years, he said. "They either forgot to declassify it, or have a reason for keeping it classified," he said. "We are just beginning to grapple with this issue. ... We may have to go through a declassification process." Young wrote the 2006 report for the U.S. Army Research Office to compile a history of locations and dates of the use of herbicides, including Agent Orange, outside of Vietnam. The report was not classified, Young said, and was released through the Armed Forces Pest Management Board. He recently submitted a portion of a second report to the Department of Defense on the plausibility of contracting diseases related to Agent Orange through exposure. "What was missing in the 2006 report was whether it was possible for veterans to actually be exposed to Agent Orange when testing of the defoliant was done at various locations through the 1960s," Young said in an e-mail.

In 1952, according to the report, the Department of Army's Chemical Corps Biological Laboratories at Detrick "initiated a major program to develop both the aerial spray equipment and herbicide formulations for potential deployment in the Korean Conflict." The 85-page report identifies Detrick as the primary research facility in herbicide research as a military tool. Drums of herbicide used in previous research were sent to Detrick in 1952, and scientists at the fort continued working on deployment systems and herbicides throughout the 1950s. The initial work focused on aerial spray systems and "tactical" herbicides for military use as opposed to commercial use, the report states. Later, continuing efforts at Detrick involved testing new spray equipment and formulations of the herbicides. After the close of the Korean War in 1957, Young writes in the report, Detrick scientists were involved with herbicidal tests on rice and grasses and with the evaluation of aerial application tests at Fort Ritchie, Md., Dugway, Utah, and Fort Drum, N.Y. The early 1960s found Detrick again at the forefront of herbicidal research, this time as a chemical means to controlling vegetation in South Vietnam. "Once again the Department of Army's Plant

Sciences Laboratories at Fort Detrick, Maryland, was given the responsibility, but this time the goal was to determine the technical feasibility of defoliating the jungle vegetation in South Vietnam," the report states.

Later, Fort Detrick sponsored three major conferences in 1963, 1964, and 1965, as part of the continuing mission in Vietnam to test and evaluate potential chemicals for use in combat operations. The U.S. Army's Plant Sciences Laboratories at Fort Detrick were "responsible for the spraying, testing and evaluating of tactical herbicide candidate formulations at numerous sites throughout the United State, and for establishing the military specifications under which the tactical herbicides could be used. The selection of herbicides, the report reads, were not subject to regulatory oversight by the U.S. Department of Agriculture. Craig, Detrick's environmental scientist researching the history of Agent Orange at the fort, said he and his staff are trying to "get their hands around" the idea that the research was not just conducted inside greenhouses, as they previously thought. Detrick is conducting a records research and plans a preliminary report by the end of the month. "We want to make sure, make a last review of the property, that we ask all of the right questions and that we are thinking this through upfront," Craig said.

In an AP 5 OCT article it was noted that Maryland health officials said there does not appear to be a higher rate of cancer near Fort Detrick than in the rest of Frederick County, though the chemical Agent Orange was tested there three decades ago and workers also dumped industrial chemicals there. Clifford Mitchell, the acting assistant director of the Maryland Department of Health and Mental Hygiene, said that a one-mile radius around the Army post has the rate of cancer he would expect. Mitchell said the analysis was the first step in determining whether the area may suffer from an unusual amount of cancer. [Source: Gaithersburg, MD Gazette Katherine Heerbrandt article 7 Oct 2010 ++]

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Congressional Gold Medal: A Congressional Gold Medal is the highest civilian award which may be bestowed by the United States Congress, the legislative branch of the United States government. The decoration is awarded to an individual who performs an outstanding deed or act of service to the security, prosperity, and national interest of the United States. The honoree need not be an American citizen. The Gold Medal and the Presidential Medal of Freedom are generally considered to carry the same level of prestige (though significantly fewer Gold Medals have been awarded). The chief difference between the two is that the Freedom Medal is personally awarded by the President of the United States, and Congressional Gold Medals are awarded in the name of the Congress. Per committee rules, legislation bestowing a Congressional Gold Medal upon a recipient must be co-sponsored by two-thirds of the membership of both the House of Representatives and the Senate before their respective committees will consider it.

Since the American Revolution, Congress has commissioned gold medals as its highest expression of national appreciation for distinguished achievements and contributions. Each medal honors a particular individual, institution, or event. Although the first recipients included citizens who participated in the American Revolution, the War of 1812 and the Mexican-American War, Congress broadened the scope of the medal to include actors, authors, entertainers, musicians, pioneers in aeronautics and space, explorers, lifesavers, notables in science and medicine, athletes, humanitarians, public servants, and foreign recipients. The medal was first awarded in 1776 by the Second Continental Congress to then-General George Washington during the American Revolutionary War. The medal has been awarded twice to only one person in history, Admiral Hyman Rickover. For a list of Congressional Gold Medal recipients refer to http://en.wikipedia.org/wiki/List_of_Congressional_Gold_Medal_recipients.

A Congressional Gold Medal is created by the United States Mint to specifically commemorate the person and achievement for which the medal is awarded. Each medal is therefore different in appearance, and there is no standard design for a Congressional Gold Medal. Congressional Gold Medals are also considered "non-portable", meaning that they are not meant to be worn on a uniform or other clothing, but rather displayed much like a trophy. Often, bronze versions of the medals are struck for sale. A Congressional Gold Medal is a completely separate decoration from the Medal of Honor, which is a military award for extreme bravery in action. Another similarly named decoration is the Congressional Space Medal of Honor, presented by NASA for extraordinary accomplishment to the mission of United States space exploration. [Source: <http://english.turkcebilgi.com/Congressional+Gold+Medal> Oct 2010 ++]

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Congressional Gold Medal Update 01: On 5 OCT, President Obama signed legislation granting the Congressional Gold Medal, collectively, to the 100th Infantry Battalion and 442nd Regimental Combat Team in recognition of their dedicated service during World War II. The President's action recognizes more than 6,000 Nisei (Japanese-Americans born of immigrant parents) who served the United States and fought in battles in Europe and Asia during World War II. The 442nd is the most decorated unit in United States military history for its size and length of service. Together, the 100th Battalion and the 442nd Regimental Combat Team received seven Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 560 Silver Stars, 4,000 Bronze Stars, 22 Legion of Merit Medals, 15 Soldier's Medal, and over 4,000 Purple Hearts. "While some Japanese-Americans were being wrongly interned due only to their ethnicity, these brave men stepped forward to defend our nation," Sen. Daniel K. Akaka (D-Hawaii) said. "Their bravery helped to not only win the war, it paved the way towards a more tolerant and just nation. It will be a truly historic moment when President Barack Obama signs this honor for the Nisei veterans into law." The Nisei proudly served the United States of America during WWII, selflessly demonstrating their loyalty and dedication to their homeland. Past honorees include the Wright Brothers, Rosa Parks, Navajo code talkers, the Tuskegee Airmen and the Dalai Lama. [Source: NAUS Weekly Update 8 Oct 2010 ++]

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Other than Honorable Discharge: Veterans advocates say there is a troubling trend within the United States' fighting force: increasing numbers of service members discharged from duty for misconduct and other disorders who are suffering from the mental wounds of war. Once dismissed under other than honorable (a.k.a. Bad Paper) discharges, many find themselves unable to get the help they need for mental health issues that might have sparked the misconduct. Veterans' advocates see cynical forces at play in the use of administrative discharges for reasons including misconduct, personality disorder and adjustment disorder — defined as an excessive reaction to a stressful event, with symptoms similar to PTSD. Paul Sullivan, head of the Austin-based Veterans for Common Sense, testified at a Congressional Veterans Affairs hearing on military discharges last month that the increase stems from an attempt to cut costs. "The main underlying cause of the improper discharge remains the enormous pressure from top Pentagon officials, including Secretary (of Defense) Robert Gates himself, to curb military spending," Sullivan testified. "The military's improper discharges will continue so long as there is pressure to reduce medical costs."

In the Army and the Marines, the two services that have borne the brunt of ground combat in Iraq and Afghanistan, discharges because of misconduct have increased since 2005. In the Army, misconduct separations rose from 5,926 in 2005 to 7,496 in 2009. Included in those numbers are drug abuse discharges, which jumped from 1,971 to 2,706. In the Marines, over the same period, discharges for patterns of misconduct rose from 637 to 824, and drug-related discharges went from 1,143 to 1,581. Under congressional pressure, the Department of Defense in 2008 dramatically decreased the number of personality disorder discharges, in which service members exhibiting PTSD-like symptoms were instead diagnosed with personality disorder, which is considered a pre-existing condition and not linked to combat or service in a war zone. Now, veterans groups and some inside Congress say, military officials are using misconduct and adjustment disorder discharges to remove service members who might be suffering from PTSD or traumatic brain injury. Sullivan testified that the Department of Defense stands to save between \$5 billion and \$20 billion in lifetime health care and benefits to the estimated 10,000 to 20,000 veterans with what he calls dubious discharges. DOD officials have denied they use improper discharges as a cost-saving measure and say discharge policies continue to evolve as they learn more about PTSD and traumatic brain injury. Lernes Hebert, the acting director of personnel management for the department, recently encouraged service members diagnosed with PTSD to request reviews of their discharges. [Source: American-Stateman Jeremy Schwartz article 2 Oct 2010 ++]

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Military Stolen Valor Update 24: The U.S. Justice Department will appeal two court decisions that said a federal law making it illegal to lie about being a war hero is unconstitutional. Federal prosecutors in Colorado said 1 OCT they will appeal a ruling by a federal judge in Denver that the Stolen Valor Act violates free speech. The

9th U.S. Circuit Court of Appeals in San Francisco, ruling in a California case, also found the law unconstitutional. Prosecutors asked that court to reconsider. The law makes it a crime punishable by up to a year in jail to falsely claim to have received a military medal. Supporters say the Constitution doesn't protect people who knowingly lie. They argue the law is needed to protect the honor of real heroes. Opponents say the law puts too much power in government hands, and that lying for financial gain is already covered by fraud statutes. Doug Sterner, a military historian who supports the law, welcomed news of the appeals. "I think we've got a very good chance in the 10th (Circuit), and I think we've got a good shot in the 9th," he said. "If nothing else, we're keeping the dialogue on this alive, which is important not just to veterans but to military history." Following is a recap of the two cases:

- In the California case, Xavier Alvarez, a local water board official from Pomona, was indicted in 2007 after saying at a public forum that he was a retired Marine who received the Medal of Honor, the nation's highest military decoration. Alvarez apparently never served in the military. He pleaded guilty on condition that he be allowed to appeal on First Amendment grounds. A three-judge panel of the 9th Circuit ruled 2-1 in his favor in August. On 30 SEP, government attorneys asked the full court to reconsider, saying the case raises "exceptionally important" questions about the First Amendment. The court hasn't indicated whether it will grant the request. Alvarez's lawyer, Jonathan Libby, said Friday he believes the full appeals court would also find the law unconstitutional.
- In the Colorado case, Rick Glen Strandlof, who founded a veterans group in Colorado Springs, was arrested in 2009 after claiming he was an ex-Marine who was wounded in Iraq and had received the Purple Heart and Silver Star. The Marine Corps said it had no record that Strandlof ever served. A Denver federal judge threw out the charge against Strandlof in July. Jeff Dorschner, a spokesman for the U.S. attorney's office in Denver, said prosecutors will file an appeal with the Denver-based 10th U.S. Circuit Court of Appeals in early November. Strandlof's lawyer, Robert Pepin, said he believes the arguments against the law are strong and said he has "high hopes" of prevailing at the appeals level.

[Source: Los Angeles Times David Evans article 2 Oct 2010 ++]

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Military Stolen Valor Update 25: A South Carolina legislator and a medal of honor recipient both say politicians who lie about their military records should be required to pay a \$10,000 fine to the state Ethics Commission. Charleston Republican state Rep. Chip Limehouse says the bill he is filing 8 OCT is important in a state that plays a key role in presidential primaries. Limehouse says veterans have pushed for the legislation in reaction to misstatements by Democrat Connecticut Attorney General Richard Blumenthal about his service during the Vietnam War. Retired Marine Maj. Gen. James Livingston says such incidents are frustrating and an affront to people who serve. The Medal of Honor recipient says a law is needed in South Carolina so a similar situation doesn't play out in this state. [Source: Columbia SC AP article 8 Oct 2010 ++]

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Congressional Mail Update 01: The letter is the most popular choice of communication with a congressional office. If you decide to write a letter, here are some helpful suggestions that will improve the effectiveness of the letter:

- **Make it legible and neat.** Legible handwritten letters and well-typed letters are both effective.
- **Think about your letter as having three paragraphs, or parts.** The opening part should clearly state your position and why you hold it. Urge the Member of Congress to take specific action (e.g. vote for/against a particular bill or amendment; co-sponsor a bill; etc.) The second part should give more information on the bill/action in question and evidence supporting your position. The third part should be a brief summary and provide final encouragement. When possible, somewhere in your letter you should also try to thank your Member for some action they've taken in the past.
- **Bill numbers.** If your letter pertains to a specific piece of legislation, identify it accordingly, e.g., House bill: H. R. _____, Senate bill: S._____.

- **State your request clearly and concisely.** Make a specific request. Keep your letter short and to the point. For example:

- *“In order to protect the civil liberties of all Americans, please support S. 1552, “Protecting the Rights of Individuals Act” that will be offered by Senators Murkowski and Wyden.”*
- *“Speak to key decision makers on the Senate HELP committee in support of fully funding Head Start programs.”*

- **Be courteous, to the point, and include key information, using examples to support your position.** Address only one issue in each letter; and, if possible, keep the letter to one page.

- **Make it real.** Provide some brief information (a story, a few statistics, etc.) to make the issue concrete and very real for your member of Congress. For example:

- *“Research from several countries reveals a lower reliance on abortion in areas where contraceptive use is higher—reflecting greater access to family planning services.”*
- *“The World Health Organization recently estimated that some 70 percent of people in Africa co-infected with TB and AIDS do not even have access to the \$10 worth of anti-TB drugs needed for a highly effective, low-cost strategy for curing TB called DOTS. This is not due to lack of infrastructure, but simply lack of funds to keep already existing programs running.”*

- **Be factual** and “tell it like it is,” but don’t antagonize, threaten or demean the Congressional members or their staff. Remember to thank them when they support or vote for issues you support.

- **Be personal.** A mailed or faxed handwritten letter receives much greater attention than a preprinted card or letter. A short story about your personal experience makes your letter more powerful.

- **Addressing Correspondence:**

- **To a Senator:**

The Honorable (full name)
Senate Office Building
United States Senate Washington, DC 20510
Dear Senator:

- **To a Representative:**

The Honorable (full name)
House Office Building
United States House of Representatives Washington, DC 20515
Dear Representative:

- When writing to the Chair of a Committee or the Speaker of the House, it is proper to address them as: Dear Mr. Chairman or Madam Chairwoman: or Dear Mr. Speaker:

- When E-mailing Congress generally, the same guidelines apply as with writing letters to Congress.

(Source: Unitarian Universalist website Oct 2010 ++)

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Vet Insurance ~ Life Update 10: After twelve years the issue of the lack of FDIC protection in retained-asset accounts has flared anew. FDIC Chairman Sheila C. Bair said in AUG that consumers could incorrectly conclude that retained-asset accounts were insured by the FDIC. She wrote in an 5 AUG letter to state insurance regulators, "The insurance company must take care to avoid implying in any way that these accounts are in fact FDIC-insured," Some families have taken their grievances about retained-asset accounts to court with varied results:

- Prudential won a lawsuit in 1999 in which a survivor complained about the Alliance Account.

- A federal district court judge in Boston approved a settlement in a class-action lawsuit on the retained-asset accounts of Chattanooga TN based insurer Unum Group on 9 SEP. Before that, the U.S. Court of Appeals for the 1st Circuit wrote, "The euphemistically named 'Security Account,' accompanied with a checkbook, was no more than an IOU which did not transfer the funds to which the beneficiaries were entitled out of the plan assets."
- A federal judge in Reno, Nev., threw out a lawsuit on 10 SEP against MetLife. A survivor argued that the insurer had unfairly profited from its retained-asset account. While the judge found the survivor hadn't suffered a loss, he wrote, "The court finds that the name of the account, the 'Total Control Account Money Market Option,' is inherently deceptive" because it implies FDIC coverage.
- Five survivors filed a federal fraud lawsuit in Boston on 30 AUG against Prudential claiming the insurer has earned as much as \$500 million by improperly keeping beneficiaries' money instead of paying out lump sums. The suit says the insurer fraudulently claims to beneficiaries that the Alliance Account is a lump sum. "Initiation of this ruse does not constitute payment of anything to anyone," the suit says. "The Alliance Account is merely a bookkeeping device used by Prudential to hold on to beneficiaries' money." Prudential hasn't yet filed a response in court. Spokesman Bob DeFillippo said he can't comment on the case.

Prudential's DeFillippo said, "It is important to note that several federal judges have rejected claims against accounts like our Alliance Account, concluding that beneficiaries are in virtually the same position they would be in had the insurer sent them a check." He cited the September dismissal of the case against MetLife. Jeffrey Stempel, an insurance law professor at the William S. Boyd School of Law at the University of Nevada at Las Vegas, said that regardless of the outcome of that lawsuit, it's clear that Prudential and the VA wrongly manipulated a federal contract at the expense of military members and their relatives. "At a minimum, survivors ought to be made whole with their missed interest," he said. "The VA really seems to have had the best interests of the insurance company at heart, instead of those of the soldiers and their families." [Source: Washington Post David Evans article 2 Oct 2010 ++]

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System Worth Saving: The American Legion delivered its annual System Worth Saving Task Force Report to Congress 28 SEP compiled from field reports by a Legion task force that evaluated VA medical centers (VAMCs) across the country. The task force conducted two-day visits at 32 VA facilities this year, focusing on health care for women veterans, mental health care and timely budget appropriations. American Legion national staff members interviewed senior leadership and staff, inpatients in hospitals, outpatients at clinics, and family members of those receiving VA health care. "We don't conduct these site visits just to find out what problems may exist at a particular VA facility. We also have extensive discussion with staff and patients in figuring out ways to make improvements for the entire VA health-care system," said Barry Searle, director of the Legion's veterans affairs and rehabilitation division. Peter Gaytan, executive director of The American Legion in Washington, said the System Worth Saving (SWS) program began in 2003 and was designed "to make certain that VA's health-care services and programs are implemented at the local level as intended. "We are well aware of all the hard work that Congress and VA put in to ensure that our veterans get access to high-quality health care. But it is also important for us to evaluate how well that effort is being carried out at individual VA medical facilities," Gaytan said. Following are highlights from the 113-page document's executive report, written by Michael D. Helm, chairman of The American Legion Veterans Affairs & Rehabilitation Commission:

- VA facilities are not receiving the fiscal year 2010 budget in a timely manner. According to the finance officer at the Miami VAMC, during March 2010, the facility had not yet received their FY 2010 appropriations. Additionally, none of the medical centers have received confirmation about their FY 2011 budgets.
- Challenges faced by all facilities visited include lack of facility clinical space for veterans and administrative space for staff, insufficient parking spaces, lack of competitive salaries for recruiting and retention of highly skilled and in-demand medical professionals. The issue of retention has been found to

be a problem particularly in the maintenance of trained personnel, which has led to violations of cleaning protocols at several facilities.

- Veterans queried by the (American Legion) national field service representatives and task force members during all the SWS site visits were content with their level of care and treatment at VA.
- All the facilities have been affected by increases in enrollment and workload due to the Operation Enduring Freedom (OEF)/Operation Iraqi Freedom (OIF) conflicts and the economy. Veterans are having financial difficulties and are seeking treatment within the VA health-care system. The VA expects to treat over 439,000 OEF/OIF veterans during FY 2011.
- The American Legion is concerned that VHA's (Veterans Health Administration) priority of giving hiring preference to veterans is not being adhered to by all VAMCs. Within the 32 VAMCs visited, approximately 25% of the employees are veterans. In contrast, the National Cemetery Administration (NCA) reported over a 70 percent rate of veterans on staff, including a mandate that every VA cemetery hire five OEF/OIF veterans per year. Local interpretation and directives vary amongst VAMCs, as some facilities reported high numbers of veterans hired while some ratios were lower.
- VA continues to address the issue of rural health care by opening new CBOCs (community-based outpatient clinics) in more rural areas. Clearly, veterans in rural and highly rural areas continue to be underserved.... It can be said, however, that veterans receiving their health care at these facilities expressed their content with the community feel of the CBOCs. Also, the clinics have helped to reduce the cost of beneficiary travel claims within the VA health-care system because veterans can now receive treatment locally.
- A common theme throughout the visit cycle was the requirement for additional funding for geriatric care units. It was explained that this increase in funding is necessary because comprehensive care for mental-health geriatric patients has become a major health care-related issue within the VA health-care system.
- Long-term care amongst the VAMCs has been increasing steadily over the past three years, yet there appears to be a freeze on beds available versus beds authorized. The American Legion believes this bed availability is directly tied to employment issues and hiring practices, not veteran needs or requirements.
- Progress is being made to change VA health care from a male-centric to a gender-neutral option. However, in some cases due to VA's lack of gender-specific treatment options, women veterans are experiencing defragmented care. They are forced to seek both VA and private health care to address their unique issues. This cannot be deemed a successful transition from active duty to veteran status.
- VA continues to address the need for more continuity of care for women veterans. Each VAMC was mandated to hire a women veteran's coordinator, and all of the facilities we visited had adhered to this mandate. Only two of the thirty-two facilities had a stand-alone women's clinic; however, they all provided a clinical space where women veterans could receive gender-specific care.
- The American Legion is very active in volunteering regularly scheduled and occasional hours, as well as donations. The main challenges of this program are streamlining the hiring process and recruitment of younger volunteers.... Despite the difficulties in recruiting new volunteers and improving total hours for the VAVS program amongst all participating organizations, The American Legion had 202 new volunteers and a 7,118 hours increase in FY 2009. In total, The American Legion had 6,307 members that volunteered 916,598 hours in FY 2009, a total cost savings of \$18.4 million to VA.
- SWS is an ongoing effort; throughout the task force visits, we found that even with some of the issues outlined, VA's health-care system is staffed by dedicated individuals, who are working hard to care for the nation's veterans and to provide 'the Best Care Anywhere.'"

The entire SWS 2010 Task Force Report should be available by the end of October on The American Legion's web site www.legion.org. [Source: <http://PR-USA.net> article 5 Oct 2010 ++]

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Fire Prevention Month: October is Fire Prevention Month. Safety concerns are always a concern at our homes of which available research indicates the risks of falls, fires and water are the greatest. According to the national Institute of Standards and Technology “four-fifths of all fire deaths occur in homes.” The National Fire Protection Association (NFPA) recommends the following:

- Everyone should have a home fire escape plan.
- Include everyone in your household in the planning process and practice the plan at least twice a year. Plan for anyone who has a disability.
- Make sure that there are two ways out of every room and out of every building.
- Have a meeting place (something permanent, like a tree, light pole, or mail box) in front of the home where everyone should meet after escaping a fire.
- Keep a phone for emergency calls by your bed in case you become trapped by smoke or fire and are unable to escape.
- People who are hearing impaired and use text telephone devices (TTYs-TDDs) should call the TTY-equipped 911 center or the emergency services center in their communities.
- Install smoke alarms on every level of your home, inside each bedroom and outside all sleeping areas. Test smoke alarms monthly. If you are unable to reach the alarm, consider getting alarms that you can test with a flashlight or a television remote.
- If you must wait for rescue, close the door to keep smoke out, wait by a window, and make your presence known to arriving firefighters.

[Source: Veterans today journal Michael Leon article 5 Oct 2010 ++]

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VA Claims Backlog Update 44: Two veterans groups lost in their effort to have the Supreme Court force bureaucrats in the Department of Veterans Affairs to move more swiftly in processing claims, as the Supreme Court announced 4 OCT they will not hear a case challenging a supposed lack of brevity from the government. The Vietnam Veterans of America and the Veterans of Modern Warfare allege that the VA takes far too long to process claims made by its members and for all veterans. They contend that officials can take more than a year to respond to an initial claim and upwards of five years for the appeals process to wind its way through a "Byzantine system of procedural hurdles." While the groups complain about the number of veterans who are denied claims or offered less assistance than what they're seeking, their suit only challenged the duration of the claims process. "Veterans waiting for the VA to issue a decision have lost their homes to foreclosure, been forced to declare bankruptcy, suffered through divorce, and had to endure declining mental and physical health due at least in part to the VA's delays," lawyers for the groups wrote to the high court. The groups wanted a ruling that would lead to a mandate forcing the VA to respond within 90 days time for all initial claims and 180 days to resolve appeals. Lower courts ruled against the veterans taking issue with their use of average wait times as proof of harm. "[O]ne cannot have standing in federal court by asserting an injury to someone else," wrote Judge Laurence Silberman in a unanimous opinion of the D.C. Circuit Court of Appeals. The Supreme Court's decision not to hear that case decision effectively upholds that ruling. [Source: FoxNews.com Liveshots Lee Ross article 4 Oct 2010 ++]

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FEHBP Premiums Update 01: The average amount federal employees pay for their health insurance plans will rise 7.2% in 2011, the Office of Personnel Management announced on Friday. The upcoming premium increase for plans in the Federal Employees Health Benefits Program is less than the 8.8% rise participants experienced in 2010, despite a range of new benefits to be added, according to OPM Director John Berry. The total average premium increase for FEHBP plans will be 7.3%, or \$27.10 per pay period, OPM said. Of that amount, the government will increase its contribution to employees' health care costs by \$18.86 per pay period, or 7.3 percent. That leaves federal workers with an average increase of \$8.24 in their premiums, or 7.2%. High health premiums could force some employees to shop around. The average non-postal employee will see premiums rise by \$5.53 per pay period for individual coverage, and by \$11.45 for family coverage. For postal workers, premiums will cost an extra \$6.10 per pay period for individual coverage and \$12.73 more per pay period for family plans. According to

OPM, the increase is due to changes in the health care market and added plan features, such as tobacco cessation incentives, preventative screenings at no cost to enrollees, and extending coverage to adult children age 26 or younger. The new cutoff age for dependent coverage, mandated by the health reform law, will take effect on 1 Jan 2011. Individual participants in the Blue Cross Blue Shield Standard Option, the government's largest plan, will see premium increases of 6.9%, or \$5.58 per pay period. Premiums for family plans will grow 7.6%, or \$14.14. OPM also is introducing a health claims database tool that will track and evaluate the quality and cost of services provided through FEHBP and will help the agency find ways to reduce health costs.

The National Treasury Employees Union expressed disappointment in the premium increase, but noted it is less than this year's 8.8% growth and falls below anticipated private sector jumps of up to 10.5%. President Colleen Kelley said the union will continue to support legislation that could help bring down costs, including a bill to reform the drug pricing process. Carol A. Bonosaro, president of the Senior Executives Association, said while the premium increases are not surprising in the current economic climate, they are "disheartening," given that they outpace annual pay raises. She noted retirees could have an especially hard time since they appear headed for a second year without a cost-of-living adjustment. FEHBP enrollees can choose from 207 plans, including two new options. The program will lose six plans after Dec. 31. Open season, during which federal workers can switch enrollments in health insurance plans, runs from 8 NOV to 13 DEC. [Source: GovExec.com Emily Long Emily Long article 1 Oct 2010 ++]

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Veterans Trust Fund: A new study by Nobel laureate Joseph Stiglitz of Columbia University and Linda Bilmes of Harvard University estimates that health costs for veterans of the Iraq and Afghanistan wars could top \$900 billion, leading one congressman to call for setting up a veterans' trust fund. The study noted that some 600,000 of the more than 2.1 million men and women who've been deployed already have received treatment by the Veterans Affairs Department." On 30 SEP, US Rep. Bob Filner (D-CA) told reporters that treatment for veterans should be budgeted as part of the cost of war, comparing the program to Medicare and Social Security. On 1 OCT Filner, the House Veterans Affairs Committee chairman, unveiled a plan to establish a trust fund to build up cash reserves to help meet the future costs of veterans' care. Filner is vowing to press next year to create a veterans' trust fund by offering an amendment to 'every veterans or defense bill. Filner "discussed the trust fund idea with major veterans service organizations but so far only the Veterans of Modern Warfare have embraced the proposal. [Source: AP Pauline Jelinek article 29 Sep 2010 ++]

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VA Fraud Waste & Abuse Update 30: A former U.S. Navy mail clerk admitted that he concocted a horrific story about a military record in Vietnam, where he never served, to collect about \$80,000 in government disability benefits. John Golino, 61, claimed falsely on a veteran's benefit application that, while serving in Vietnam with a Special Forces unit of U.S. Navy SEALs, he:

- Was forced to shoot a teenaged Vietnamese girl who was trying to throw a satchel of explosives.
- Watched a booby-trapped baby explode in the hands of a friend while they were on patrol in Vietnam.
- Was awarded a Purple Heart after suffering shrapnel injuries to a wrist and a leg during an encounter in Cambodia with Viet Cong forces.

In reality, federal prosecutors said the only legitimate disability Golino suffered was a wrist injury while he was assigned to handle mail on a World War II-era submarine tender, the USS Sperry and he was never a Navy SEAL. Since 1998, Golino had been receiving legitimate disability compensation benefits for the wrist injury he claimed to have suffered during his service as a mail clerk. In FEB 04 Golino submitted a military discharge report, on which he claimed he suffered from post-traumatic stress disorder and was entitled to enhanced disability benefits. As a result of his falsified application, the Veterans Administration changed his disability rating to 70% disabled and increased his monthly compensation payments. The fraudulent payments received from 2004 to 2009, amounted to \$79,624. He pleaded guilty 30 SEP to a charge of fraudulent receipt of benefits from the U.S. Department of Veterans Affairs. Under the guidelines used to impose sentences in federal court, Golino faces a prison sentence of 10 to 16 months and thousands of dollars in fines.

In a separate case a 60-year-old veteran man was sentenced to federal prison for health care related fraud, U.S. Attorney John M. Bales said. Jim Bob Shipp was sentenced to 5 years and three months in federal prison and was ordered to repay over \$800,000 in restitution. According to information presented in court, Shipp misrepresented his disability to defraud the Veterans' Affairs Disability Compensation Program by overstating the severity of his vision. As a result of the false claims, the program awarded Shipp compensation at the 100- percent disability rate when he was only entitled to the 30- percent rate. [Source: CTnow.com & Longview News Journal articles 29 Sep & 1 Oct 2010 ++]

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Vet Cemetery California Update 09: California Gov. Arnold Schwarzenegger on 30 SEP signed Assembly Bill 1757 into law, enabling the construction and design of the planned veterans cemetery at Ford Ord to proceed. "AB 1757 will benefit the families of veterans throughout the Central Coast who deserve to be buried near their loved ones and I am pleased the governor signed the bill into law," Assembly member Bill Monning said. "Now, work can move forward to provide a final resting place to those who served this great country, and long overdue peace of mind can be provided their families." The bill will amend previous legislation in order to allow funds raised for the construction project to be transferred from the state's Endowment Fund to its Operations Fund. Once the funds have been transferred, the bill authorizes the Department of Veterans Affairs to proceed with the design, development and construction of the grant program application to the U.S. Department of Veterans Affairs for approval. The 78-acre cemetery will augment the Veterans Cemetery in Shasta County in providing services to all veterans in California. At a minimum the cemetery can provide approximately 11,500 grave sites in its 20-year build out. For more information about AB 1757 refer to www.assembly.ca.gov/monning . [Source: Salinas Californian article 1 OCT 2010 ++]

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AFRH Gulfport Update 05: After 5 years over 100 military retirees and war veterans are returning to a new Armed Forces Retirement Home (AFRH) located in Gulfport, Mississippi. The old home was destroyed on 30 AUG 05, by Hurricane Katrina and 416 residents were evacuated. While many stayed with families and friends in the area most were moved to the AFRH in Washington D.C. The new home (which will have its formal opening on 9 NOV 2010) is a 4-tower complex set on 47 acres of waterfront. The residents will have individual rooms with a full bathroom, kitchenette and balcony. The homes residents are primarily for enlisted retirees who are at least 60 years of age. Eligibility criteria to become a resident are:

- Veterans whose active duty service in the military was at least 50% enlisted, warrant officer or limited duty officer and they are:
 - Veterans with 20 or more years of active duty service and are at least 60 years old, or
 - Veterans unable to earn a livelihood due to a service-connected disability, or
 - Veterans unable to earn a livelihood due to injuries, disease, or disability, and who served in a war theater or received hostile fire pay, or
 - Female veterans who served prior to 1948.
- Applicants must be free of drug, alcohol, and psychiatric problems, and never have been convicted of a felony.
- Married couples are welcome, but both must be eligible in their own right.
- At the time of admission applicants must be able to live independently. As an example of this, they must be able to take care of their own personal needs, attend a central dining facility for meals and keep all medical appointments. If increased health care is needed after being admitted, assisted living and long term care are available at both campuses.

If you are interested in applying to either facility for yourself or a family member go to their website at <https://www.afrh.gov>. to see the qualifications, cost etc. There is a waiting list at both facilities so it is wise to apply as soon as possible to place you or your family member on the waiting list. The AFRH in Gulfport was originally a

home founded during the War of 1812 in Philadelphia for destitute Navy officers, sailors and Marines and moved to Gulfport. After the Civil War a home for destitute soldiers was created in Washington DC. It eventually became the U.S. Soldiers and Airmen's Home. In the 1990's Congress combined the 2 facilities and made them the Armed Forces Retirement Home. Each home can hold up to 1300 residents and provides 5 levels of care from independent living to long term care. Each facility has a 9 hole golf course, walking trails, fitness centers and more. Every active duty enlisted member helps to support the facilities with a 50 cent a month payroll deduction. [Source: TREA Washington Update 1 Oct 2010 ++]

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IRS Tax Forms: Individual and business taxpayers will no longer receive paper income tax packages in the mail from the IRS. These tax packages contained the forms, schedules and instructions for filing a paper income tax return. The IRS is taking this step because of the continued growth in electronic filing and the availability of free options to taxpayers, as well as to help reduce costs. In early October, the IRS will send a postcard to individuals who filed paper returns last year and did not use a tax preparer or tax software. The information will explain how to get the tax forms and instructions they need for filing their tax year 2010 return. The forms and instructions will be available in early JAN 2011. [Source: IRS e-News 2010-40 Sep 2010 ++]

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Chapter 61 Legislation Update 09: Senate Finance Committee Chairman Max Baucus (D-MT) has introduced S.3793, the Job Creation and Tax Cuts Act, which breathes new life into concurrent receipt for this year. The Act is fully paid-for legislation that includes the Administration's proposal to phase out the VA disability pay offset for all Chapter 61 (medical) retirees, regardless of years of service, whether the disability was combat-related or not. The bill also would close tax loopholes for wealthy investment fund managers and large corporations and cut taxes for families paying college tuition, state and local taxes, and property taxes. Congress elected to delay action on tax cut legislation until after the election. It's uncertain whether it will be addressed during the lame-duck session, but that's Sen. Baucus' plan. [Source: MOAA Leg Up 1 Oct 2010 ++]

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SBP DIC Offset Update 26: Year after year The Military Coalition (TMC) has pushed Congress to end the unfair deduction of VA survivor benefits from Survivor Benefit Plan (SBP) annuities for survivors of servicemembers who died of service-caused conditions. Under current law, many of these widows are left with annuities of less than \$14,000 a year. Legislation to correct the problem (H.R.775) has gathered 347 bipartisan cosponsors in the House – almost 80% of all U.S. representatives. So why isn't it getting fixed? Year after year, Hill leaders' answer is the same, "We agree the fix is needed, but just can't find a way to pay for it." Yet every year, Congress manages to pass a long list of bills that cost as much – or far more. This week, by a vote of 268 to 160 (with far fewer supporters than the SBP fix supposedly has), the House passed H.R.847, which would provide free monitoring and health care for people with medical conditions deemed related to the 9/11 World Trade Center attack. The cost of H.R. 847: \$7 billion, the same cost as the military widows' SBP fix. How would Congress pay for it? By limiting the ability of foreign-based companies to use tax treaties to shift income outside the United States and avoid higher tax rates. TMC has no problem with taking care of first responders and others sickened by toxic chemicals at ground zero in New York. But it certainly begs yet another question why Congress keeps stiff-arming the widows whose military sponsors actually died from service-caused conditions. Readers are encouraged to let their representatives know how their priorities are being perceived by the military community. Don't let them off the hook. [Source: MOAA Leg Up 1 Oct 2010 ++]

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SSA Retirement Age: To obtain maximum Social Security benefits you must wait to apply until your full retirement age (FRA). This used to be age 65 but in recent years has been raised as high as age 67 dependent upon your birth year. If your full retirement age is older than 65 (that is, you were born after 1937), you still will be

able to take your benefits at age 62, but the reduction in your benefit amount will be greater than it is for people retiring now. Here's how it works if your full retirement age is 67.

1. If you start your own earned retirement benefits at age 62, your monthly benefit amount is reduced by about 30%. The reduction percentages for starting ages are:
 - Age 63 is about 25 percent;
 - Age 64 is about 20 percent;
 - Age 65 is about 13.3 percent; and
 - Age 66 is about 6.7 percent.

2. If you start receiving spouse's benefits at age 62, your monthly benefit amount is reduced to about 32.5% of the amount your spouse would receive if his or her benefits started at full retirement age. The reduction for starting benefits of a spouse decrease as follow:
 - Age 63 is about 65 percent;
 - Age 64 is about 62.5 percent;
 - Age 65 is about 58.3 percent;
 - Age 66 is about 54.2 percent; and
 - Age 67 is 50 percent (the maximum benefit amount).

3. Age to receive full Social Security Benefits called full retirement age or normal retirement age. (Note: If you qualify for benefits as a Survivor, your full retirement age may be different.) Based on your year of birth your FRA would be:
 - 1937 or earlier = 65
 - 1938 = 65 and 2 months
 - 1939 = 65 and 4 months
 - 1940 = 65 and 6 months
 - 1941 = 65 and 8 months
 - 1942 = 65 and 10 months
 - 1943--1954 = 66
 - 1955 = 66 and 2 months
 - 1956 = 66 and 4 months
 - 1957 = 66 and 6 months
 - 1958 = 66 and 8 months
 - 1959 = 66 and 10 months
 - 1960 and later = 67

Note: If you were born on January 1st of any year you should refer to the previous year.

4. If you delay your benefits until after FRA, you also may be eligible for delayed retirement credits that would (based on your year of birth) increase your monthly benefit. Based on the year of your birth the entitlement would increase:
 - 1933-1934 = 5.5% per year or 11/24 of 1% per month.
 - 1935-1936 = 6.0% per year or 1/2 of 1% per month.
 - 1937-1938 = 6.5% per year or 13/24 of 1% per month.
 - 1939-1940 = 7.0% per year or 7/12 of 1% per month.
 - 1941-1942 = 7.5% per year or 5/8 of 1% per month.
 - 1943 or later = 8.0% per year or 2/3 of 1% per month.

Regardless of your year of birth the earliest you can start receiving Social Security retirement benefits will always remain age 62 but it will be at a lesser dollar amount than if you waited for FRA. However, if you are a widow or widower you can start collecting a survivor's benefit as early as age 60. If you receive widow's or widower's benefits, and you will qualify for a retirement benefit that's more than your survivor's benefit, you can switch to your own retirement benefit as early as age 62. Widows(ers) can receive up to 100% of their deceased spouse's entitlement dependent on their birth year when they apply. Anyone who takes social security benefits before FRA who earns income in excess of the annual earnings limit (income earned by working), will have their social security benefit reduced. In 2010, the annual earnings limit is \$14,160.. Before the year in which you reach FRA, Social security will take back \$1 of social security for every \$2 over the limit. During the year you reach FRA, and up until the month you reach FRA, social security will deduct \$1 for every \$3 you earn that is over the annual earnings limit. Once you reach full retirement age, you are no longer subject to the annual earnings limit; you can earn as much as you like without incurring a reduction in your social security benefits. Your social benefits may however still be subject to income taxes.

If you are divorced (even if you have remarried), your ex-spouse may qualify for benefits on your record if you are 62 or older. In some situations, he or she may get benefits even if you're not receiving them yet. The amount of benefits your divorced spouse gets has no effect on the amount of benefits you or your current spouse may receive. To qualify on your record, your ex-spouse must:

- Have been married to you for at least 10 years;
- Be at least 62 years old;
- Be unmarried; and
- Not be eligible for an equal or higher benefit on his or her own Social Security record, or on someone else's Social Security record.

[Source: www.ssa.gov/pubs/10084.html Sep 2010 ++]

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Vet Benefits Legislation: The Veterans' Benefits Act of 2010 (H.R. 3219, as amended) passed the House 29 SEP after clearing the Senate on the 28th. The full text of the bill, as amended by the Senate, is available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bill. The bill now goes to President Obama for his consideration. This bill will expand insurance options for disabled veterans, upgrade compensation benefits and employment protections, authorize VA construction projects, and allow VA to keep using private physicians to quickly and accurately provide veterans with disability evaluations. The Bill includes the following:

- Raises an automobile assistance benefit for disabled veterans from \$11,000 to \$18,900.
- Increases VA mortgage loan guarantee to \$150,000 as of 1 OCT 2011, and to \$200,000 as of 1 JAN 2012.
- Lets Veterans Group Life Insurance (VGLI) participants under age 60 increase their coverage by \$25,000 every five years
- Provides retroactive Servicemembers' Group Life Insurance benefits for troops who were traumatically injured between 7 OCT 01 and 30 NOV 05, regardless of where their injury occurred.
- Clarifies that the Uniformed Service Employment and Reemployment Rights Act prohibits wage discrimination against members of the Armed Forces.
- Permits a service person to sue over violations of the Servicemembers' Civil Relief Act (SCRA). This grew from a case where a Guard soldier's home was foreclosed, his family evicted and the property sold while he was deployed to Iraq.
- Strengthens SCRA protections governing residential and motor vehicle leases, and terminated cell phone contracts
- Authorizes adaptive housing and automobile equipment for vets with severe burn injuries.
- Allows 2 years (vs 18 months) of SGLI coverage after separation for totally disabled vets separated on or after 15 JUN 05.
- Ends a reduction in the accelerated death benefit for terminally ill veterans with SGLI or VGLI coverage.
- Covers loss of a dominant hand under Traumatic SGLI (TSGLI).

- Allows an additional VA "aid and attendance" payment for veterans with severe traumatic brain injuries.
- Authorizes DIC annuities for survivors of former POWs who died before 30 SEP 99.
- Allows target grants to providers who offer job training, counseling, placement and childcare services to female veterans and homeless veterans with children.
- Permits parents of certain deceased veterans with no spouse or child(ren) to be buried in a national cemetery alongside the veteran.
- Requires a comprehensive study of best treatment practices for "chronic multi-symptom illness" in Gulf War I veterans and, separately, a study of medical issues of veterans of Post 9/11 conflicts.

[Source: VFW Washington Weekly 1 Oct 2010 ++]

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Long Term Care

Vet Home Patient Neglect Update 01: The Government Accountability Office has been asked by Congress to research instances of abuse and/or neglect in State Veterans Homes and VA Community Living Centers. They are now reaching out to the veteran population to better understand and portray the realities of life in a nursing home. If you have first-hand information regarding abuse or neglect, you are requested to e-mail the GAO at vetnursinghomeabuse@gao.gov. No personal information or medical history will be included in their final report. [Source: VFW Washington Weekly 1 Oct 2010 ++]

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Tax Assistance: Following is a compilation of various means to obtain tax assistance at no charge. This includes contact points to obtain answers from live persons vice menu style voice recordings and help with preparing your tax forms:

Tax Return Preparation

- **Volunteer Income Tax Assistance Program (VITA).** This program offers tax help at no cost to low to moderate income (generally, \$49,000 and below) people who cannot prepare their own tax returns. Certified volunteers sponsored by various organizations receive training to help prepare basic tax returns in communities across the country. VITA sites are generally located at community and neighborhood centers, libraries, schools, shopping malls, and other convenient locations. Most locations also offer electronic filing. There are payment options available when using IRS e-file. To locate the nearest VITA site, call 1(800)906-9887 or check this online partial VITA site list at www.irs.gov/individuals/article/0,,id=219171,00.html. Items you need to bring to the VITA sites to have your tax returns prepared are:
 - ✓ Proof of identification
 - ✓ Social Security Cards for you, your spouse and dependents and/or a Social Security Number verification letter issued by the Social Security Administration
 - ✓ Birth dates for you, your spouse and dependents on the tax return
 - ✓ Current year's tax package if you received one
 - ✓ Wage and earning statement(s) Form W-2, W-2G, 1099-R, from all employers
 - ✓ Interest and dividend statements from banks (Forms 1099)
 - ✓ A copy of last year's federal and state returns, if available
 - ✓ Bank routing numbers and account numbers for Direct Deposit
 - ✓ Total paid for daycare provider and the daycare provider's tax identifying number (the provider's Social Security Number or the provider's business Employer Identification Number)
 - ✓ To file taxes electronically on a married-filing-joint tax return, both spouses must be present to sign the required forms.

- **Tax Counseling for the Elderly (TCE).** This program offers tax help at no cost for taxpayers who qualify. Trained community volunteers may help with special credits, such as Earned Income Tax Credit, Child Tax Credit, and Credit for the Elderly or the Disabled. In addition to tax return preparation assistance, most sites also offer electronic filing (e-filing). Individuals taking advantage of the e-file program will receive their refunds in half the time compared to returns filed on paper – even faster when tax refunds are deposited directly into one's bank account. For more information on TCE, call 1(800) 829-1040. As part of the IRS-sponsored TCE Program, AARP offers the Tax-Aide counseling program at more than 7,000 sites nationwide during the filing season. Trained and certified AARP Tax-Aide volunteer counselors help people of low-to-middle income with special attention to those age 60 and older. To locate the nearest AARP Tax-Aide site, call 1(888) 227-7669 or visit AARP's website at www.aarp.org/money/taxes/aarp_taxaide.
- **Military personnel and their families.** The military also has a strong Volunteer Income Tax Assistance (VITA) Program. The Armed Forces Tax Council (AFTC) consists of the tax program coordinators for the Army, Air Force, Navy, Marine Corps, and Coast Guard. The AFTC oversees the operation of the military tax programs worldwide, and serves as the main conduit for outreach by the IRS to military personnel and their families. Airmen, soldiers, sailors, marines, guardsmen, and their families worldwide receive tax preparation assistance at no cost at offices within their installations. These VITA sites provide tax advice, tax preparation, and assistance to military members and their families. They are trained and equipped to address military specific tax issues, such as combat zone tax benefits and the effect of the new Earned Income Tax Credit (EITC) guidelines. Most service members file their tax returns electronically at their tax centers and, by selecting direct deposit, receive their refunds in as little as one week. This combined effort ensures that service members receive free tax assistance from well-trained and equipped military tax preparers.

Telephone Assistance (Live). When calling, you may ask questions to help you prepare your tax return, or ask about a notice you have received. Be aware that when you conclude your discussion, our system will not permit you to return to your original responder.

- Telephone Assistance for Individuals: Call 1-800-829-1040 M-F 7:00 a.m. – 10:00 p.m. your local time (Alaska & Hawaii follow Pacific Time).
- Telephone Assistance for Businesses: Call 1-800-829-4933 M-F 7:00 a.m. – 10:00 p.m. your local time (Alaska & Hawaii follow Pacific Time).
- Telephone Assistance for Exempt Organizations, Retirement Plan Administrators, and Government Entities: Call 1-877-829-5500 M-F 7:00 a.m. to 7:00 p.m. Central Time.
- Telephone Assistance for people with hearing impairments: Call 1-800-829-4059 (TDD) M-F 7:00 a.m. – 10:00 p.m. your local time (Alaska & Hawaii follow Pacific Time). For further information refer to www.irs.gov/taxtopics/tc102.html.
- Telephone Assistance for Individuals who believe they may be a victim of Identity Theft: No Tax Administration Impact or did not receive a notice from the IRS. Call 1-800-908-4490 (Automated and live assistance) Friday, 8:00 a.m. – 8:00 p.m. your local time (Alaska & Hawaii follow Pacific Time). For additional information, refer to the IRS Identity Theft and Your Tax Records page at www.irs.gov/privacy/article/0,,id=186436,00.html.
- Telephone Assistance for people who live outside the United States: Hours of availability vary by location. Refer to the IRS International Services page www.irs.gov/localcontacts/article/0,,id=101292,00.html.
- Face-to-Face Assistance: In certain areas, IRS also has local offices you may visit to receive assistance. To locate one in your geographic area refer to www.irs.gov/localcontacts/index.html.

[Source: www.irs.gov/individuals/article/0,,id=107626,00.html & www.irs.gov/help/article/0,,id=96730,00.html
Sep 2010 ++

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Stop-loss Pay Update 07: Congress, as a part of the continuing resolution they approved to fund government entities at the 2010 rates which allowed them to recess for the NOV elections, extended stop loss payments owed to active duty servicemembers. Servicemembers and veterans have been given until 3 DEC to apply for extra pay that is owed them if their active duty service was involuntarily extended between 9/11 and September 30, 2008. Congress hopes that by extending the date, the number of those applying for the payment will increase. Currently only 40% of the people who qualify have applied and received the extra allowance. In the interim Stop-loss veterans can submit their claims online at www.stoplosspay.army.mil. The Army encourages all candidates to visit its website to check eligibility and submit claims. The website also lists answers to frequently asked questions about the claim process and has a link to the program's official Facebook page. Applicants who have questions not covered by the website can e-mail RetroStopLossPay@conus.army.mil or call (877) 736-5554. Veterans can also link to the eligibility and claims information on the VA Vet Center home page at www.vetcenter.va.gov/index.asp. Click on "RSLP" at the bottom of the left side column. [Source: VFW Washington Weekly 1 Oct 2010 ++]

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Saving Money: Along with airfare and hotel, renting a car is one of the Big Three expenses when you travel. But while everyone talks about how to find cheap fares and cheap rooms, no one talks with the same fervor about how to find the best wheels deals. That's going to become more important real soon, as Hertz and Avis fight this month to take over Dollar/Thrifty - which will mean less competition and higher prices. There easy and not-often-talked-about ways to save on a rental car. Here are some more details...

- **Rent near the airport, not at the airport.** Airport rental agencies will charge you around \$10-15 just for the convenience of getting off the plane and into a car. While rental agencies near the airport won't charge you that fee, you may have to take a cab that will cost more than that. But some close-to-the-airport places run their own shuttle service. How do you find these places? Just Google the rental company. For instance, "Hertz Miami airport" shows you a map of the airport - and another Hertz 10 blocks away.
- **Rent by the hour.** You can use a car-sharing service in big and medium sized cities for as little as \$7 an hour. Refer to www.carsharing.net/where.html for a list of locations and details.
- **Ask and you might receive.** If you reserve a car before flying, upon arrival at the destination city simply stroll up to competing counters at the airport and ask if you can get a better deal. You may find a better deal on upsizing or price. Especially if they know you were going to use another company. Also, asking for a free upgrade on your reservation never hurts. It's amazing what a nice smile, some kind words and a simple request can do - at the airline ticket counter, at a hotel check-in and at the rental car counter.
- **Conduct an online discount coupon search.** Just Google "car rental discount coupons" and you'll get oodles of results including in some cases discount codes. With all these coupons online, there's no reason to pay retail.
- **Brag about your friends.** Membership has its privileges when it comes to car rentals. Organizations that you'd expect to offer discounts - like AAA, which also allows you to reserve a car online - is just the start. Trade organizations ranging from journalists to wedding planners also get discounts. If you're booking online, you can even use a website that reveals those organization's car-rental discount codes - but don't lie about your membership, because you might be asked to produce proof when you pick up the car.
- **Standard rental car advice.** Shop around for prices by searching the websites of the major players (Hertz, Avis, Enterprise, Budget, Dollar/Thrifty), fill up the tank when you return the car, and check your credit card coverage and car insurance because you might not need the expensive insurance from the rental agency.

[Source: Money Talk News 29 Sep 2010 ++]

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Notes of Interest

Post Office Denied Rate Hike: On 29 SEP the Postal Regulatory Commission (the independent panel that oversees the Postal Service) unanimously denied the Post Office's request to raise the first class rate from 44 cents rate to 46 cents as well as increasing rates for periodicals, post cards and packages. The Postal Service may file a legal appeal, may file a new "special rate-increase request to the Commission or request a smaller rate hike based on inflation. The Postal Service has not said what they would do. They argue that last year the Post Office lost \$3.8 billion.

Two Movie Greats (and Veterans) Die: Tony Curtis died 28 SEP at the age of 85. Mr. Curtis not only starred in over 100 films, he served in the Pacific during World War II. He served in the Navy on the U.S.S. Proteus, a submarine tender and watched through binoculars the formal surrender of Japan on the U.S.S. Missouri. After returning home he used the GI bill to study acting in New York City. On 29 SEP the director of "Bonnie and Clyde" and "The Miracle Worker", Arthur Penn died. He also served in World War II and used his GI Bill to study in North Carolina's Black Mountain College.

DVA Receives "A" from Small Business Administration: The SBA has awarded an A to the VA for its dramatic success in contracting with Service-Disabled Veterans owned Small Businesses. The government wide statutory goal is that all agencies and Departments award 3% of its acquisition dollars to Service-disabled Veteran Owned Small Businesses. VA reached 17% this year.

Senate votes to limit loudness of TV commercials: On 29 SEP the Senate unanimously passed a bill late to require television stations and cable companies to keep commercials at the same volume as the programs they interrupt. The House has passed similar legislation. Before it can become law, minor differences between the two versions need to be worked out when Congress returns to Washington after the Nov. 2 election.

Tylenol Use Increases Risk Of Asthma: Taking acetaminophen (Tylenol®) once a month more than doubles the risk of asthma in adolescents. And, **even taking the drug just once a year boosts the risk by 50%**. These findings are from a new study slated to be published in the *American Journal of Respiratory and Critical Care Medicine*. "This study has identified that the reported use of acetaminophen in 13- and 14-year-old adolescent children was associated with an exposure-dependent increased risk of asthma symptoms," notes lead author Richard Beasley, MD.

Senate backlog: In February, House leadership counted 290 bills that the House passed that the Senate had not yet taken up. The new numbers are in, and the tally of bills stalled in the World's Most Deliberative Body now stands at 420. According to The Hill, the gap grew by 48 bills during the three weeks Congress was in session in September.

Austin TX VAMC: The Department of Veterans Affairs has announced the construction of a new medical clinic in Austin Texas. The \$224 million construction contract awarded this week is to build the largest VA clinic in the country and is planned to be a state-of-the-art facility. It will triple the size of the present clinic (to 185,000 sq. feet) and will double the staff size (from the present 182 people to 315). It is expected to be completed in 2012.

2010 Veterans Day Poster Available Online: You can now download this year's Veterans Day Poster. At <http://www.va.gov/opa/vetsday/gallery.asp>. The poster designed by Ron Bergan of the Greater Los Angeles VA Healthcare system shows on a black wall a listing of U.S. military campaigns throughout our history above a draped United States Flag.

Vets with service connected burns. Disabled veterans with severe service connected burns will become eligible for automobile and adaptive equipment grants from the Veterans Affairs Department under an expansion of benefits approved by Congress, and the biggest grants will increase from the current \$11,000 to a maximum of \$18,900. The assistance has been limited to those with the loss — or loss of use — of one or both arms, legs or hands, or who

have severe vision problems, defined as visual acuity of 20/200 or less and a field of peripheral vision of 20 degrees or less.

[Source: Various Oct 2010 ++]

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Military Times Copyrighted News: “During SEP of 2010 we were contacted by Military Times Managing Editor M. Scott Mahaskey who informed us that to disseminate any information on the RAO website pertaining to this or any other subject taken from their publications will infringe on the copyright of the material contained within their Army/Navy/Air Force/ Marine Corps newspapers and/or provided on their websites. Apparently, our use of their material on our website impacts on their advertising revenue for which the rates they charge is based on the number of hits their websites receive.

Military Times legal department’s interpretation of any exclusion extended to us as a non-profit entity under Title 17 U.S.C. section 107 to use their material does not extend to posting it on a public website. The repository of all Bulletin articles for those who cannot receive the Bulletin directly is http://post_119_gulfport_ms.tripod.com/rao1.html which is considered a public website even though it is maintained by a non-profit military fraternal organization. Military Times’ interpretation of Title 17 exclusion **does** allow us to disseminate the information via direct communication to individual subscribers. Since we cannot afford the time nor expense to deal with their implied legal action, readers accessing the Bulletin via our website who want to obtain this information can attempt to access it at the website they provided. Readers accessing the Bulletin via our website who are unable to do so or who cannot access it because they do not have a password or it has been removed from the Military Times website can obtain the information directly via email request to raoemo@sbcglobal.net .

[Source: RAO Bulletin Editor/Publisher 14 Oct 2010 ++]

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Military Funeral Disorderly Conduct Update 15: [Note: Copyrighted material - Not authorized for reproduction on any website or website accessed newsletter].

One thing Al Snyder wants to make clear: His boy fought and died for freedom in Iraq, but not for the right of some "wackos" to spew hate at soldiers' funerals under the protection of the Constitution. "It's an insult to myself, my family and the veterans to say this is what our military men and women died for," Snyder says, barely concealing his anger. Yet more than four years after the death of his only son, Matthew, Snyder is in the middle of a Supreme Court case that raises almost precisely that issue. The court is set to decide whether members of a fundamentalist church in Kansas who picketed Matthew's funeral with signs bearing anti-gay and anti-Catholic invective have a constitutional right to say what they want. Or, in intruding on a private citizen's funeral in a hurtful way, have the protesters crossed a line and given Snyder the right to collect millions of dollars for the emotional pain they caused? The justices scheduled time for arguments in the case to be heard 6 OCT..

The case is shaping up as a potentially important test of the First Amendment. "The difficulty in this case is that the speech occurs at the most personal and sensitive of times," said Cliff Sloan, a First Amendment expert at the Skadden, Arps law firm and the former publisher of Slate magazine. Margie Phelps, a daughter of the pastor of the Westboro Baptist Church and the lawyer representing her family members at the Supreme Court, said that if the justices reinstate the \$5 million judgment to Snyder, anyone who says anything upsetting to a mourner "is subject to a crushing penalty." But Snyder said in an interview with the Associated Press that if he had the chance, he would tell the justices "that this isn't a case of free speech. It's case of harassment." Snyder's nightmare began on a late winter night in 2006 when he flipped on the porch light and saw two uniformed Marines standing at the front door of his home in this small south central Pennsylvania city. He knew right away that Matthew was dead, after just five weeks in Iraq. He could accept his son's death because Matthew always wanted to be a soldier. But Snyder was not prepared for what came next.

Eleven-hundred miles away, in Topeka, Kansas, the Rev. Fred Phelps and other family members who make up most of the Westboro Baptist Church decided that Snyder's funeral at a Catholic church in Westminster, Md., would be their next stop. Phelps and his small band of followers have picketed many military funerals in their quest to draw

attention to their incendiary view that U.S. deaths in Afghanistan and Iraq are God's punishment for the nation's tolerance of homosexuality. They showed up with the usual signs, including "Thank God for dead soldiers," "You're Going to Hell," "God Hates the USA/Thank God for 9/11," and one that combined the U.S. Marine Corps motto, Semper Fi, with a slur against gay men. The church members drew counter-demonstrators, as well as media coverage and a heavy police presence to maintain order. The result was a spectacle that led to altering the route of the funeral procession. Several weeks later, as Snyder surfed the Internet for tributes to Matthew from other soldiers and strangers, he came upon a poem on the church's website that attacked Snyder and his ex-wife for the way they brought up Matthew.

That's when he decided to take action and soon filed a lawsuit accusing the Phelps of intentionally inflicting emotional distress. He won \$11 million at trial, later reduced by a judge to \$5 million. Then the federal appeals court in Richmond, Va., threw out the verdict and said the Constitution shielded the church members from liability. The idea that the picketers' rights might trump his own led Snyder to continue the lawsuit. "They want to use the First Amendment as both a sword and a shield and that's not right," he said. The Supreme Court gave him some hope that, in deciding to hear the case, the justices might say that funerals are different. Phelps and his followers do not limit themselves to funerals. They have been protesting for decades, about homosexuality, abortion, Catholics and Jews. The court is made up of six Catholics and three Jews. The Phelps have even picketed unlikely targets, college students and breast-cancer survivors, to call attention to their belief that God is angry with the United States. When Chief Justice John Roberts appeared in Lawrence, Kan., in 2008, Westboro protesters were there as well. Asked about free speech cases that day, Roberts said, "It's certainly the responsibility of the Supreme Court to uphold freedom of speech, even when it's unpopular."

Media organizations, including The Associated Press, are urging the court to side with the Phelps despite what they call the church's "deeply offensive" message. The groups said that "to silence a fringe messenger because of the distastefulness of the message is antithetical to the First Amendment's most basic precepts." Other groups, including the Anti-Defamation League, are not taking sides, but say the case is a poor one for making any broad pronouncements about the First Amendment that could inhibit religious expression. Some conservative groups are concerned that a ruling for Snyder could be used to limit anti-abortion protests. On the other side, all the states, except Maine and Virginia, and veterans groups say that the court should stand behind state laws that limit funeral protests and recognize that mourners at a funeral have a right to be left alone. The church's lawyer said the outcome of the case will not affect the work of her father and his flock. "The Westboro Baptist Church will talk to the nation until the job is done," Margie Phelps said. Snyder said he thinks a victory would "put a dent" in the Phelps' ability to travel far and wide to other military funerals. He wants other parents, having just been told a child was killed in action, not to have worry that the funeral might be disrupted. "I had one chance to bury my son and it was taken from me," Snyder said. But he also struck a more ominous tone. "It has to be stopped," Snyder said. "If the courts don't stop it, believe me, someone is going to." [Source: MarineCorpsTimes Mark Sherman article 30 Sep 2010 ++]

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VA Quality Assurance: [Note: Copyrighted material - Not authorized for reproduction on any website or website accessed newsletter].

A bill that would require the Veterans Affairs Department to post medical quality assurance records online has drawn opposition from VA, which worries about the confidentiality of patients and whether posting the records would have a "chilling effect" on the willingness of health care workers to report mistakes. The bill in question is HR 3843, the Transparency for America's Heroes Act, sponsored by Rep. Joe Sestak (D-PA). It calls for the quality assurance records to be posted on VA's website after patients' identifying information is removed. Sestak, testifying 30 SEP before the House Veterans Affairs Committee's health panel, said the bill is his response to "revelations of substandard care" in the past two years that include well-publicized problems with the sterilization of medical equipment, and less publicized issues, like a veteran whose open wound was filled with maggots and a diabetic veteran who was not given needed insulin shots while hospitalized. Major veterans groups, including Veterans of Foreign Wars, Paralyzed Veterans of America and Vietnam Veterans of America, support the bill.

- VFW's Michael O'Rourke said, "Recent reports of contaminated instruments, unsupervised medical procedures and adverse conditions at a Philadelphia long-term care facility erode faith in the VA health care system. We believe that having information easily available to patients and stakeholders renews the

emphasis on quality, accountability and sound health care procedures provided by all staff in every VA facility.”

- Carl Blake of Paralyzed Veterans of America (PVA) said requiring VA to publish redacted medical quality assurance records on its website “will provide users of the VA a better understanding of the successes or failures of the VA in the quality of care they provide to our veterans. This may encourage greater efforts on the part of VA employees, staff and leaders to ensure the best care is provided while ensuring openness.”

VA sees things differently. Dr. Robert Jesse, principal deputy undersecretary for health, said redacting names and other identifying information does not guarantee confidentiality — and the whole idea may hurt rather than help. “We understand that some of the interest in transparency is to promote accountability,” he said. “VA strongly believes that our employees must be held to the highest standard when delivering care. However, it is also imperative that employees know that they can report information fully and completely so that changes can be made and care can be improved.” The release of quality assurance reports “may create a chilling effect, deterring our employees from providing accurate information and resulting in poorer quality care,” he said. Given the disagreement, the bill’s fate is unclear. The health care subcommittee will not decide whether to move ahead with the measure until November, at the soonest. [Source: The MarineCorpsTimes Rick Maze article 29 Sep 2010 ++]

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Medicare Fraud Update 50:

- **LaPlace LA** - Dr. Dahlia Kirkpatrick, of LaPlace, became the first physician to plead guilty 29 SEP in the ongoing Baton Rouge Medicare Fraud Strike Force investigation of more than \$32 million in alleged frauds. But U.S. District Judge Brian A. Jackson refused to accept the Kirkpatrick’s admission of guilt and plea agreement after she refused to answer a basic question: “Are you pleading guilty because you are in fact guilty?” “I have the right not to answer,” Kirkpatrick, 67, told the judge. Jackson replied he could not approve the plea agreement absent her answer. Kirkpatrick is accused of providing prescriptions to defraud Medicare of \$775,000 for power wheelchairs and other medical equipment that Medicare customers of Komandu's Baker business, Alpha Medical Solutions Inc., did not need. Seven of eight felony charges against Kirkpatrick were to have been dropped in a plea agreement she signed.
- **Baker LA** - Dr. Dahlia V. Kirkpatrick and Emmanuel M. Komandu each pleaded guilty to one count of conspiracy to commit health care fraud. At sentencing, scheduled for 6 JAN 2011, Kirkpatrick and Emmanuel each face a maximum penalty of 10 years in prison and a fine equal to the greater of \$250,000, or twice the pecuniary loss to the United States resulting from the offense. According to plea documents, Kirkpatrick began working with Komandu in or around JAN 05. Komandu was the owner and operator of Alpha Medical Solutions Inc., a purported DME supplier based in Baker, La. Alpha purportedly specialized in the provision of power wheelchairs, wheelchair accessories and feeding nutrients to Medicare-eligible beneficiaries. From JAN 05 through FEB 2010, Komandu and Kirkpatrick submitted and caused the submission, on behalf of Alpha, of approximately \$775,019 in fraudulent claims to the Medicare program. The majority of Alpha's fraudulent claims were based on prescriptions for medically unnecessary DME that were written and provided by Kirkpatrick. Kirkpatrick wrote prescriptions for medically unnecessary DME, such as power wheelchairs, wheelchair accessories and feeding nutrients. Medicare paid \$302,811 to Alpha based on these fraudulent claims.
- **Panorama City CA** – Sylvester Ijewere, 49, was sentenced 5 OCT to 46 months in prison in connection with a power wheelchair scheme to defraud Medicare and ordered to pay \$211,755 in restitution. Ijewere, the owner of Maydads Medical Supply in Arleta, admitted that between JUN 07 and OCT 09, he conspired with others to purchase fraudulent prescriptions and medical documents which he used to submit false claims to Medicare for expensive power wheelchairs and other DME. Ijewere received approximately \$4,000 in reimbursement payments for each power wheelchair claim he submitted to Medicare. Approximately 50% of the Medicare beneficiaries to whom Ijewere claimed Maydads had supplied power wheelchairs and other equipment lived in Central and Northern California, more than 100 miles from

Maydads' offices in Arleta. Ijewere admitted that he submitted or caused the submission of approximately \$471,345 in false and fraudulent claims to Medicare through Maydads.

- **Brunswick GA** - Cecil Risher, 36, was arrested 8 OCT and charged with conspiracy to commit health care fraud, health care fraud and aggravated identity theft. Risher routinely submitted false claims totaling more than \$100,000 to Medicare for prosthetic or orthotic devices, including back, knee and ankle braces, from JAN - JUN 08. That equipment either was never provided to patients, was not medically necessary or had not been prescribed by a physician. The scheme was carried out while Risher worked at Preferred Prosthetics and when he previously worked Team Orthotics and Prosthetics Inc.in Spring, Texas. At both businesses, Risher was responsible primarily for billing Medicare for equipment purportedly provided to patients. FBI agents arrested Risher without incident at Brunswick Golden Isles Airport, where he was working at the Atlantic Southeast Airlines ticket counter.
- **Houston TX** - Princewill Njoku, 51, pleaded guilty to conspiracy to commit health care fraud. In his plea, Njoku admitted that he defrauded Medicare of \$6.3 million. Njoku was an owner of Family Healthcare Services (Family Services) and Family Healthcare Group (Family Group). He and co-defendant Clifford Ubani hired co-conspirators to recruit Medicare beneficiaries for the purposes of filing claims with Medicare for DME. Once Njoku and Ubani obtained Medicare beneficiary numbers, Family Services submitted claims to Medicare for DME, including orthotic devices, which were medically unnecessary and/or not provided. Many of the orthotic devices were components of what was referred to as an "arthritis kit," and purported to be for the treatment of arthritis-related conditions, although they were not medically necessary or appropriate for such conditions. The arthritis kit generally contained a number of orthotic devices including braces for both sides of the body and related accessories such as heat pads. Njoku admitted that he paid kickbacks to the recruiters for their referrals. In total, Family Services submitted approximately \$1.1 million in fraudulent claims to Medicare. Njoku hired co-conspirators to recruit Medicare beneficiaries for the purposes of filing claims with Medicare for skilled nursing. Njoku admitted that he paid kickbacks to the recruiters for their referrals. In total, Family Group was paid approximately \$5.2 million by Medicare for the submission of fraudulent claims.

[Source: Fraud News Daily reports 1-14 Oct 2010 ++]

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Medicad Fraud Update 23:

- **West Valley City UT** - A West Valley women's clinic is under investigation for more than \$1 million dollars of false Medicaid claims. Documents state the clinic director told patients how to fraudulently apply for services. Patients who were there at the clinic looking into receiving care were allegedly given Social Security numbers which would allow them to get through the Baby your Baby process. The Westview Women's Center has allegedly been enrolling their patients in the Baby your Baby program unlawfully for five years. The program gives pre-natal care to pregnant women until they can apply for Medicaid. Police documents say the clinic director taught potential patients how to fraudulently apply for services, gave them Social Security numbers, and told them how to claim for citizenship. The investigation is also looking at how many medical tests were performed at the clinic. Documents say the clinic billed a high number of ultrasounds to Medicaid.
- **Tyler TX** - 36 year old Kevin Onwudiwe of Houston and 41 year old Jasper Ogbonna on Newark, Delaware pleaded guilty on 5 OCT to health care fraud . Feds say they stole hundreds of seniors identities all across East Texas along with their money. The two men billed Medicaid and Medicare for millions after stealing seniors identities. The two men and several accomplices swiped personal information from seniors in East Texas and Louisiana. Ortho-kits, authorities say are items like braces, wraps, and supports and it's those kits that the two men used to get millions out of Medicaid and Medicare.
- **Del Rio TX** - Dr. Rafael Solis, who was convicted earlier this year on three counts of providing false statements relating to health care matter, was sentenced to five years probation 6 OCT. Two co-

conspirators in the case, Sylvia Delgado and Robert Rael, were sentenced 5 OCT to 51 months and 24 months jail time respectively for their roles in the crime. Both have also been ordered to repay more than \$1.4 million in restitution to the government, and serve three years of supervised release following completion of jail time. All of the convictions in the case centered around operations at Synergy Counseling, which was supposed to provide group psychotherapy treatment to elderly patients. However, that therapy never took place, and what was conducted equated to nothing more than adult day care services. The trio billed more than 49,000 claims to Medicaid and Medicare for services not rendered between JAN 02 and SEP 05, collecting more than \$1.4 million that was split mostly between Delgado and Rael.

[Source: Fraud News Daily reports 1-14 Oct 2010++]

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

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

[Source: www.military.com/benefits/veteran-benefits/florida-state-veterans-benefits Oct 2010 ++]

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Military History: Following the invasion of China in 1937, Japanese forces succeeded in controlling virtually all of China's Pacific coast, and large parts of the interior giving the Japanese Navy command of all ocean approaches. In the spring of 1942, Japanese units overran Burma (on India's northern border), cutting off the last significant land routes that supplied the struggling armies of Generalissimo Chiang Kai-shek in China. The United States and its allies needed to keep China in the war because its forces preoccupied hundreds of thousands of Japanese troops. Holding that valuable Chinese turf permitted the Allies to attack Axis powers in the European theater, at the same time building a necessary launch site for an Allied attack on Japan's home islands. However, that grand strategy could only work if China and allied troops could be routinely supplied. In April 1942, pilots started flying the "Hump," and continued missions until 1945, when the Burma Road was reopened. The dangerous 530-mile long passage over the Himalayan Mountains took its toll. Nearly 1,000 men and 600 Air Transport Command (ATC) planes were lost over the hump by the end of China-Burma-India (CBI) Theater operations. In addition, China National Aviation Corporation (CNAC) lost 38 planes and 88 airmen.

During the first two months of piloting the hump, the 10th Air Force carried 196 tons of cargo, and the CNAC delivered 112 tons. Summer monsoons played havoc with aircraft, nearly terminating all flights. A veteran pilot once explained the "CBI takeoff" to newcomers: "If you can see the end of the runway through the rain and mist, then a takeoff is expected." The two units were delivering 1,000 tons a month by the end of the year. However, those were not nearly enough supplies required to adequately sustain the Chinese each month. Operational efficiency began to improve with the delivery of more airplanes and personnel, better weather forecasting, accumulated flight experience, and newly built airfields constructed with proper drainage. The big push came in the form of high-level Allied conferences during the spring of 1943. Those meetings established a timetable for major European offensives and also resulted in agreements to accelerate the offensive against Japanese forces in Asia. President Roosevelt called for a goal of 10,000 tons a month for the airlift into China. Military planners quickly shifted workers and equipment from road to airfield construction. By the spring of 1945, a determined effort resulted in 13 primary bases for the ATC in India and six in China.

ATC transports carried some equipment across the hump to Chinese construction sites; however, the major labor force on both sides of the Himalayas involved tens of thousands of local workers. Consisting of men, women, and

children, villagers delivered stone chips and equipment in baskets of woven vines. By the end of World War II the ATC Division had increased the from 369 to 722 aircraft, and personnel numbers improved from 26,000 to more than 84,000. Final offensives against the Japanese resulted in one ATC transport taking off every three minutes. Early in 1945, the monthly cargo delivered to China reached 44 thousand tons - peaking at 71 thousand in July. The war would be over the following month. [Source: www.u-s-history.com/pages/h1733.html Oct 2010 ++]

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Military History Anniversaries: Significant October Events in U.S. Military History are:

- Oct 17 1777 - American Revolution: British Maj. Gen. John Burgoyne surrenders 5,000 men at Saratoga, N.Y.
- Oct 17 1941 - WWII: The U.S. destroyer Kearney is damaged by a German U-boat torpedo off Iceland; 11 Americans are killed.
- Oct 18 1939 - WWII: President Franklin D. Roosevelt bans war submarines from U.S. ports and waters.
- Oct 19 1781 - American Revolution: British troops under General Lord Charles Cornwallis surrendered to General Washington at Yorktown, Virginia, effectively ending the American Revolution.
- Oct 19 1917 - WWI: The first doughnut is fried by Salvation Army volunteer women for American troops in France.
- Oct 19 1942 - WWII: The Japanese submarine I-36 launches a floatplane for a reconnaissance flight over Pearl Harbor. The pilot and crew report on the ships in the harbor, after which the aircraft is lost at sea.
- Oct 19 1987 - In retaliation for Iranian attacks on ships in the Persian Gulf, the U.S. navy disables three of Iran's offshore oil platforms.
- Oct 20 1944 - WWII: U.S. troops land on Leyte keeping General MacArthur's pledge "I shall return."
- Oct 20 1944 - WWII: Battle of Leyte Gulf began. Largest naval battle of WWII.
- Oct 21 1797 - In Boston Harbor, the 44-gun United States Navy frigate USS Constitution is launched.
- Oct 21 1837 - Under a flag of truce during peace talks, U.S. troops siege the Indian Seminole Chief Osceola in Florida.
- Oct 21 1861 - Civil War: The Battle of Ball's Bluff, Va. begins, a disastrous Union defeat which sparks Congressional investigations
- Oct 21 1904 - Panamanians clash with U.S. Marines in Panama in a brief uprising.
- Oct 21 1917 - WWI: The first U.S. troops enter the front lines at Sommervillier under French command.
- Oct 21 1967 - Vietnam: The "March on the Pentagon," protesting American involvement draws 50,000 protesters.
- Oct 21 1983 - Grenada: The United States sends a ten-ship task force to Grenada.
- Oct 21 1994 - Korea and the U.S. sign an agreement that requires North Korea to stop its nuclear weapons program and agree to inspections.
- Oct 22 1862 - Civil War: Union troops push 5,000 confederates out of Maysville, Ark., at the Second Battle of Pea Ridge.
- Oct 22 1968 - Vietnam: Operation Linebreaker 1, the Bombing of North Vietnam ended.
- Oct 23 1694 - American colonial forces, led by Sir William Phipps, fail to seize Quebec.
- Oct 23 1861 - Civil War: President Abraham Lincoln suspends the writ of habeas corpus in Washington, D.C. for all military-related cases.
- Oct 23 1942 - WWII: The Western Task Force, destined for North Africa, departs from Hampton Roads, Virginia.
- Oct 23 1942 - WWII: The Battle for Henderson Field begins during the Guadalcanal Campaign and ends on October 26
- Oct 23 1965 - Vietnam War: The 1st Air Cavalry Division launch a new operation, seeking to destroy North Vietnamese forces in Pleiku in the Central Highlands.

- Oct 23 1983 - Lebanon: Terrorist attack on Marine Barracks in Beirut kills 220 Marines and 21 other U.S. service members.
- Oct 24 1863 - Civil War: General Ulysses S. Grant arrives in Chattanooga, Tennessee to find the Union Army there starving.
- Oct 24 1944 - WWII: The aircraft carrier USS Princeton is sunk by a single Japanese plane but the Japanese are defeated in the Battle of Leyte Gulf. From this point on, the depleted Japanese Navy increasingly resorts to the suicidal attacks of Kamikaze fighters.
- Oct 25 1958 - Lebanon: The last U.S. troops leave Beirut.
- Oct 25 1983 - Grenada: Operation Urgent Fury Began. 1,800 U.S. troops and 300 Caribbean troops land and soon turn up evidence of a strong Cuban and Soviet presence—large stores of arms and documents suggesting close links to Cuba.
- Oct 26 1950 - Korea: A reconnaissance platoon for a South Korean division reaches the Yalu River. They are the only elements of the U.N. force to reach the river before the Chinese offensive pushes the whole army down into South Korea.
- Oct 27 1941 - WWII: In a broadcast to the nation on Navy Day, President Franklin Roosevelt declares: "America has been attacked, the shooting has started." He does not ask for full-scale war yet, realizing that many Americans are not yet ready for such a step.
- Oct 27 1954 - Benjamin O. Davis Jr. becomes the first African-American general in the United States Air Force.
- Oct 28 1962 - Cuba: The U.S. began its blockade of Cuba to compel the Russians to remove long-range missiles aimed at the United States.
- Oct 30 1941 - WWII: The U.S. destroyer Reuben James, on convoy duty off Iceland, is sunk by a German U-boat with the loss of 96 Americans.
- Oct 31 1952 - Cold War: The U.S. explodes the first hydrogen bomb at Eniwetok Atoll in the Pacific.
- Oct 31 1968 - Vietnam: The bombing of North Vietnam is halted by the United States.
- Oct 31 1971 - Vietnam: Saigon begins the release of 1,938 Hanoi POW's.

[Source: Various Oct 2010 ++]

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Military Trivia 14:

- The US Army's 1st Ranger Bn. is located at Hunter Army Airfield in Georgia.
- Supposed inventor of baseball Abner Doubleday commanded the Union guns at Ft. Sumter in response to the Confederate bombardment. Although controversy exists as to Doubleday's status as the creator of baseball a 1907 commission, investigating all sides of the issue, gives official credit to him.
- The comment "We still seek no wider war" is accredited to President Lyndon Johnson referring to the conflict in Vietnam.
- Smith and Wesson armaments company produced the first rim-fired metal cartridge (commercial) in 1857.
- The Japanese pilot Nobu Fujita was the only enemy pilot to bomb the continental United States in WWII.
- The popular name for the US military's LCE aluminum frame backpack is the "Alice".
- The magazine capacity of the US military's M1911A .45 cal auto-pistol is seven rounds.
- The successor to General William Westmoreland as US Commander in Vietnam was General Creighton Abrams.
- The first "high-technology light division" in the US Army was the 9th Infantry Division.
- The World War II British built artificial harbors towed to Normandy for "Overlord" were known as "Mulberries".
- The U.S. military organization that burned their colors rather than surrender them when the Japanese overran the Philippines in World War II was the Marine Corps 4th Regiment.

- The World War II US built B-24 bomber was known as the "Liberator".
- The Union General of the Army at the outset of the US Civil War who was a hero of the Mexican War was General Winfield S. Scott.
- The Southeast Asian nation in which U.S. troops fought continually in the "Ho Bo Woods" was Vietnam.
- In WWII a red, white and blue lanyard was worn by the combined Canadian-American airborne commando unit referred to as the "Devil's Brigade" (1st Special Service Force).
- German Major Erich Alfred Hartmann was the highest-scoring fighter ace in the history of aerial warfare. He claimed 352 aerial victories (of which 345 were won against the Soviet Air Force, and 260 of which were fighters) in 1,404 combat missions.
- German Lieutenant-General Gerhard Barkhorn is the 2nd highest scoring ace of all time, with 301 victories in 1,104 missions on the Russian front.
- Tadeuz Andrzej Kosciuszko planned and built the 18th century defenses of the Virginia U.S. Army installation West Point.
- The WWII aircraft runway on Roi Island at Kwajalein Atoll, inspired the emblem design for the 4th Marine Corps division.
- Operation "Galvanic" was the 1943 invasion of the Japanese held atoll Tarawa.
- The red stripe on the blue trousers of U.S. Marine NCOs and officers commemorates the U.S./Mexican War assault on Chapultepec Castle.

[Source: http://members.cox.net/mrboone/mil_trivia.html#set1_a Oct 2010 ++]

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

Sales Taxes

- State Sales Tax:** 6% (food; clothing, text books, heating fuels, prescription and non-prescription drugs exempt) Other taxing entities may add up to 2%.
- Gasoline Tax:** 32.2 cents/gallon. Tax rates does not include local option taxes of 1 to 2 cents.
- Diesel Fuel Tax:** 39.2 cents/gallon. Tax rates does not include local option taxes of 1 to 3 cents.
- Cigarette Tax:** \$1.60/pack of 20

Personal Income Taxes

- Tax Rate Range:** Flat rate of 3.07%
- Personal Tax Exemptions:** None
- Standard Deduction:** None
- Medical/Dental Deduction:** None
- Federal Income Tax Deduction:** None

Retirement Income:

Retirement Income Taxes: Retirement income is not taxed after age 59 1/2 if the person has reached retirement, based on years of service or age. Retired means meeting the requirements of a Pennsylvania eligible plan and separated from service by retiring. Eligible employer-sponsored retirement plans can, but do not necessarily, include employer-sponsored deferred compensation plans; 401(k) plans, thrift plans, thrift savings plans, and eligible welfare plans. Income not taxed includes Social Security benefits and Railroad Retirement benefits; commonly recognized pension, old age retirement benefits paid after becoming eligible to retire, and then retiring.

It also includes United Mine Workers' pensions, military pensions, and civil service annuities. For more information, refer to https://revenue-pa.custhelp.com/app/answers/detail/a_id/466 .

Retired Military Pay: As long as you retire from the military with either years of service or age, your retirement income is not taxable.

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

Property taxes are levied by local governments (counties, municipalities and school districts). The tax cannot exceed 30 mills on the assessed valuation of the property without special permission from the courts. Households with claimants or spouses 65 years of age or older, widows or widowers 50 years of age or older and the permanently disabled 18 years of age or older meeting income eligibility requirements may qualify for this program. Rebates of paid property tax or rent, up to a maximum of \$975 per year, are available. To qualify, annual household eligibility income must not exceed \$35,000. Applicants can exclude, as income, one-half of Social Security, Supplemental Security Income and Railroad Retirement Tier 1 benefits. The Property Tax/Rent Rebate program allows residents to exclude 50% of Social Security payments and 50% of Railroad Retirement benefit payments from eligibility income. The maximum rebate is \$650. Counties may levy an intangible personal property tax, which taxes stocks, bonds and other personal property taxpayers may own. Not all counties levy this tax. For more details refer to www.governor.state.pa.us/portal/server.pt?open=512&objID=3039&mode=2 .

Inheritance and Estate Taxes - The Pennsylvania inheritance tax is calculated at a percentage of the value of the assets transferred which is determined by the relationship of the heir to the decedent and the decedent's date of death. The tax rate is 4.5% for transfers to direct descendants (lineal heirs), 12% for transfers to siblings, and 15% for transfers to other heirs (except charitable organizations, exempt institutions, and government entities). Property owned jointly between husband and wife is exempt from the tax, while property inherited from a spouse, or from a child 21 or younger by a parent is exempt. The estate tax is related to federal estate tax collection.

For further information, visit the Pennsylvania Department of Revenue site site www.revenue.state.pa.us/portal/server.pt/community/revenue_home/10648 or call 717-787-8201. [Source: www.retirementliving.com Oct 2010 ++]

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Congressional Alphabet: To better understand what is happening to veteran legislation as it proceeds through Congress it is useful to know the language used by our representatives as they conduct business. Following are some of the words or expressions you will see while reading about or listening to House and Senate sessions:

- **MOTION TO ADJOURN – HOUSE.** Motion to end a day's session in the House and is offered routinely at day's end. The motion is sometimes used during the day as a form of protest.
- **MOTION TO ADJOURN – SENATE.** Motion to end a day's session in the Senate. At the end of a daily session, the Senate recesses more often than it adjourns. An adjournment creates a new legislative day; a recess does not.
- **MOTION TO INSTRUCT CONFEREES.** Motion which, if adopted, asks House or Senate conferees to take a certain negotiating position. In conference with the other house, the conferees are free to follow or to ignore the advice of their chamber. Conferees are given this flexibility to resolve differences between the House and Senate versions of a bill.

- **MOTION TO INSTRUCT THE SERGEANT-AT-ARMS TO ARREST THE ATTENDANCE OF ABSENT SENATORS.** A motion offered when earlier motions to get senators to the floor have failed. The presiding officer signs arrest warrants for each absent senator. The Sergeant-at-Arms must seek out the absent senators, serve the warrants, and bring the senators to the floor.
- **MOTION TO INSTRUCT THE SERGEANT-AT-ARMS TO COMPEL THE ATTENDANCE OF ABSENT SENATORS.** Attempts to get a quorum. It is offered when earlier attempts to request senators to come to the floor have failed.
- **MOTION TO INSTRUCT THE SERGEANT-AT-ARMS TO REQUEST THE ATTENDANCE OF ABSENT SENATORS.** Motion offered when a live quorum fails to obtain a majority. A majority vote on the motion proves the presence of a quorum. The Sergeant-at-Arms is involved in name only.
- **MOTION TO PROCEED.** Motion that seeks to bring a bill to the Senate floor for debate and amendment. Senators often debate the merits of the pending bill during the debate on the Motion to Proceed. They are fully debatable, and therefore can be filibustered. A Motion to Proceed requires a majority vote for adoption. If it is filibustered, it requires a 3/5 vote.
- **MOTION TO RISE.** Motion used to change from the Committee of the Whole to the House for final proceedings. If adopted, the chair announces that the committee "rises." Accordingly, the rules of debate return from those of a committee to those of the full House.
- **MOTION TO RECOMMIT.** Motion to return a bill to committee, in effect killing it. However, a motion to recommit with instructions is a last opportunity to amend the bill. The instructions to the committee direct changes to the text of the bill. If adopted, the chairman of the named committee immediately stands and reports the change back to the House. The next step is the House vote on final passage of the bill. Minority Members receive priority of recognition for offering motions to recommit
- **MOTION TO RECONSIDER.** Motion which, if adopted within 2 days of a vote in the House or 3 days in the Senate, requires the original vote be held again. Members might seek to reconsider a vote to change a close outcome, or as a delaying tactic to use up floor time. In daily practice, the motion to reconsider is routinely tabled, or killed.
- **MOTION TO STRIKE THE ENACTING CLAUSE.** A motion which, if adopted, has the effect of killing the entire bill. In daily House practice the motion is offered and then withdrawn. This is done to obtain extra debate time.
- **MOTION TO STRIKE.** A type of amendment which seeks to delete language from a bill.
- **A MOTION TO TABLE.** Motion which, if adopted, permanently kills the pending matter. It also ends any further debate.
- **MOTION TO TABLE THE MOTION TO RECONSIDER.** Used to kill the motion to reconsider. Without promptly disposing of it, the motion to reconsider could be used to re-open the vote just held.
- **MOTION TO WAIVE THE BUDGET ACT.** Motion which, if adopted, temporarily sets aside a specific provision of the budget act. Without a waiver, the provision would cause the pending amendment to fall on a point of order. With a waiver, the amendment may be considered even though it violates the congressional budget act. A minimum of 60 votes are required for adoption.

[Source: C-SPAN Congressional Glossary Oct 2010 ++]

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Veteran Legislation Status 13 OCT 2010: Congress recessed 29 SEP for the upcoming elections. The Senate will reconvene 12 NOV and, as it has in the past, will conduct pro forma sessions twice a week during the recess period in order to prevent the President from making any recess appointments. No legislative business will be under consideration during this time. The house will reconvene 15 NOV. For or a listing of Congressional bills of interest to the veteran community that have been introduced in the 111th Congress refer to the Bulletin's "**House & Senate Veteran Legislation**" attachments. Support of these bills through cosponsorship by other legislators is critical if they are ever going to move through the legislative process for a floor vote to

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

Grassroots lobbying is perhaps the most effective way to let your Representative and Senators know your opinion. Whether you are calling into a local or Washington, D.C. office; sending a letter or e-mail; signing a petition; or making a personal visit, Members of Congress are the most receptive and open to suggestions from their constituents. The key to increasing cosponsorship on veteran related bills and subsequent passage into law is letting legislators know of veteran's feelings on issues. You can reach their Washington office via the Capital Operator direct at (866) 272-6622, (800) 828-0498, or (866) 340-9281 to express your views. Otherwise, you can locate on <http://thomas.loc.gov> your legislator's phone number, mailing address, or email/website to communicate with a message or letter of your own making. Refer to http://www.thecapitol.net/FAQ/cong_schedule.html for dates that you can access your legislators on their home turf. [Source: RAO Bulletin Attachment 13 Oct 2010 ++]

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Have You Heard?

The U.S. Navy answers the question: "Why did the chicken cross the road?"

- **Naval Education and Training Command (NAVEDTRA):** The purpose is to familiarize the chicken with road-crossing procedures. Road-crossing should be performed only between the hours of sunset and sunrise. Solo chickens must have at least three miles of visibility and a safety observer.
- **Bureau of Naval Personnel (BUPERS):** Due to the needs of the Navy, chicken was involuntarily reassigned to the other side of the road. This will be 3-year unaccompanied tour and we promise to give the chicken a good-deal assignment afterwards. Every chicken will be required to do one road-crossing during its career, and this will not affect its opportunities for future promotion.
- **Naval Air Warfare Center (NAWC):** This event will need confirmation; we need to repeat it using varied chicken breeds, road types, and weather conditions to confirm whether it can actually happen within the parameters specified for chickens and the remote possibility that they might cross thruways designated by some as "roads."
- **Commander-in-Chief, U.S. Naval Forces, Europe (CINCUSNAVEUR):** The purpose is not important. What is important is that the chicken remained under the OPCON of COMSIXTHFLEET and did not CHOP to the theater on the other side of the road. Without Chopping, the chicken was able to achieve a seamless road-crossing with near perfect, real-time in-transit visibility.
- **Naval Intelligence:** What chicken?
- **Naval Air Systems Command (NAVAIRSYSCOM):** The chicken was instructed to hold short of the road. This road incursion incident was reported in a Hazardous Chicken Road-Crossing Report (HCRCR). Please re-emphasize that chickens are required to read back all hold short instructions.
- **Space and Naval Warfare Systems Command (SPAWARSYSCOM):** The "stovepipe" chickens of today will be replaced with a multi-function, supported, affordable, integrated and interoperable world-class chicken to warriors and supporting elements, enabling them to dominate the roads of today and tomorrow, as we move "Forward...From the Sea." Comptroller holds and corporate taxes, however, will require delay fielding for two years, unless Congressional plus-ups are approved.
- **NAVSEASYSYSCOM's Chicken Systems Program Office (PMS400CSPO):** In a partnering relationship with the client, helped the chicken by rethinking its physical distribution strategy and implementation processes. The CSPO helped the chicken change to continue meeting its mission. However, the actual crossing of the road has not occurred due to the number of action items still open from the meeting.

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"Never tell people how to do things. Tell them what to do and they will surprise you with their ingenuity."
-- **General George S. Patton (1885-1945) American General in World War I and II**

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