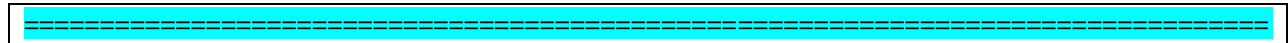


RAO BULLETIN

15 March 2011

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Utah Veterans Homes Update 03: Utah legislators on 10 MAR allocated \$6.5 million for each of two senior care centers that will be build in Washington and Utah counties. Later in the day, state Department of Veterans Affairs officials said that the southern Utah facility would be built in the small town of Ivins, a few miles north of St. George. Department director Terry Schow said that a location in Spanish Fork is being considered for the Utah County facility, but that decision has not been finalized. Rep. Don Ipsom, R-St. George, sponsored the bills to provide the seed money for the projects, which are expected to begin construction in a matter of months. He said the difference between the years-long process for securing funding for the home built in Ogden in 2009 and the speedy funding for the new homes was that, this time around, Utah had a better understanding of how much the federal government would be contributing to the project — and when. The total cost of the two projects is estimated to be around \$40 million. Most of the tab will be picked up by the feds.

Schow said that nearly every bed in the existing homes in Ogden and Salt Lake City is currently filled. The two new centers will have approximately 110 beds each, more than doubling the space specifically dedicated for aging and infirm veterans. About 10,000 veterans live in Washington County and nearly 20,000 veterans live in Utah County. Schow said the Utah County facility would also likely draw from Salt Lake County’s population of 65,000 veterans. The Salt Lake facility has a waiting list that is more than 100 names long, he said. “Needless to say, we want to work on this at warp speed,” he said. “I’m hoping to break ground in two or three months.” Information for Utah’s two existing homes can be obtained at <http://veterans.utah.gov/nursingHome/index.html> or:

- Nursing Salt Lake Veteran's Home, 700 S. Foothill Drive SLC, UT, 84113-1104 Tel: 801-584-1900/1960 Fax
- George E Wahlen Ogden Veterans Home, 1102 North 1200 West, Ogden, UT 84404Tel: (801) 334-4300/4309 Fax

[Source: The Salt Lake Tribune Matthew D. LaPlante article 12 Mar 2011 ++]

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Debt Reduction Commission Update 06: The President’s Bipartisan National Commission of Fiscal Responsibility and Reform (better known as the Fiscal Commission) has revived itself as The Moment of Truth Project. They are following the 9/11 Commission’s example of creating an organization to keep a government Commission’s recommendations before the public. This could be very influential. Both co-chairs Erskine Bowles and Alan Simpson were on the Hill for the roll-out. Also speaking were Senators Durbin, Warner, Coburn, Crapo and David Gergin, David Wessel, Jeffrey B. Liebman and Donald Marron. The participants spoke about the need to have “everything on the table.” This means Social Security, Medicare, Medicaid and Defense along with domestic discretionary spending. But only one named program was directly attacked for excessive spending. Former Senator Alan Simpson said that there was one program that all military retirees had. Not just active duty retirees but National Guard and Reserve retirees as well!!!! Both those retirees who had served in combat and those who had not!! It was TRICARE and it cost retirees only \$470 a year to medically cover themselves and their families! (What he meant was TRICARE Prime for military retirees between the ages of 38 and 64 and it is \$460 a year. But what can you do?!) He said that when he asked Secretary of Defense Gates why he did not raise it to \$5000 a year with a \$500 co-pay the SecDef said that the Veteran Service Organizations would tear us to shreds. [Source: TREA Washington Update 11 Mar 2011 ++]

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VA GAO Findings Update 02: On 9 MAR the House Appropriations Committee’s Subcommittee on Military Construction, Veterans’ Affairs and Related Agencies conducted a hearing, chaired by Representative John Culberson (R-TX), which dealt with the Department of Veterans Affairs budget. Testifying was VA’s Deputy Inspector General Richard Griffin. He reported that there were two audits performed on VA’s fee-based programs, and the possibility of \$1.7 billion in savings was discovered. Additionally, an audit of the 100% disabled payment that the VA makes revealed the possibility of \$1 billion in savings. Both of those savings projections are over the next five years. There were also 70 audits of pre-award VA contracts that revealed \$370 million in possible savings, and a number of post-award reviews showed that there can be roughly \$21 million in savings.

Next year there will be audits of the 21 regional Veterans Integrated Service Networks, as well as possible fraud in the service-disabled veteran-owned small business program, the allocation of doctors and staff care, and the homeless veteran program. The homeless veteran audit will consider the fact that veterans who serve together in specific areas, such as in similar units or geographic locations, have higher rates of homelessness than other groups of veterans. The last major audit that will be taking place over the next year will be of the VA’s prescription monitoring program (PMP). It is hoped that by figuring out if veterans are “doctor-shopping” (finding as many doctors as possible who will give them pain killer and other types of prescriptions), the VA can cut down on lots of problems that have been identified, such as assaults at VA centers and over payments for prescriptions. [Source: TREA Washington Update 11 Mar 2011 ++]

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Tax Tips 2010 Update 02: If you negotiated a debt settlement in 2010 on the balance of your credit card account, you may owe taxes on the forgiven debt. The IRS views forgiven debt greater than \$600 as taxable income and expects you to pay taxes on that amount. If you have forgiven debt, your lender will send you a 1099-C form that shows the amount of the settled debt. This form is typically mailed in January. Be sure to contact your lender if you have not received this form. Your creditor files a 1099-C forms with the IRS, so the government already knows the amount of your settlement. If you aren’t looking for a tax form, it can be easy to miss or toss out.

It is a common mistake, but the consequences can be IRS fines, audits, and penalties. A missing form or “I didn’t know” will not exempt you from the tax. “Most people don’t pay attention to the tax consequences when they are settling their debt,” says Bill Hardekopf, CEO of LowCards.com and author of The Credit Card Guidebook. “They are just trying to figure out how to survive. The additional tax bill is usually an unwelcomed surprise.”

Filing forgiven debt can get complicated. It is a good idea to get help from a tax adviser when filing your taxes. To make filing easier, keep all paperwork and details of the conversations with the lender.

Tips for settling credit

- Get professional help. Debt settlement is complicated, so it is a good idea to get assistance from a tax adviser and learn about the tax implications before finalizing your debt settlement.
- Starting in January, watch the mail for your 1099-C form. It can be easy to miss if it is mailed in a plain white envelope.
- There are exclusions that allow you to lower taxable income from canceled debts. Research the exclusions or ask your tax preparer if these apply to you.
- Make sure the information is correct. If the reported amount is wrong, contact the creditor immediately to make the corrections. They will send you a corrected 1099-C form.

Exceptions from the IRS

- Bankruptcy. Debts discharged through bankruptcy are not considered taxable income.
- Insolvency. If you are insolvent when the debt is canceled, some or all of the canceled debt may not be taxable to you. You are insolvent when your total debts are more than the fair market value of your total assets. Insolvency can be fairly complex to determine and the assistance of a tax professional is recommended if you believe you qualify.
- Non-recourse loans. A non-recourse loan is a loan for which the lender’s only remedy in case of default is to repossess the property being financed or used as collateral. That is, the lender cannot pursue you personally in case of default. Forgiveness of a non-recourse loan resulting from a foreclosure does not result in cancellation of debt income. However, it may result in other tax consequences.

Assistance available

- The IRS also provides assistance. If you are having difficulty resolving a tax problem through normal IRS channels, contact the Taxpayer Advocate Service. The toll free number is 877-777-4778.
- You may also qualify for free or low-cost assistance from a Low Income Taxpayer Clinic (LITC). LITCs are not part of the IRS, but they represent low-income taxpayers in tax disputes with the IRS. There is an application process with application deadlines. For information on LITCs, go to this page of the IRS website.

[Source: MoneyTalksNews Stacy Johnson article 10 Mar 2011 ++]

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VA Health Research: The U.S. Department of Veterans Affairs (VA) will collaborate with the Australian Department of Veterans Affairs on a new research effort focused on investigating the impact of recent conflicts on the health of returning Servicemembers. "The health and welfare of those who have served our Nation, and their families, remains the highest priority for VA," said Secretary of Veterans Affairs Eric K. Shinseki. "Joint research between the United States and Australia will shed light on similarities and differences with respect to the health effects of recent military deployments we have in common, such as Afghanistan." The program will be conducted in three phases involving short, medium and longer-term comparative research. In the first phase, scheduled for completion in six months, researchers will review previous studies on this topic which will help inform the final stages of the research collaboration.

Although both countries conduct their own extensive research on Veterans' health, this joint effort will allow both nations to take advantage of larger data sets and comparative analyses to learn best practices and treatments that can help returning Veterans manage post-deployment health effects. "While the Australian and U.S. military experience has differed, with both countries serving in different locations and frontlines, we can collaborate on reaching a common understanding of the impact of war on our service personnel," said Warren Snowdon, Australia's Minister for Veterans' Affairs, Defence Science and Personnel, and Indigenous Health. This joint effort will complement the extensive work VA continues to support in both leading research, advancing treatment, and supporting evidence-based treatments for our Veterans. More information about VA's research can be found at <http://www.research.va.gov>. [Source: VA News Release 10 Mar 2011 ++]

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Welcome Home Vietnam Veterans Day Update 01: The U.S. Senate on 7 MAR declared March 30th as "Welcome Home Vietnam Veterans Day," agreeing unanimously to a resolution introduced by Senator Richard Burr (R-N.C.), Ranking Member of the Senate Committee on Veterans' Affairs. On March 30, 1973, all U.S. troops withdrew from Vietnam under the terms of the Treaty of Paris. This March 30th, the Senate has encouraged Americans across the country to recognize Vietnam veterans for their sacrifice and demonstrate a warm welcome to these soldiers who returned from war to a politically divided country. "I'm pleased that the Senate has agreed to set aside a day to give our Vietnam veterans a warm, long-overdue welcome home. I strongly encourage communities throughout North Carolina and across the country to observe this day with activities and events that honor these veterans for their service. It's time they receive the recognition they have earned and deserve. This day also provides our nation with an important teaching moment. Never again should our men and women serving in the armed forces receive the same treatment as those returning from Vietnam ," said Senator Richard Burr.

Senator Burr introduced the resolution for the second consecutive year on February 16, 2011. The United States became involved in Vietnam because policy-makers believed that if South Vietnam fell to a communist government, communism would spread throughout the rest of Southeast Asia . The US Armed Forces began serving in an advisory role to the South Vietnamese in 1961, and in 1965, ground combat troops were sent into Vietnam . On March 30, 1973, after many years of combat, all US troops withdrew. More than 58,000 members of the United States Armed Forces lost their lives and more than 300,000 were wounded in Vietnam . Senators John Boozman (R-AR), Thad Cochran (R-MS), James Inhofe (R-OK), and Johnny Isakson (R-GA) and Mike Johanns (R-NE) co-sponsored the legislation. The resolution now moves to the House of Representatives for consideration. [Source: Sen. Richard Burr press release 8 Mar 2011 ++]

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Legal-fee Aid Cut: Taking aim at environmentalists last week, House Republicans dropped a round instead on low-income veterans and Social Security recipients, making it harder for them to retain counsel when taking on the government. Adopted by 232-197, the budget amendment imposes a seven-month moratorium on all legal fees paid under the Equal Access to Justice Act (EAJA), a Reagan-era law designed to help the little guy battle Washington by making it easier for him to afford an attorney. Conservatives from Reagan's own West were the driving force, accusing environmentalists of turning EAJA into a taxpayer-financed, money-machine for lawsuits harassing ranchers. But thousands of veterans and elderly found themselves swept under in the process, losing their ability to retain counsel in disputes with government agencies. It's not on the level of 1981 when the House briefly cut off minimum Social Security benefits for thousands of elderly Roman Catholic nuns. But with U.S. troops fighting overseas, taking away lawyers from low-income veterans can get pretty close.

Robert Chisholm, a Rhode Island attorney prominent in veterans' law, told POLITICO: "We're in the middle of two wars right now and to make it harder for a veteran — fighting for his benefits — to have an attorney is a horrible thing. That's not what this country is about." The story of EAJA's impact is told by data compiled in the annual reports posted by the United States Court of Appeals for Veterans Claims. For a veteran to have any solid chance of success, retaining counsel becomes more important as each case proceeds. And among those appeals which reach a decision on the merits, a very high percentage correspond with EAJA applications and fees paid for attorneys. For example, about a quarter of all the cases in 2009 were dismissed on procedural grounds, but of the remaining 3270, EAJA-backed attorneys were decisive. As many as 2385 applications for fees were granted: that's about 73 percent of all the cases decided, and since awards are made truly only in those cases! where the citizen wins, EAJA attorneys are a still higher percentage measured against that standard. "It's going to adversely affect a lot of veterans" said Ronald Smith, another attorney with long experience before the court. "It would hurt a lot of veterans, that is for sure." Smith — who is part of the intellectual property giant Finnegan, Henderson, Farabow, Garrett & Dunner — does his work pro bono: the EAJA fees are collected from Veterans Affairs and then given to charity. But as a practical matter, the typically below market-rate EAJA fees are important for many attorneys to "keep the lights on and pay the rent" Smith said while being available to veterans.

In the case of Social Security, claimants don't have a special court to go to like veterans and are spread among federal district courts around the nation. In 2010, for example, there were as many as 12,143 decisions, about half of which were remanded back to the government or allowed directly in favor of the client. Precise data on the level of EAJA awards is harder to get, but Nancy Shor, executive director of NOSSCR, an attorneys' group representing beneficiaries, said the House's "blanket" removal of all fees would tilt the odds against lower-income elderly who can't afford an attorney. "Over the past 30 years, EAJA has leveled the playing field for claimants by ensuring the availability of counsel," she said, "We oppose this amendment because it would so unfairly turn Social Security and veteran claimants away from the federal court system. There is confusion still as to why the Republican amendment reached so far, when the primary targets were environmental lawsuits and, specifically, those EAJA payments made by Western lands and wildlife ! agencies within the Interior Department.

Hayley Douglass, a spokesperson for Rep. Cynthia Lummis (R-Wyo.), the chief sponsor, said House rules made it hard to refine the language and Lummis was "well aware" that all payments "good, bad or indifferent" would be blocked through 30 SEP if the amendment is enacted. But within those seven months, the congresswoman intended to introduce a reform bill to address what she sees as abuses in EAJA and make the system more transparent. "The amendment was intended to highlight abuses, not to overturn EAJA," Douglass told POLITICO. Nonetheless, people familiar with House procedure said that exceptions could have been carved out for veterans and Social Security claimants if the sponsors had wished. Or the amendment targeted better to apply specifically to Interior alone. "You're going to be disempowering for the most part, Social Security and veterans cases that otherwise would not be able to be brought against the federal government," said Rep. Edward Markey (D-Mass.) in floor debate. "You guys are here representing big government against the essence, the heart and soul of the tea party movement.." [Source: <http://www.politico.com/news/stories/0211/50075.html> David Rogers article 23 Feb 2011 ++]



House Republicans dropped a round on low-income veterans and Social Security recipients.

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Veteran Status: Sen. Mark Pryor (D-AR) is taking another shot at better defining who can legally call themselves a veteran. An attempt at this during the previous Congress died when one senator blocked action. Pryor introduced a bill 4 MAR that has the full support of the National Guard Association of the United States (NGAUS). Current law requires someone to have served a certain period on federal status to qualify for full standing as a veteran. Someone who served 20 years in the National Guard or Reserve without that qualifying period is a military retiree, but not a veteran. Pryor's bill, Honor America's Guard-Reserve Retirees Act of 2011 (S.491), has been referred to the Committee on Veterans Affairs. The text of the bill reads, "Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section." Although it will not add any benefits and, therefore, has no cost to the government, the bill would allow someone who serves honorably for 20 years in the Guard or Reserve the simple privilege of legally being a veteran. Technically, a person who is not a legal veteran is not supposed to wear medals on Veterans Day, for example, or salute the playing of the national anthem, although this happens frequently, of course. [Source: NGAUS Washington Report 8 Mar 2011 ++]

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Arlington National Cemetery Update 22: When the remains of a Vietnam War soldier buried in the Tomb of the Unknowns at Arlington National Cemetery were identified in 1998 using DNA, Pentagon officials proudly said that the days of interring service members as "Unknown" could well be over. But now, for the first time in decades, the cemetery has multiple "unknowns" to bury - and it has itself to blame. Criminal investigators looking into how eight sets of cremated remains ended up crowding a single grave have concluded that three of them are unidentifiable - not because of the brutality of combat, but because of actions at the cemetery. The discovery of the mass grave in October came on the heels of a report by the Army Inspector General last summer that revealed widespread problems at the nation's premier military burial ground: unmarked and mismarked graves, millions of dollars wasted in botched contracts to computerize its paper records, and at least four urns found in a pile of excess dirt. The scandal led to the ouster of the cemetery's top two leaders and prompted legislation from Congress requiring the cemetery to account for every single one of the more than 320,000 remains entombed at the nearly 150-year-old cemetery.

Kathryn Condon, the recently appointed director of the Army Cemeteries Program, said that it will take years to fully survey the cemetery and that officials probably will never be able to account for every grave. "It's really not possible," she said, noting the age of some of the graves and records. "All we can do is account for the record-keeping and the logs that were given in the Civil War." But Condon said the cemetery has launched an ambitious effort to repair its problems. It is boosting its staff from 102 employees to 159, hiring additional funeral representatives, technology experts and ground crew members. It is buying more burial and landscaping equipment, such as hand-held tampers to level graves, which previously had been done with backhoes, she said. "They didn't have the proper equipment to do the job really to the standard they needed to do," Condon said. To prevent burial mix-ups, there is a new chain-of-custody procedure that guides the handling of remains. The cemetery has also trained 16 employees as contracting representatives. It previously did not have anyone sufficiently trained, and millions of dollars were spent on a botched attempt to digitize the cemetery's records.

Officials have begun creating a master database that eventually would replace the flawed maps that have been used to chart Arlington's 70 sections for decades. The cemetery has detailed aerial photographs of the sections, and plans to gather pictures of the front and back of every headstone. Officials would then match the photos with the cemetery's burial records to find, and then fix, the discrepancies that Condon said would inevitably emerge. In its report released in June, the Inspector General found that 117 graves that were marked on cemetery maps as occupied had no headstone and that 94 others that had headstones were marked as vacant. Since then, the cemetery has determined that all of the plots with no headstones were vacant or obstructed by trees, she said, and burial records have shown that those with headstones wrongly marked vacant were in fact occupied by the right people. A review of the records was definitive, she said, so there was no need to open the graves and take DNA samples, a step that Army Secretary John McHugh has said would be considered. As the cemetery works to account for every grave, Condon said it would certainly find more problems: "There will be discrepancies."

The Army's Criminal Investigation Division continues to probe how the eight urns came to occupy a single grave. The grave, plot 5253 in Section 69, was supposed to hold only one set of remains, an urn that had been found by a cemetery worker in a dirt pile in 2002. It was buried as "Unknown" because cemetery officials could not determine to whom it belonged. In October, Condon spoke with a contractor who in 2005 had found another discarded urn, which, in addition to unidentified remains, contained a letter and a picture of a girl in a blue and white cheerleading uniform. He reported it to his supervisor at the time, who turned the urn over to cemetery officials. Learning about this incident for the first time, Condon said she "called in pertinent members of the staff to my office and said, 'Does anyone have any information they can fill me in on?'" A grounds crew member stepped forward, saying, "Ma'am, I know where there is a gravesite where there is more than one interred." He led them to the grave in Section 69 where the urn found in 2002 had been buried as "Unknown."

As investigators starting digging through the grave by hand, they came across one set of cremated remains. They found another. When they found a third, Condon said, she "looked at my attorney and said, 'Get CID'" - the Army's Criminal Investigative Division. After eight hours of digging, they found a total of eight sets of cremated remains. The original "Unknown" urn was recertified as unidentifiable and reburied in the Section 69 grave. Shortly after the mass grave was found, investigators were able to identify three of the other sets of remains. On 4 MAR, Christopher Grey, a CID spokesman, said the agency had determined that three others were unidentifiable. The remains were being held at the cemetery while the criminal probe continues, so it is unclear when they will be reburied. Investigators were trying to determine the identity of the last set of remains, those found by the contractor in 2005 with the photo of the cheerleader. "The bottom line is, we will do everything we can to identify the final set of cremated remains," Grey said. "But we may never know who those remains belonged to." [Source: Washington Post Christian Davenport article 7 Mar 2011 ++]



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Vet Toxic Exposure ~ McMurdo: A small nuclear power plant operated by the United States at Antarctica's McMurdo Sound has been implicated in dozens of cases of an unusual cancer in personnel who worked at or near the station between the years 1964 and 1973, US and New Zealand media have indicated. Newspapers and television stations from San Diego, Ohio, Florida, Idaho and other states have charged that former naval personnel who worked on an Antarctic military action called "Operation Deep Freeze" contracted their cancers from working at or near the station during its short nine-year operational period. The reactor, a PM-3A 1.75 Megawatt installation that also provided heating and water desalinization, was used to power the McMurdo US Naval Station. The PM-3A reactor operated on uranium-235 fuel of 93 percent enrichment, according to official US Navy documents. Those interviewed by ABC news also indicated that the reactor at McMurdo Antarctic base was known among staff as "nukey poo" for the frequency and volume of its leaks. A US naval report issued upon its decommissioning http://www.bellona.org/filearchive/fil_wews_mcmurdo-final-operating-report.pdf indicated the reactor experienced 438 malfunctions – nearly 56 a year – in its operational lifetime, including leaking water surrounding the reactor and hairline cracks in the reactor lining. The emissions of low level waste water where in direct contravention of the Antarctic Treaty, which bans military operations as well as radioactive waste in Antarctica. In one of the more egregious PM-3A incidents, in 1963, the reactor was shut down due to a lack of coolant in the reactor core.

The plant was finally decommissioned in connection with "possible stress corrosion cracking," the US Navy said. "The cause of the increased malfunctions is attributable to the fact that the initial control rod drive mechanism system was a complex experimental system which was continually modified in efforts for improvement." The Navy report, nonetheless indicated that no excessive radiation was found at the McMurdo site. The plant, built by Lockheed-Martin, was designed to fit inside a C-130 Hercules US military cargo transport, but because of fears of what the consequences of a crash would be, the unit was shipped to McMurdo instead. After the reactor was closed down, the US shipped 7700 cubic meters of radioactive contaminated rock and dirt to California, but passed through Dunedin, with a population of 124,000, the second largest city on New Zealand's South Island, where it stayed for four days, raising local concerns, the New Zealand news site stuff.co.nz. Yet, fuel for McMurdo routinely passed through the New Zealand port of Lyttelton, 12 kilometres south of Christchurch – South Island's biggest city at 376,000 inhabitants – on US Navy vessels via a secret US-New Zealand agreement that the US would pay for any damage, stuff.co.nz reported.

One US naval veteran from Ohio, Charles Swinney, died a year ago after a 16-year-battle with cancer. According to his wife Elaine, who lives in Cleveland, Swinney had some 200 tumors when he died. She told the Cleveland ABC-TV affiliate that her husband had worried for years as his cancer developed that it was a result of his work at

the McMurdo Station. Swinney had written many letters to the US Veterans Administration questioning the link between his cancer and the reactor but received few responses. The Veterans Administration is especially touchy about admitting to cases of radioactive contamination. Over the 10 years US forces have been using depleted uranium body armor, combat vehicle armor and bullets in its various and ongoing conflicts in the Middle East, the Veterans Administration has refused to admit that so-called Gulf War Syndrome has anything to do with radiation poisoning, instead pathologizing this veterans group as shell shocked.

The initial media reports connecting Swinney's death to his work with the McMurdo reactor brought forth an avalanche of other complaints lodged to the US Department of Veterans Affairs and Ohio Senator Sherrod Brown from other veterans of the McMurdo site suffering from cancer. The Department of Veterans Affairs and Brown have promised to assist veterans in determining if there is a connection between the nuclear plant and veterans who have filed claims, said ABC in Cleveland. Brown told ABC that he is sending letters to both US Defense Secretary Robert Gates and Veterans Affairs Secretary Eric Shinseki with requests to investigate veterans' cancer claims. Thomas Pamperin, the Veterans Administration's Deputy Under Secretary for Policy thanked the media for its work on this important issue. "We are committed to working with the Department of Defense, veteran service organizations and veterans to ensure that all those who may have been exposed at McMurdo Station receive the maximum amount of care and benefits they are entitled to under the law," Pamperin told ABC news in Cleveland. But this comes as cold comfort to those who are still suffering from cancers that the US Veterans Administration has yet to connect to the McMurdo Station to the illness.

- Jim Landy of Pensacola is fighting stomach, liver and brain cancer that he links to McMurdo. "I believe it was a greater risk than we all assumed," Landy told ABC-TV.
- Another veteran in Wisconsin survived testicular and lung cancer according to New Zealand's stuff.co.uk.
- Bob Boyles of North Carolina told of how he collapsed and was rushed to hospital, and was told that he was suffering from radiation-related cancer. "The first thing the doctors asked me was, well, that's the type of cancer you typically get from exposure from radiation," Boyles said.
- ABC said before dying in 2002 Karl Sackman of Idaho, another naval officer who served at the McMurdo station, wrote the Veterans Administration saying there had been leaks at the plant.

[Source: http://www.bellona.org/articles/articles_2011/McMurdo_leaks Charles Digges article 7 Mar 2011 ++]



The PM-3A reactor at the US Navy's base in McMurdo Sound, Antarctica, before it was dismantled.

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Tricare Cancer Screenings: The beginning stages of colorectal cancer often have no symptoms. Because of this, early screening saves lives. For Tricare Prime and Standard beneficiaries, there are no cost shares or co-pays for colorectal cancer screenings, as well as many other important preventive care services. For Medicare-

eligible beneficiaries covered by Tricare For Life, Medicare covers colorectal cancer screening tests and Tricare generally pays the remainder of any costs not paid by Medicare. To learn more about colorectal screening, visit the CDC's Screen for Life campaign webpage <http://www.cdc.gov/cancer/colorectal/sf>. For more information about Tricare's coverage of colorectal cancer screenings, visit the Tricare website <http://www.tricare.mil>. Military.com surveys have found that most servicemembers and their families are confused by Tricare. You can get the facts and latest news on Tricare at <http://www.military.com/benefits/tricare/understanding-your-tricare-benefits>. [Source: Mil.com 7 Mar 2011 ++]

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Tricare User Fees Update 61: According to a report released 28 FEB by the Center for American Progress (CAP), the cost of military health care will exceed \$52B in 2012, if left unchecked. That's a 300 percent increase over the last decade. The report, titled 'Doing What Works,' also points out that by 2015, health care will account for 10 percent of Pentagon spending. Like previous deficit-busting reports, the Center for American Progress's recommendations would not change health care services provided to active duty troops, but suggests changes that specifically target working-age retirees who choose Tricare Prime over the more expensive employer provided commercial coverage option. While the facts and figures presented in the report may be accurate, the report insinuates that military retirees, especially those with second careers, are hurting the country by taking advantage of the benefits they have earned. Unlike previous reports, the CAP report also calls for implementing fees for retirees over 65 who use Tricare for Life; the supplemental policy for veterans enrolled in Medicare. Under the proposal TFL enrollees would pay a \$120 annual enrollment fee, see an increase in cost-sharing with Medicare and would lose coverage for the first \$500 in expenses. The CAP report specifically recommends the following steps:

1. Gradually phase in increased fees for military retirees, including a tiered fee structure for working-age retirees- "Congress and the Defense Department should gradually increase Tricare enrollment fees paid by working-age retirees. The fees should be tiered based on retirement pay. Additionally, Tricare for Life enrollees should pay a \$120 per person annual enrollment fee, as recommended by the Task Force on the Future of Military Health Care." The report claims this would mean a savings of \$6 billion a year.
2. Increase cost sharing to encourage responsible use of Tricare for Life benefits- "Tricare for Life should not cover the first \$500 of an enrollee's out-of-pocket expenses, and should be limited to 50 percent of the next \$5,000 in Medicare cost sharing, as recommended by the president's fiscal commission." The report claims this would mean a savings of \$4 billion a year.
3. Limit double coverage for high-income retirees and peg Tricare premiums to Medicare Part B costs — "Tricare coverage should be limited to working-age military retirees below certain income limits, or those who don't otherwise have access to insurance through a spouse or civilian employer. Additionally, to ensure that Tricare fees continue to be adjusted in the future, Tricare premium levels should be pegged to Medicare Part B premiums." The reports estimates a \$5 billion a year savings.

Note the last recommendation, "Tricare coverage should be limited to working-age military retirees below certain income limits." This should set off alarms — It's the first step toward changing Tricare from an earned benefit of military retirement to a needs-based entitlement. The fact is that the current cost of Tricare is unsustainable, and many retirees are open to the idea of "modest" increases in Tricare Prime enrollment fees. In fact, the Military Officers Association of America is advocating the idea of limiting Tricare annual fee increases to the annual cost-of-living-adjustment (COLA) for military retirees. Although, past attempts to raise Tricare fees for retirees have failed, the current deficit situation has made Tricare a prime target from virtually all sides. [Source: Mil.com Terry Howell article 28 Feb 2011 ++]

Military Senior Leadership: By the end of this year, the U.S. military's slate of senior leaders will be wiped almost clean, giving President Obama a chance, if he wants it, to change the tone and direction of defense policy from that of his predecessor. The extent of the turnover is unusual. Secretary of Defense Robert M. Gates, like the others a holdover from the Bush administration, leads the list, followed by four of the six members of the Joint Chiefs of Staff. On the way out are the chairman, Adm. Mike Mullen, and the vice chairman, Marine Corps Gen. James E. Cartwright, although he is a leading candidate to replace Mullen. Also departing this year are the Army's chief of staff, Gen. George W. Casey Jr., and the chief of naval operations, Adm. Gary Roughead. The Air Force chief of staff, Gen. Norton A. Schwartz, is scheduled to leave a bit later, in August 2012. The only chief who will be around for a while is the Marine Corps commandant, Gen. James F. Amos, whose tenure lasts until 2014. That's not all. Some key battlefield commanders will also step down soon. They include the U.S. Special Operations Command boss, Adm. Eric Olson, and the commander of U.S. forces in Korea, Army Gen. Walter "Skip" Sharp. Army Gen. David H. Petraeus, commander of U.S. forces in Afghanistan, has been rumored to be leaving that post this year, although Pentagon spokesman Geoff Morrell says Petraeus' exit will not occur anytime soon.

"It is highly unusual to have turnover of this magnitude at the senior levels of the services and the Pentagon," says John Ullyot, a former senior aide for the Senate Armed Services Committee. The turnover will give Obama an opportunity to put his mark on the leadership in a short space of time. Before Gates leaves office, he will no doubt recommend officers for those jobs, although no names have been mentioned. The only prospective member of the chiefs who has been nominated is Gen. Martin Dempsey, now the leader of the Army's Training and Doctrine Command, who in recent months has plunged into studying the lessons the Army should learn from a decade of war. The biggest open question, of course, is who will replace Gates. Among the more intriguing possibilities is that Secretary of State Hillary Rodham Clinton would move from Foggy Bottom to the Pentagon. Several current and soon-to-be-former senators, such as Joseph I. Lieberman of Connecticut, are also on the list of potential candidates being discussed. A big question on the joint chiefs is whether whomever Obama chooses will be assertive enough behind closed doors when standing up to a Defense secretary or even the president when necessary. During the tenure of Defense Secretary Donald H. Rumsfeld, in particular, and to some degree since then, the service chiefs have played diminished roles. "The question is," Ullyot says, "by the president's appointments, how much is he going to signal a return to relative autonomy for the service chiefs and to name forceful leaders who are able to set the agenda for their services in an era of significant challenges?"

Charles Stevenson, a professor at the Johns Hopkins School of Advanced International Studies, says both the president and the Senate will be looking for "really good people who will be honest with them." Assertiveness and amicability may both be needed in the years ahead, as many of the expenses — such as training costs — that have been tucked into war spending bills over the past decade will not have to be paid for in smaller, regular budgets. "They're going to have to work together — hopefully as collegially as the group of chiefs I've been privileged to work with — as the money gets tight," says the Army's Casey. "That brings out the worst in folks." The years ahead are bound to be a time of transition for reasons other than fiscal ones. Each of the armed services — indeed the military as a whole — is struggling to define its identity. They have spent a decade embroiled in counterinsurgency and nation-building. And they don't know what the future holds, Dempsey said at his 3 MAR confirmation hearing. The world, he said, is "a far more dangerous place today than it's ever been. And we owe the nation an agile force that can adapt to the future, whatever it finds in that future." [Source: GQ Weekly John M. Donnelly article 7 Mar 2011 ++]

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Supreme Court Vet Decisions: On 2 MAR the Supreme Court of the United States handed down two decisions that expanded veterans' rights. The first case dealt with Department of Veterans' Affairs filing

deadlines, and the second dealt with expanding the protections afforded to National Guard and Reserve members by the Uniformed Services Employment and Re-Employment Rights Act (USERRA).

- In the first case, *Henderson v. Shinseki*, the court relaxed a filing deadline that had denied benefits to disabled veterans. David L. Henderson was discharged from the military in 1952 after receiving a diagnosis of paranoid schizophrenia. He sought additional government help for his condition in 2001, but he was turned down in 2004 because he missed a 120-day deadline to file an appeal by 15 days. He attributed the failure to file in time to the very disability for which he had sought help. The court’s decision did not overrule previous precedent, Justice Samuel A. Alito Jr. wrote for the court, because Congress did not intend to impose such a strict rule when it comes to Veterans’ Affairs decisions. Unfortunately, Mr. Henderson died in October, while his case was pending in the Supreme Court.
- At issue in the second case, *Staub v. Proctor Hospital* was the interpretation of USERRA, which prohibits employment discrimination based on one’s “uniformed service.” The law is similar to Title VII of the Civil Rights Act, which prohibits discrimination based on race, sex and other factors. Vincent Staub is an Army Reservist and a civilian technician at an Illinois hospital. He sued after he was fired by the hospital. He claimed that his military status was a motivating factor in his termination. There was evidence that two of Mr. Staub’s supervisors were hostile to him because his military duties had caused him to be absent from work one weekend a month and two or three weeks a year. However, it was not clear that the human resources officer who actually fired Mr. Staub knew of or shared that hostility to his military service. A jury awarded Mr. Staub about \$58,000, but the federal appeals court in Chicago reversed that decision. That court said the connection between the supervisors’ hostility and the HR official’s action was not close enough. Justice Scalia, who wrote the decision, said that the old way of thinking, used by the appeals court, did not appreciate the full situation. He thought that companies should be held liable where one employee lays the groundwork for another’s decision to fire a worker. He left to the appeals court whether to reinstate the jury verdict in Mr. Staub’s case or order a new trial.

[Source: TREA Washington Update 4 Mar 2011 ++]

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VA Caregiver Program Update 05: VA has submitted to the Office of Management and Budget (OMB) an Interim Final Rule (IFR) to speed the federal rulemaking process to implement certain provisions of Public Law 111-163, the Caregivers and Veterans Omnibus Health Services Act of 2010 that was signed by President Obama on May 5, 2010. It is tentatively scheduled for publication 1 May. The Law directs the Department of Veterans Affairs (VA) to provide an extensive range of new support services and benefits to caregivers of eligible Veterans and Service members seriously injured in the line of duty on or after September 11, 2001 (Post 9/11). These benefits and services are in addition to those currently available at VA to all enrolled Veterans and their caregivers. As part of the legal process, VA must issue regulations in order to implement these new authorities. Following OMB review and approval, the IFR will be effective immediately upon its publication in the Federal Register with an opportunity for public comment after its issuance. With this accelerated procedure, these unprecedented new direct-to-caregiver benefits can be fully in place as early as this summer.

Written comments may be submitted by email through <http://www.regulations.gov>; by mail or hand-delivery to Director, Regulations Management (02REG), Department of Veterans Affairs, 810 Vermont Avenue., N.W., Room 1068, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to “RIN 2900-AN94, Caregivers Program.” While this rulemaking process is necessary for certain unprecedented direct-to-caregiver benefits (including stipend and health care coverage benefits), other benefits are currently available to caregivers of enrolled Veterans of all eras. These benefits provide all caregivers with enhanced support services such a toll-free Caregiver Support Line, education and training, access to online information and

resources, counseling and support groups, respite care, and referrals to other VA and community resources. [Source: TREA Washington Update 4 Mar 2011 ++]

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WW1 Vet Search Update 09: House Speaker John Boehner, R-Ohio, wants to honor Frank Buckles - the last surviving World War I veteran until his death on Sunday at age 110 — in a special ceremony at Arlington National Cemetery, but not in the Capitol, as suggested by some other lawmakers. Boehner's office said the speaker had no plans to allow Buckles' body to lie in honor in the U.S. Capitol Rotunda, as some lawmakers from Buckles' home state of West Virginia have proposed. "The speaker intends to ask Secretary [Robert] Gates to allow Mr. Buckles' family to use the amphitheater at Arlington cemetery for his memorial service," said Boehner spokesman Michael Steel said 3 MAR. "That way, it will be near the tomb of the unknown soldier, who also fell in World War I," said Steel. Steel would not elaborate on why a Capitol ceremony for Buckles was not in Boehner's plans. Buckles died in his hometown of Charles Town, W. Va. He had entered the Army at 16 – and served in England and France during the war as an ambulance driver and later as an escort for returning German prisoners of war. He spent his latter years working to ensure that WWI veterans were remembered for their service.

In response to Buckles' death, both Sen. John "Jay" Rockefeller (D-WV) and Rep. Shelley Moore Capito (R-WV) have introduced resolutions to allow Buckles to lie in honor inside the Rotunda of the U.S. Capitol, which would allow the public to pay their respects to Buckles by filing past his casket. This is a honor usually reserved for former presidents and distinguished members of Congress. On occasion, exceptions are made for extraordinary unelected average citizens. In 2005, Civil Rights hero Rosa Parks lay in state, and the honor was bestowed on two slain Capitol police officers in 1998. Before that, Gen. Douglas MacArthur was the last unelected person to lay in state in the Rotunda in 1964. "I gotta say, I am stunned that anyone could object to a ceremony here in the Capitol Rotunda honoring the last World War I veteran. We do ceremonies here all the time -- I think next week we are honoring the Australian prime minister. What better way to pay tribute to the last veteran of the great war than to have the United States Congress salute Frank Buckles one last time," said Vincent Morris, communications director for the Senate Commerce Committee, of which Rockefeller is chairman.

Morris said the planned ceremony at Arlington is nice, but that also, "this guy is special and deserves a special tribute." In announcing his resolution, Rockefeller said in a statement that he expected the Senate to agree to his resolution. He added, "I have been working with the Buckles family to find a fitting tribute to honor Mr. Buckles, and this resolution will help make that possible by celebrating Mr. Buckles' life in the U.S Capitol Rotunda. I will continue to work with the Army, Senate leadership, and Arlington National Cemetery to make certain that he receives the honorable memorial service that he deserves as we celebrate his long, full life." Capito said in announcing her House version that, "Mr. Buckles represented the very best of this great country — service, determination and patriotism." Asked if Capito was OK with not allowing Buckles to lie in honor inside the rotunda, her spokesperson Jamie Corley said, "The congresswoman has said all along that she wants to ensure Frank Buckles is properly honored and any remembrance is in line with the wishes of the Buckles family. A ceremony at Arlington National Cemetery would be a fitting tribute to his military service and the sacrifices he and his fellow 'doughboys' made in World War I". [Source: National Journal Billy House 3 Mar 2011 ++]



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VA Disability Compensation System Update 03: Connecticut lags behind most of the country in the number of veterans receiving federal disability payments, leaving thousands of potential recipients relying on state resources instead, according to veterans advocates. Advocates say that the state's failure to reach out to eligible veterans is the reason Connecticut has one of the lowest percentages of veterans getting compensation. More than 20,200 Connecticut veterans are receiving disability compensation for injuries and illnesses connected to their military duty, according to data obtained from the U.S. Department of Veterans Affairs. "It's very vital, especially in these troubled economic times, that veterans know what benefits they're entitled to," said Linda Schwartz, the state's veterans affairs commissioner, who said she has been pushing for more outreach staffing to help veterans file disability claims. "People need help filling out the applications, and we need the people to help them. It's at the top of my list of priorities to get these outreach offices fully staffed." Only about 8 percent of the estimated 253,000 veterans in Connecticut are receiving disability compensation, a tax-free benefit for disabilities that are a result of, or made worse by, injuries or diseases that happened while on active duty or during training. That percentage has put Connecticut in the bottom third of states, some of which have 12 to 14 percent of their veterans receiving compensation.

Connecticut's 8 percent compensation rate is the lowest of the six New England states, with Maine topping the list at nearly double Connecticut's rate - 15.9 percent - and Rhode Island and Massachusetts both above 12 percent as of 2009, according to a recent VA compensation report. Those percentages could increase, as New England states have seen thousands of Iraq and Afghanistan veterans returning home in the last 18 months. The reasons why disability rates vary from state to state, and county to county, depend on other factors besides outreach efforts, including the frequency and era of wartime service. Connecticut has a relatively large population of Vietnam War veterans - more than 84,000 - with another 35,700 Gulf War veterans. State veterans of the Gulf War and Vietnam had the highest average number of service-connected disabilities, according to a 2005 report by the U.S. Department of Veterans Affairs Office of Inspector General. Officials in the state veterans department Office of Advocacy and Assistance say the bulk of Connecticut's disability cases are veterans of the Vietnam War with cancer or other illnesses related to Agent Orange, as well as a large number of Korean War veterans. They said claims by Iraq and Afghanistan veterans for post-traumatic stress disorder, traumatic brain injury and other disabilities have begun to mushroom in the last 18 months as troops return home.

Massachusetts does more outreach to veterans than most other states, with a Veterans Service Officer available in every city and town charged with advising veterans of their rights and assisting them in applying for benefits. In Maine, with the highest compensation rate in New England, "We actively go out and find veterans and help them file claims," said Peter W. Ogden, director of that state's Bureau of Veterans Services. Maine has seven field offices around the state where veterans can go for help in filing claims. Ogden said there are other reasons why the state's disability compensation rate is comparatively high, including Maine's overall large percentage of veterans, many of them elderly, and the tough state economy, which drives veterans to seek VA compensation. Ogden said his bureau typically files 2,000 to 3,000 new disability claims each year. The 22,300 Maine veterans receiving disability

payments pump millions into the state's economy, he said. "Not only does it help the veteran get the health care he needs, but the money is spent in Maine, so there's an economic engine there," Ogden said.

In Connecticut, the Department of Veterans Affairs has branch service offices in Bridgeport, West Haven, Waterbury, Norwich and Newington, but not all of them are fully staffed, Schwartz said. She is hoping to fill several vacant positions in the coming months and step up outreach efforts. "More federal dollars coming to Connecticut for our veterans helps to relieve the resources of the state," Schwartz said. She said she is working with the state Department of Social Services to determine whether veterans who are receiving Medicaid benefits could be eligible instead for VA assistance, including pensions and health care. Schwartz said New London County has a high compensation rate because it has a large veterans population that is educated about military benefits. The documentation required for disability claims can be daunting, and many veterans need assistance, she added. "There's a saying: If you didn't have post-traumatic stress disorder before, you will after you do all the paperwork," she said. [Source: Theday.com | Military News Lisa Chedekel article 3 Mar 2011 ++]

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Veteran Affairs Services (VAS): An organization called Veterans Affairs Services (VAS) is providing benefit and general information on VA and gathering personal information on veterans. This organization is not affiliated with VA in anyway. Websites with the name "vaservices" immediately after the "www" ARE NOT part of the Department of Veterans Affairs, the U.S. Government agency. Do not go to them or if approached or called, do not offer them any information concerning yourself or data on other veterans. Keep in mind that the real VA website ends in ".gov" Be aware that the Department of Veterans Affairs does not randomly call veterans, nor does it ask veterans for information which it does not already have--like Social Security Numbers. In particular, if you have not dealt with the VA previously--and in person--and all of a sudden, you receive a call from someone saying they are with the VA or something similar sounding, hang up the phone. Also, do not respond to emails which suggest that they are from the VA. The VA never conducts official business nor asks for personal information by email. VAS may be gaining access to military personnel through their close resemblance to the VA name and seal. Our Legal Counsel has requested that we coordinate with DoD to inform military installations, particularly mobilization sites, of this group and their lack of affiliation or endorsement by VA to provide any services. In addition, GC requests that if you have any examples of VAS acts that violate chapter 59 of Title 38 United States Code, such as VAS employees assisting veterans in the preparation and presentation of claims for benefits, please pass any additional information to Michael G. Daugherty, Staff Attorney, Department of Veterans Affairs Office of General Counsel (022G2)810 Vermont Avenue, NW Washington, DC 20420. [Source: Office of the Secretary of the Department of Veterans Affairs, VSO Liaison Kevin Secor msg. 23 Feb 2011 ++]

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VA Women Advisory Committee: Four new members have been appointed to the Department of Veterans Affairs (VA) Advisory Committee on Women Veterans, an expert panel that advises VA on issues and programs affecting women Veterans. "The Advisory Committee on Women Veterans' work is very important in guiding VA's efforts to address the ever changing needs of women Veterans," said Secretary of Veterans Affairs Eric K. Shinseki. "VA welcomes the newest members." Established in 1983, the advisory committee makes recommendations to the Secretary for administrative and legislative changes. The committee members are appointed to two-year terms. The new committee members are: Jack Phillip Carter, Jr., Bradenton, Fla.; Nancy A. Glowacki, Silver Spring, Md.; Nancy Kaczor, Franklin, Wis.; and Terry F. Moore, Stetson, Maine. "Throughout history women have played essential roles in the military," Shinseki added. "It is VA's responsibility to anticipate and prepare for the evolving needs of women Veterans, their families and survivors." Women Veterans are one of the fastest growing segments of the Veterans population. There are 23.4 million Veterans; approximately 1.8

million are women Veterans. They comprise nearly 8 percent of the total Veterans population and nearly 5 percent of all Veterans who use VA health care services.

VA estimates that by 2020 women Veterans will comprise 10 percent of the Veteran population. VA has women Veterans program managers at VA medical centers and women Veterans coordinators at VA regional offices to assist women Veterans with health and benefits issues. following are additional details on the four new member s

- **Jack Phillip Carter, Jr.**, Bradenton, Fla. A retired Marine Corps lieutenant colonel, decorated for valor during the Persian Gulf War; currently serves as lead detective of the economic crimes section for the Sarasota police department.
- **Nancy A. Glowacki**, Silver Spring, Md. A former Army Reserves officer; currently owns a consulting firm, where she serves as a subject matter expert on Veterans' transition issues, specializing in employment and special challenges of disabled Veterans and Veterans of the Global War on Terrorism.
- **Nancy Kaczor**, Franklin, Wis. A retired Air Force colonel, with service in Kosovo, Kuwait, Iraq and Afghanistan; currently serves as an active volunteer for a number of Veterans and community service organizations.
- **Terry F. Moore**, Stetson, Maine. A retired Air Force lieutenant colonel; currently serves as chair of the Maine Advisory Commission on Women Veterans, and serves on several professional and Veterans service organizations.

They will join the existing Committee members who include:

- **Shirley Ann Quarles**, (Chair), McCormick, SC. Colonel, U.S. Army Reserve, Nurse Corps; currently a professor at Medical College of Georgia's School of Nursing.
- **Matrice Browne**, M.D., Olney, MD. A retired Army Colonel; currently in private practice, specializing in women's health and gynecology - from adolescent to post menopausal care - to include surgical management of gynecological problems and preventative care. She also serves as adjunct assistant professor of obstetrics/gynecology at two universities.
- **René A. Campos**, Washington, D.C. A retired Navy Commander; currently serves as the Deputy Director of Family Matters, Government Relations, Military Officers Association of America (MOAA).
- **Helena R. Carapellatti**, Upper Marlboro, MD. A retired Chief Master Sergeant, Air National Guard; currently tutors with the Literacy Council of Prince George's County and owns a business with her spouse.
- **Davy Coke**, Poway, CA. A retired Navy Second Class Petty Officer with service in Vietnam; currently contributes as a trainer/mentor for new service members in the aerospace field.
- **Valerie Cortazzo**, Pittsburgh, PA. A former Navy administrative assistant and former employee of the Pittsburgh VA Health Care System; currently serves as an advocate for Veterans in southwestern Pennsylvania, specializing in mental health and women's issues.
- **Karen S. Etzler**, Amazonia, MO. A former U.S. Air Force pneudraulic aircraft mechanic and personal affairs counselor; currently serves as a Veterans service officer/counselor and the women Veteran coordinator/counselor for the Missouri Veterans Commission.
- **Lindsay M. Long**, Knoxville, TN. A former Marine aviation electronics technician trainee; currently works as a chemical operator for a private contractor, and serves as the American Indian representative for the Department of Energy's Native American Committee.
- **Gloria Maser**, Alexandria, VA. Colonel, U.S. Army Reserves; former Deputy Chief of Staff Health Affairs, Multi-National Security Transition Command – Iraq; currently serves as a Principal for a strategy and technology organization.
- **Gundel M. E. Metz**, Madison, WI. A retired Army Sergeant First Class; currently serves as a Women Veterans Coordinator for the State of Wisconsin Department of Veterans Affairs.

- **Barbara Ward**, Sacramento, CA. A former Air Force staff nurse; currently serves as the Deputy Secretary for Women and Minority Veterans Affairs for the California Department of Veterans Affairs.
- **Kayla Williams**, Ashburn, VA. A former Army interpreter, with service in Iraq; currently employed as a project associate in a private research organization, conducting research and analysis on intelligence, defense, military, and Veterans' issues.

[Source: VA News Release & <http://www.va.gov/womenvet/ACWV.asp> 4 MAR 2011 ++]

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VA Appeals Update 08: The Supreme Court is allowing the wife of a military veteran who missed a court deadline because of his mental illness to move forward with an appeal after he was denied benefits. The high court on 1 MAR decided to let Doretha H. Henderson, wife of the late David Henderson, continue his appeal. Henderson's husband was discharged from the armed forces in 1952 after being diagnosed with paranoid schizophrenia. He asked the Veterans Affairs Department for home care in 2001 and was denied. He missed a 120-day deadline for appeal by 15 days, blaming it on his illness. Two lower courts refused to let him appeal. Henderson died Oct. 24, and his wife has taken up his case. The high court said Mrs. Henderson could appeal the lower courts' decision. American Legion National Commander Jimmie Foster praised the Supreme Court's recent ruling that the 120-day requirement to file an appeal with the Court of Appeals for Veterans Claims is not concrete - an individual may take longer if circumstances warrant. "The court's ruling will certainly make a difference in the outcomes of many veterans' appeals," Foster said." [Source: AP article 1 Mar 2011 ++]

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Military Funeral Disorderly Conduct Update 19: The Supreme Court, in an 8-1 decision, ruled 2 MAR that members of the renegade Westboro Baptist Church have a constitutionally protected right to protest military funerals even though their demonstrations are widely despised and deplored. The case presented the justices with a high-profile question about the breadth of First Amendment speech and assembly protections. A majority of justices ruled that these fundamental rights outweigh the concerns of grieving family members who would rather not deal with what they say are obnoxious protesters from the Kansas church. "Speech is powerful. It can stir people to action, move them to tears of both joy and sorrow, and -- as it did here -- inflict great pain," Chief Justice John Roberts wrote in his majority opinion. "On the facts before us, we cannot react to that pain by punishing the speaker. As a nation we have chosen a different course -- to protect even hurtful speech on public issues to ensure that we do not stifle public debate." Justice Samuel Alito was the only dissent, writing that the church protests simply go too far. "Our profound national commitment to free and open debate is not a license for the vicious verbal assault that occurred in this case," Alito wrote. "In order to have a society in which public issues can be openly and vigorously debated, it is not necessary to allow the brutalization of innocent victims like petitioner. I therefore respectfully dissent."

The ruling upholds a lower-court decision to invalidate a \$5 million judgment in favor of the father of a dead Marine whose funeral was targeted by the protesters. For years, the Westboro protesters have popped up at places across the country to voice their displeasure with government policies they think promote homosexuality. They did so in 2006 at the funeral for Matthew Snyder, a Marine killed in Iraq. Matthew Snyder was not gay and had no connection to the Westboro cause, but the funeral provided the protesters an opportunity to speak out against government policies. Snyder's father, Albert Snyder, didn't want anything do with the picketers when he buried his son. "I want them to stop doing this to our military men and women," Snyder told Fox News in October before the arguments. "I want the judges to hear that this case is not about free speech, it's about targeted harassment." The ruling acknowledged Westboro's spurious choice of location for its protest. Nonetheless, Roberts concluded that

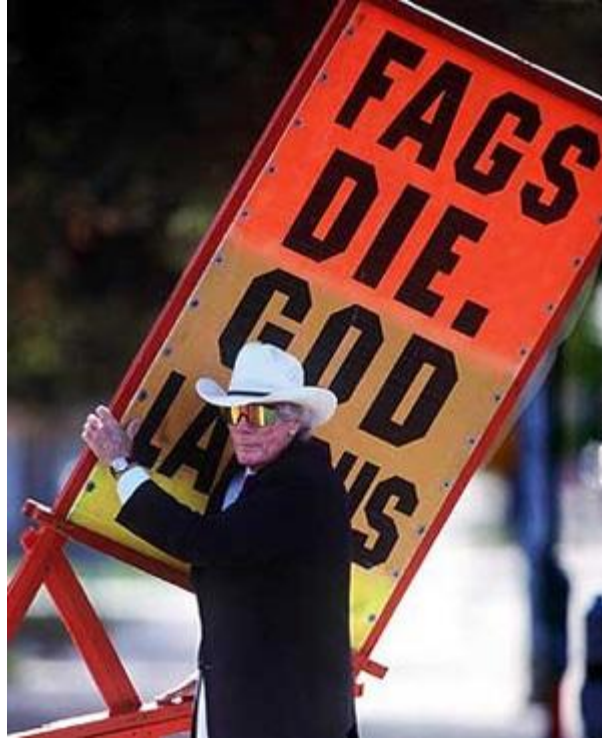
"Westboro addressed matters of public import on public property, in a peaceful manner, in full compliance with the guidance of local officials."

In the days leading up to the funeral, Westboro parishioners, including Fred Phelps, notified local authorities of their intention to picket the service. They were kept 1,000 feet away from the church and because of the use of an alternative entrance for church-goers there was no disruption to the memorial. Seven protestors held numerous signs including some that read, "Thank God for Dead Soldiers," "God Hates Fags," and "You're Going to Hell." There were no arrests. Snyder filed a lawsuit against Phelps based on the protest and a subsequent post on the Westboro website about his son. A jury awarded Snyder nearly \$11 million in damages for the intentional infliction of emotional distress and invasion of privacy. That award was later cut in half and then the Fourth Circuit U.S. Court of Appeals set aside the decision in its entirety ruling that the protests were absolutely protected by the First Amendment. Wednesday's ruling by the Supreme Court upholds the Fourth Circuit's decision but Roberts made clear on several occasions that his ruling is limited to the specific facts of this case. Roberts carefully noted that the ruling doesn't address the First Amendment viability of a Maryland law, passed after the Snyder funeral, banning all funeral protests. A group of 21 news organizations joined a brief defending Westboro's case. While calling their views "inexplicable and hateful," they expressed concern that a ruling against the church would chill the activities of anyone who wants to speak out on a controversial issue and "threatens to expand dramatically the risk of liability for news media coverage and commentary."

In response to the court's ruling VFW National Commander, Richard Eubank stated, "The Veterans of Foreign Wars of the U.S. thanks the Supreme Court for considering the case, but is greatly disappointed with the result. The Westboro Baptist Church may think they have won, but the VFW will continue to support community efforts to ensure no one hears their voice, because the right to free speech does not trump a family's right to mourn in private." Jimmie L. Foster, national commander of The American Legion said, "While we understand the Supreme Court ruling and we appreciate the sanctity of freedom of speech, we are very disappointed that any American would believe it appropriate to express such sentiments as those expressed by the Westboro Baptist Church, especially at the funeral of an American hero who died defending the very freedoms this church abuses," [Source: FoxNews.com Lee Ross article 2 Mar 2011 ++]



Nov. 11, 2010: Members of the Westboro Baptist Church hold anti-gay signs at Arlington National Cemetery in Virginia on Veterans Day.



Westboro ringleader Fred Phelps

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Tricare Referrals & Authorizations: Referrals are used when a primary care manager (PCM) or provider identifies a need for specialty care or services. As a Tricare Standard beneficiary, you can visit the Tricare-authorized provider of your choice whenever you need care thus referrals are not required. Prime users do not have the option of using the provider of their choice and must rely on referrals if additional care is needed. Their PCM decides what type of provider you should see, for how long and for what services. Some services require prior authorization from your regional contractor. A prior authorization is a review of the requested service to determine if it is medically necessary at the requested level of care. If you have questions about authorization requirements, visit <http://www.tricare.mil>. Services that always require prior authorization are as follows:

- Adjunctive dental services
- Extended Care Health Option services
- Home health services
- Hospice care
- Nonemergency inpatient admissions for substance use disorders or behavioral health care
- Outpatient behavioral health care visits beyond the eighth visit per fiscal year (Oct. 1–Sept. 30)
- Transplants—all solid organ and stem cell

Note: Each regional contractor has additional prior authorization requirements. Visit your regional contractor's website to learn about these requirements, which may change from time to time.

[Source: Tricare Standard Health Matters 2011 ++]

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Tricare Standard vs. Extra: Tricare Standard and Tricare Extra allow you to manage your own health care and give you the freedom to seek care from any Tricare-authorized provider you choose. Tricare-authorized providers meet Tricare licensing and certification requirements and are certified by Tricare to provide care to Tricare beneficiaries. If you see a provider who is not Tricare-authorized, you are responsible for the full cost of care. The key difference between Tricare Standard and Tricare Extra is in your choice of providers. With Tricare Standard, you choose Tricare-authorized providers outside of the Tricare network and pay higher cost-shares. With Tricare Extra, you choose providers within the Tricare network, where available, and receive discounted cost-shares.

Tricare Standard. Non-network providers are Tricare-authorized civilian providers who have not established a contractual relationship with your regional contractor. Non-network providers may determine whether they are “participating” with Tricare or “nonparticipating” on a claim-by-claim basis.

- Participating providers agree to accept the Tricare allowable charge as the payment in full for services.
- Nonparticipating providers do not agree to accept the Tricare-allowable charge as payment in full. They may charge up to 15% above the Tricare-allowable charge. You are responsible for the additional 15%, plus any copayments, cost-shares or deductible. Before you receive care, ask if your provider will “participate” on your claim.

Tricare Extra. As a Tricare Standard beneficiary, you use your Tricare Extra benefit when you see Tricare network providers. A network provider signs an agreement with your regional contractor to provide care at a negotiated rate. Using your Tricare Extra benefit saves you 5% on cost-shares. Additionally, network providers will file claims for you. Another advantage of using a network provider is that you are offered protection from having to pay out of pocket if your claim is denied as a non-covered service. In this instance, you are “held harmless,” unless you have agreed in writing to pay for a service before receiving treatment.

[Source: Tricare Standard Health Matters 2011 ++]

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Tricare Provider Availability Update 02: About seven out of 10 doctors who are accepting new patients—and six out of 10 providers overall—accept new Tricare Standard patients, according to the results of a combined 2008–2009 provider survey. These statistics are encouraging to Tricare Standard beneficiaries looking for new providers. To learn more, refer to <http://www.Tricare.mil/findaprovider>. This page offers information about provider types and lists links to other resources that can help you locate a provider. If your provider is not yet Tricare-authorized but is interested in treating Tricare beneficiaries, let him or her know that it is not necessary to become a network provider by signing a contract with your regional contractor. Most providers with a valid professional license (issued by a state or a qualified accreditation organization) can become Tricare-authorized, and then Tricare will pay them for covered services. To invite your provider to become Tricare-authorized, visit <http://www.Tricare.mil/findaprovider> and click “Invite a Provider to Join Tricare” to download a flyer to give to your doctor. The flyer explains the benefits of being Tricare-authorized and includes information about the authorization process. These benefits are:

- Tricare is an industry leader in timely claims processing; close to 100 percent of correctly filed claims are paid within 30 days, and all are paid within 60 days.
- Tricare regional contractors provide administrative support for providers, including quick, reliable assistance through dedicated contact phone numbers and resources.
- Because Tricare is the health care plan for the nation’s 9.6 million uniformed services members, retirees and their families, becoming a Tricare provider is a way for doctors and other health care professionals to serve America’s heroes and their loved ones.

[Source: Tricare Standard Health Matters 2011 ++]

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VA Minority Veterans Panel Update 01: The Secretary of Veterans Affairs has announced the appointment of eight new members to VA's Advisory Committee on Minority Veterans, an expert panel that advises him on issues involving minority veterans. "The new members of the Advisory Committee on Minority Veterans will bring their expertise to help guide VA's efforts in serving minority Veterans," said Secretary of Veterans Affairs Eric K. Shinseki. "VA welcomes these new members." Chartered on January 30, 1995, the committee makes recommendations for administrative and legislative changes. The committee members are appointed to one, two, or three-year terms. The eight new committee members include: Clara L. Adams-Ender, Woodbridge, Va.; Allie Braswell Jr., Orlando, Fla.; Amanda Heidenreiter, Ellicott City, Md.; Oscar B. Hilman, Tacoma, Wash.; Pedro Molina, Fresno, Calif.; Wayne Nickens, Honolulu, Hawaii; Celia Renteria Szelwach, Arden, N.C., and Joseph Wynn, Washington, D.C. There are approximately 4.1 million minority Veterans in the United States, District of Columbia, Puerto Rico and territories. They comprise approximately nearly 15 percent of the total Veteran population today. Following is background on all panel members:

- * Clara L. Adams-Ender, Brigadier General (Retired), USA, is president and chief executive officer of Caring about People with Enthusiasm (CAPE) Associates, Inc., a management consulting and inspirational speaking firm.
- * Allie Braswell Jr., USMC, serves as president and CEO of the Central Florida Urban League, and has held the position of senior manager of global strategies for diversity and inclusion at Walt Disney Parks and Resorts.
- * Amanda Heidenreiter, Captain (Ret.), USA, was deployed with 1st Brigade, 82nd Airborne Division out of Fort Bragg, N.C. She currently works a networking assistant in Paws for Purple Hearts.
- * Oscar B. Hilman, Brigadier General (Ret.), USA, served as commander of the 81st Brigade Combat Team in support of Iraqi Freedom II (2004-2005), where his brigade received two combat streamers. Pedro Molina, USA, is the first in the nation assistant secretary for Native American Veterans in the California Department of Veterans Affairs. He was appointed by California Gov. Arnold Schwarzenegger.
- * Wayne Nickens, M.D., is founder and chief overseer of the Healing Community, consultant to Native Hawaiian Veterans, LLC in Hawaii, National Alaskan American Indian Nurses Association, the Comanche Nation, and the Cherokee elders.
- * Celia Renteria Szelwach, DBA, USA, provides project management and technical leadership of public health projects focused on rural, women, and minority Veterans as program manager for Atlas Research.
- * Joseph Wynn, USAF, executive director of the National Association for Black Veterans (NABVETS) National Capital Area, serves as their Legislative Liaison on Capitol Hill.
- * Shoshana N. Johnson, Specialist (Ret.), USA, was the first female POW of Operation Iraqi Freedom, and the first black female POW in U.S. war history. James T. McLawhorn, Jr. is the president and chief executive officer of the Columbia Urban League in Columbia, S.C.
- * Benjamin C. Palacios, Command Sergeant Major, USA (Ret.), is assistant VP, regional account manager for the Guam and Commonwealth of North Mariana Islands region for Science Application International Corporation (SAIC).

* Lupe G. Saldana, USMC, serves on the Executive Committee of the Veterans' Entrepreneurship Task Force (VET-Force).
[Source: VA News Release 2 Mar 2011 ++]

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VA Vet Contaminant Exposure Update 08: A U.S. Army veteran who turned up positive for HIV following a colonoscopy has filed a \$20 million suit against the Veterans Administration. Juan Rivera's suit is one of 45 filed against the Miami Veterans Administration so far and more are expected, The Miami Herald reported. Rivera, 55, was initially told he was healthy. But a year after his colonoscopy he received a letter from the VA telling him equipment used in his procedure might have been contaminated. He was asked to return for viral testing. He then came up HIV positive. "He's shocked and mortified. He feels the government has given him a death sentence," said lawyer Ira Leesfield, who sued the VA on Rivera's behalf. "He has a wife and four children. He led a risk-free life, and he tested positive. There's only one possible source: the colonoscopy." The VA has admitted that thousands of colonoscopies performed in Miami were conducted with equipment that might have been improperly cleaned. The VA said 2,539 Miami veterans are "potentially at risk for infection" from their colonoscopies, but "there is currently no evidence to suggest these infections were acquired from the endoscopic equipment." Rivera was among the 11,000 veterans who had the tests in Florida, Tennessee and Georgia from 2004 through 2009 with equipment the VA said might have been incorrectly cleaned. Currently, five Miami-area veterans who had tests performed during the five-year period have tested positive for HIV. Eight others tested positive for hepatitis C and one tested positive for hepatitis B. A 24-page report issued by a five-member VA Administrative Investigation Board found a variety of problems with the testing in Miami. [Source: UPI.com | U.S. News article 28 Feb 2011 ++]

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Florida Veterans Homes Update 04: Gov. Rick Scott and the Cabinet gave unanimous approval 22 FEB to the independent study of state veterans' home operations in Florida. The Florida Department of Veterans' Affairs operates six skilled nursing facilities and one assisted living facility in the Sunshine State. The study, to be submitted to the governor and Cabinet by Dec. 15, 2011, would consist of a cost-benefit analysis of three options: business as usual, forming a public corporation within the Florida Department of Veterans' Affairs, and privatization. The study's goal is to identify the option that provides the highest quality of care to veterans' home residents and supports retaining and recruiting the best health care staff in the long-term care industry. "During my initial review of our homes' program, I was surprised to find that our veterans' homes had a staff turnover rate of more than 50% each year,"

FDVA Interim Executive Director Bob Milligan said. "Recruiting and retaining top quality nurses and certified nursing assistants is difficult when the state is unable to pay competitive rates or allow for pay variations for weekend or shift work." Improved recruiting and retention rates mean greater staff stability, which increases quality of care, particularly with dementia residents, and lowers training costs. "Through our preliminary research, we believe the public corporation concept is the best option for Florida's veterans," said Milligan, a retired Marine Corps Lieutenant General. "The corporation would be operated as a public instrumentality, governed by a board of trustees, which we hope would be the governor and Cabinet. Operating as a public instrumentality would also allow the state to retain U.S. Department of Veterans Affairs and other non-taxpayer funding streams." Another benefit of the public corporation concept is the ability to continue to operate in the open, according to Florida's Sunshine Law.

Legislation authorizing the study is being proposed in the 2011 Florida Legislative Session, which begins 8 MAR, to direct FDVA to provide for an independent study. "Expanding benefits and assistance outreach to Florida's more than 1.6 million veterans, their families and survivors is also essential to our advocacy mission,"

Milligan said. "We hope to eliminate more than \$5 million in general revenue funding for our homes' program in the process and work with the legislature to realign some of these taxpayer funds to assist veterans with pension and disability claims." Subject to the approval of the governor, Cabinet and legislature in the 2012 legislative session, the decision to move forward with a public corporation, if warranted, would be implemented on July 1, 2012. The department operates veterans' nursing homes in Daytona Beach, Land O' Lakes, Pembroke Pines, Springfield, Port Charlotte and St. Augustine. FDVA also operates a veterans' assisted living facility in Lake City. [Source: Veteran's Corner Michael Isam article 2 Mar 2011 ++]

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Veteran Charities Update 17: A fraudulent charity organization that is under investigation in multiple states collected at least \$2 million from Virginia residents who thought they were donating funds to help military veterans, according to findings by the state's consumer affairs agency. The now defunct U.S. Navy Veterans Association raised the money over a five-year period that ended last year, when Virginia and other states launched investigations of the suspect organization, according to information gathered during a probe by the state's Office of Consumer Affairs. "Based on what we've seen and what we believe, it appears to be a fraudulent group," said Secretary of Agriculture and Forestry Todd Haymore, who oversees the agency that conducted the investigation. The case was turned over 21 FEB to the office of Attorney General Ken Cuccinelli, who last year forfeited more than \$55,000 in campaign contributions that he received in 2009 from the self-described director of U.S. Navy Vets. The man, who used the name Bobby Thompson, has eluded authorities since last year. Ohio authorities have charged him with identity fraud.

Cuccinelli decided to donate the funds to veterans organizations in July after Thompson disappeared and lawyers representing the U.S. Navy Veterans Association said they could not find him. "I know that besides his being roped into these shenanigans, the whole point of people using veterans to scam other people out of money and then the money not going to veterans groups -- he is extremely angry about that," Cuccinelli spokesman Brian Gottstein said. "And I know he wants to see justice done on this." The anti-trust and consumer litigation section in the attorney general's office will handle the matter, Gottstein said. The office likely would refer the case to a local commonwealth's attorney if criminal prosecution is warranted, he said. Haymore provided few additional details about the consumer affairs agency's findings, citing concerns about jeopardizing the investigation. He said Virginia's office worked with six other states that are investigating the suspect charity, citing Ohio, Michigan, Florida, New Mexico, Hawaii and Missouri.

The state agency launched its investigation in May after news reports raised questions about the charity's fundraising practices and its use of funds. Haymore said that one employee in the Office of Consumer Affairs was dedicated solely to the investigation from July until last week, and another spent about 25 percent of his time on the case. Investigators examined all of the organization's activities in Virginia, including its efforts last year to gain an exemption from filing annual registration statements to comply with the state's charitable solicitation law. The General Assembly approved the exemption last year and Gov. Bob McDonnell signed it into law before becoming aware that the Florida-based organization was under scrutiny in other states. The House of Delegates has acted on legislation to repeal the exemption. The Senate already has passed the bill. Investigators found no evidence of wrongdoing by any state elected officials, Haymore said. Thompson contributed \$67,500 to Virginia politicians in 2009. Nearly all of the recipients donated the funds to charities after questions surfaced about the legitimacy of U.S. Navy Vets.

Haymore said state investigators had "no cooperation or communication with principals involved with the U.S. Navy Veterans Association." "There just wasn't any cooperation, I think is the best way to say it," said Haymore, who declined to identify the individuals investigators were pursuing. "They were nowhere to be found or, probably

in some cases, not even who they appear to be -- at least in black and white on paper." The address for the U.S. Navy Vets Virginia chapter is a drop box at a UPS store just outside Richmond. When the St. Petersburg Times of Florida conducted an exhaustive investigation of the U.S. Navy Vets last year, Thompson was the only listed state or national director reporters could find. He moved out of his rented Tampa duplex shortly after reporters questioned him. Ohio authorities have issued a nationwide arrest warrant for Thompson, accusing him of using a stolen identity to execute an elaborate fundraising scam that generated tens of millions of dollars.

While the search for Thompson continues, Ohio authorities are pressing forward with the prosecution of Blanca Contreras, charged with participating in the scam as the acting treasurer of U.S. Navy Vets. Unable to post a \$2 million bond, Contreras is being held in the Cuyahoga County Jail in Cleveland on charges of theft, money laundering and operating a corrupt enterprise. Her trial is scheduled to start 22 JUN. When Contreras and Thompson were indicted on identical charges in October, officials said the duo took more than \$1 million in contributions meant for members of the armed forces. Later court documents said the amount was closer to \$100 million. At a hearing in Cuyahoga County's Court of Common Pleas, Judge Kathleen Ann Sutula agreed to postpone Contreras' trial from 21 MAR until June because a new assistant attorney general has been assigned to the case. Contreras, 38, of Tampa is being represented by the public defender's office. [Source: Virginian-Pilot article 22 Feb 2011 ++]

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Government Shutdown Update 01: If the government shuts down on 18 MAR over unresolved differences in a spending bill, the impact may be felt more by the families of aged veterans than on government workers or military troops. That's because the Department of Veterans Affairs office responsible for burying veterans will close up shop if the cash stops coming, putting a halt to the internments of thousands of deceased vets. Just how many would be effected is hard to guess – it would depend on how long a shutdown dragged on. According to a Congressional Budget Office projection, the VA could be burying up to 100,000 veterans in 2011. "All memorial affairs [operations] should halt," said Tom Tarantino, senior legislative associate for the Iraq and Afghanistan Veterans Association. "If you're in the Midwest or the Northeast they're not doing burials anyway because the ground is frozen." The difference is they will stop accepting applications for new burials, he said. But in parts of the country not under a deep freeze, burying vets will stop until any shutdown is over, he said. VA spokesman Drew Brookie said he couldn't comment or speculate on the impact of a shutdown on VA operations. In addition to burials, the VA's National Cemeteries Administration inters eligible family members, marks veterans' graves with government furnished headstones or markers and provides survivors with a Presidential Memorial Certificate recognizing the service of their deceased veteran. The agency also maintains national cemeteries as shrines and administers grants to establish or expand state veterans cemeteries, according to its website.

But for vets who are still alive and kicking, all healthcare services will be available despite a shutdown since money was already put toward VA healthcare in advance. Disability and pensions also are protected, Tarantino said, because the Justice Department concluded back in the 1990s that these payments are "property" that belongs to the veteran or eligible dependent. He said Justice made that ruling during a similar government shutdown in 1995. David Tucker, deputy staff director and chief minority counsel on the House Committee on Veterans Affairs, said a shutdown would mean no new benefit claims – such as new GI Bill applications or disability petitions -- would be processed for as long as the feds are off the clock. Throughout the government, including the Defense Department, officials are keeping shutdown contingency plans close to their chest. DoD spokesman Col. Dave Lapan told reporters 24 FEB that there is a process for notifying civilians and contractors of a shutdown but offered no details.

In the event of a government shutdown, commissary customers are asked to check their local military installation news outlets before, during and after the event to determine if stores serving their area are open. As a matter of course, the Defense Commissary Agency plans for any event that could affect the operation of its stores," said

Joseph H. Jeu, DeCA director and CEO. "We are currently updating existing plans to adjust commissary operations in case of a government shutdown. If this action does occur, we will use all available media to notify our customers of any specific changes in commissary operations. Customers should also stay abreast of the news that affects services on their installations." If a shutdown occurs, commissary customers also should monitor the Department of Defense website <http://www.defense.gov> for any breaking news that affects service members and government civilians. During that time, customers can attempt to access the Commissary website <http://www.commissaries.com>, but the agency's website could be down.

In response to a claim by House Minority Leader Nancy Pelosi (D-CA), that a shutdown would cause troops not to be paid, the Pentagon said in a statement that it would "do everything we have to do to continue to support the deployed troops. The Department must also continue many other operations for the safety of human life and protection of property," the statement said. "These types of activities will be 'exempt' from cessation. All other activities would need to be shut down in an orderly and deliberate fashion." In fact, military service is exempt from consequences of a government shutdown, as are most emergency and law enforcement operations. During the 1995 shutdown, about 571,000 Defense Department civilian employees, nearly 70%, remained on the job, while 258,000 other Pentagon workers were furloughed. Eighty-five percent of VA employees stayed on the job, as did 70% of Transportation Department workers, according to The Associated Press. White House spokesman Jay Carney recently referred reporters to the Office of Management and Budget for information on shutdown contingency plans, but the OMB keeps a lid on those. In an email, an OMB official said the plans are for internal and deliberative purposes. Still, according to reports, much of the government would continue as usual even with a shutdown. [Source: Military.com Bryant Jordan article 25 Feb 2011 ++]

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Stolen Valor Update 30: The commander of the Lakeport, Calif., Veterans of Foreign Wars post has resigned under a cloud of suspicion that he is not the war hero he claims to be. Robert L. Deppe, 57, also was arrested earlier this month on suspicion of stealing money from a family member and replacing the \$100 bills he took with phony money, according to the Lake County Sheriff's Office. Deppe resigned in February two days after the VFW post asked him to authorize it to request his military records, said Kirk Macdonald, adjutant of VFW Post 2015. He'd been the commander three years. His letter of resignation stated only that he was quitting for personal reasons, Macdonald said. But Deppe has been dogged by war veterans who believe he is a fraud, accusing him of falsifying documents that appear to bestow him with the Silver and Bronze stars and a Purple Heart for heroism in Vietnam. The POW Network, a group dedicated to uncovering "stolen valor," claims he plagiarized and modified other people's war stories.

Deppe is not on the roster for the U.S. Army, Company H, 75th Infantry, for 1971, as he claims, said William Page, who fought in Vietnam during the time Deppe claims to have been there and who occasionally works with the POW Network. Nor did the National Personnel Records Center have record of his service, said Page, who obtained the information under the Freedom of Information Act. "We cannot find any record of him being in the military," said Page, who was an infantryman during the war and now lives in Louisiana. Page said he began looking into Deppe's background in 2005 after he recognized his own story in Deppe's autobiographical account of his year in Vietnam and how he earned his medals. "I saw this story and I said, dang, this guy is talking just like me," said Page, who has a combat infantryman's badge and a Bronze Star, among other "little doodads." Page also found excerpts from the story of a man who saved his life in Vietnam and that of a man from his platoon who died. "He's just full of baloney," he said.

Page said it's all too common for people to make false claims of valor. He noted that Connecticut Sen. Richard Blumenthal said he served in Vietnam when he was running for the Senate last year. In fact, Blumenthal received

five military deferments before enlisting in the Marine Reserve, which enabled him to avoid overseas combat. Blumenthal apologized and called the claim "a few misplaced words." In Phoenix last year, a former chaplain was indicted for making false claims and sentenced to 60 months of probation and ordered to pay about \$28,000. He was charged with making false claims about being decorated, which helped him become an officer in the Arizona National Guard and to enter the Chaplain Corps. Both increased his military salary and benefits. Such claims are all too common, Page said. "In the census 10 years ago, over 11 million men claimed to be [Vietnam] veterans when only 3 million served. It's rampant," he said. [Source: Press Democrat Glenda Anderson article 28 Feb 2011 ++]

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GI Bill Update 93: In an effort to simplify the tuition formula for veterans headed to college, lawmakers in DEC 2010 approved a measure to pay a flat rate of \$17,500 per year for tuition and fees at all colleges except public schools in veterans' home states, which are covered in full. For most student vets, the changes mean a sizable boost in the money they receive. But for a smaller group the change will mean a painful cut in funding they thought would be available to pay for classes next year. Veterans groups who had supported the legislation in December are scrambling to find a fix before August, when the new provisions go into effect. Without one, thousands of student veterans could be forced to choose between taking out unanticipated student loans or taking more drastic action. "We've heard from a lot of people who are considering transferring or dropping out of school altogether rather than take out big loans," said John McClellan, an organizer with Military Veterans of Columbia University. "They thought they had the promise of funding in place, but now it's gone."

When lawmakers passed the post-9/11 GI Bill benefits three years ago, the plan was designed to allow the new wave of Iraq and Afghanistan veterans to attend college without incurring tens of thousands of dollars in debt. Veterans were guaranteed a full four years of tuition, with a maximum benefit equaling the cost of the most expensive public school in a veteran's home state. But the changes also brought significant inequities. Students qualified for tuition at those colleges based on the most expensive public schools in their home state. For private universities, or public schools in other states, their tuition payments were capped based on those same home state rates. Last semester, veterans from Texas -- which boasts the most expensive rates in the country -- could receive more than \$47,000 in tuition for other schools, while veterans from neighboring Arkansas -- one of the least expensive -- would receive only about \$7,000. Last year, more than 126,000 veterans took classes at private colleges with GI Bill funding, many attending the same schools but receiving those vastly different payouts.

To solve that problem, veterans groups began pushing for a simpler tuition formula: a single flat rate for any school outside the home state public colleges. Tim Embree, legislative associate with the Iraq and Afghanistan Veterans of America, said his group pushed for a \$25,000 cap, likely enough to cover all but a few expensive cases. But the Senate knocked that figure down to \$17,500. The result is that students from 11 states will lose money next semester, some more than \$10,000 for the fall alone. On the other hand, student veterans in 39 other states and the District of Columbia will get thousands more for college tuition, allowing them to afford some schools they had never considered in the past. Students attending public universities in their home states will not be affected by the change. The legislation also included more money for distance learners and online classes, and expanded the number of National Guardsmen eligible for the education benefits. Lawmakers also changed a provision in the living stipend to only pay students rent money for months during their semester, which trimmed an additional \$1,000 to \$2,000 from their annual benefit.

When the bill passed amid a flurry of last-minute legislation in December, the result left many students midway through their college careers with potentially thousands of dollars in unexpected debt. "It's ridiculous to deter students from going to a good private school, but that's what these changes do," said Derek Blumke, co-founder of Student Veterans of America. In an angry speech just before the bill's passage, former Rep. Steve Buyer, R-Ind.,

then the ranking member of the House Veterans Affairs Committee, warned the changes would create more problems than it solved, and that lawmakers hadn't taken time to properly research the measure. "These enhancements are being done at the expense of some veterans to the benefit of other veterans," he said. "If you went out and surveyed the average student veteran, I believe they would oppose improving their own benefit at the expense of one of their comrades." But in the end, he was one of only three lawmakers in the House to vote against the measure, against 409 representatives approving it.

Both SVA and IAVA -- along with a number of other veterans groups -- supported the legislation last year. Blumke and Embree said they still believe the bill helps more veterans than it hurts, but both groups are pushing lawmakers to insert a grandfather clause in the legislation before August. "We need to get action on this," Blumke said. Capitol Hill staffers acknowledge the problem but question whether lawmakers will have time to address it in coming months. Budget cuts in the current fiscal year and looming budget fights for fiscal 2012 have dominated conversation in Congress, and any additional cost for the grandfather clause will likely have to be offset with spending cuts somewhere else. No legislation has been introduced in either chamber to deal with the problem. Even though the changes don't go into effect until August, most students need to finalize their plans for the fall semester in the next two months. [Source: Stars and Stripes Leo Shane article 20 Feb 2011 ++]

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VA Claims Backlog Update 50: (Note: Military Times Copyrighted material - Not authorized for reproduction on any public domain website or website accessed newsletter . Forwarding via email in personal communications is allowed.)

Veterans who submit fully developed disability benefits claims could receive an additional one year of compensation under legislation backed by a key Senate Republican. Sen. Richard Burr of North Carolina, ranking Republican on the Senate Veterans' Affairs Committee, says veterans who file claims that include all the information needed for quick approval would have the effective date of their claim backdated to one year before the date it is filed. How much that extra year of benefits is worth would depend on the level of disability and number of dependents. For a married veteran with a service-connected disability rated at 30 percent, one year of disability compensation would result in an additional \$5,052 in tax-free benefits at current rates. A married veteran with one child under age 18 whose service-connected disability is rated 100 percent would be due an extra \$36,624, under Burr's proposal. A fully developed claim would have to include all evidence needed for approval. Claims lacking evidence are part of the reason that more than 361,000 benefits claims filed with the Veterans Affairs Department have been pending for more than 125 days.

"Often, the most time-consuming part of the disability claims process is waiting for VA to gather evidence," Burr said in a statement. "Veterans who file complete claims will be able to bypass that part of the claims process so they can get their answers more quickly and move on with their lives." Veterans who need VA's help to track down records could still receive disability compensation, but it would be effective from the date the claim is filed, which is VA's current practice. Burr's proposal comes as veterans service organizations have made reducing the claims backlog their top legislative priority for 2011. "VA has struggled for decades to reform its system for processing claims for benefits," Wallace Tyson, national commander of Disabled American Veterans, told a joint meeting of the House and Senate veterans' affairs committees on Tuesday. "Yet despite much activity there has been little real progress. In fact, looking at the number of veterans awaiting rating decisions on claims for disability compensation, the problem appears to be even larger today than it has ever been." Burr isn't the first or only lawmaker with ideas for cutting the claims backlog, but his position on the veterans' committee means his idea will get a serious look when the 2012 VA budget passes through the panel. [Source: NavyTimes Rick Maze article 1 Mar 2011 ++]

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Vet Scam: Vet Services Rosetta Waychus, head of Iowa's Cerro Gordo County Veterans Affairs, urges veterans - particularly elderly veterans - to check with their local veterans affairs offices before paying for a service someone offers. Veterans are being taken for thousands of dollars for services that in some cases are unnecessary or offered free by veterans organizations, said Waychus. Last October, a Mason City veteran's spouse responded to a mailing her husband received by sending in a card requesting free information on Medicare changes. Not long after that, three men came to the couple's home, said Waychus. The veteran believed they were from the Veterans Administration and allowed them to assist him in doing his annual VA pension paperwork. One of the men, who the veteran believed was an attorney from the VA, told him he could get him \$1,900 from the VA instead of the \$600 he was receiving. "In a nutshell, he told the veteran to tell the VA that he is paying his son \$1,000 a month to assist him with daily living skills which would make the funds a medical expense." The man told him if the VA agreed to pay this amount, the funds would be paid to his son.

Waychus said the veteran's son does not provide \$1,000 in medical assistance to his father. "He basically just gets their groceries for them and drives them to doctor appointments in Des Moines or Rochester," she said. The attorney fee charged for providing this information was \$2,500. Waychus is concerned because many elderly veterans get confused easily and scam artists take advantage of them. "In the past few months I have heard about several companies trying to capitalize on our country's veterans and their widows," she said. "Companies are selling insurance, assisting individuals who have assets in excess of \$80,000 to give their funds away by putting them into annuities where the company makes broker fees and bonuses," she said. "And now this, where the attorney charges \$2,500 for doing absolutely nothing." Waychus said senior citizens are vulnerable because they can be too trusting when people offer them what looks like a deal. "Every county has a VA office to help veterans and it's free," she said. "There is no reason for a veteran or widow to pay for services being provided free or take the risk of their vital information falling into the hands of someone who will use it for identify theft."

In a related note, officials with the Hamilton County Veterans Affairs office received word this week of a scam that is circulating through the United States. A bulletin from Sen. Tom Harkin's office and the U.S. Department of Veteran's Affairs alerted local officials. The organization **Veterans Affairs Services** has been calling vets on the telephone and going to their homes, identifying themselves as VA employees. The scammers then promise veterans higher pensions if they submit personal information - including financial data. Local VA officials urged veterans not to respond to this solicitation, According to VA Assistant LuAnn Jackson, the VA does not call or e-mail veterans asking for private information in an unsolicited manner. She said the VA will respond to veteran's calls, e-mails or correspondence and will ask for three pieces of information - military service dates, claim number and date of birth - to ensure the veteran is the actual person on the call. Veterans who believe they have been contacted by the scammers can contact the local VA Executive Director Rob Everhard or Jackson at 832-9595, or stop by 500 Fairmeadow Drive, Webster City Iowa. [Source: Globe Gazette John skipper article 27 Feb 2011 ++]

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Veterans' Court Update 08: A joint effort between Pennsylvania and the U.S. Department of Veterans Affairs provides veterans with access to a court system and health services when they get into legal trouble. Already operating in Philadelphia, the program is expanding statewide. The Pennsylvania Veterans Justice Program, like a mental health or a drug court, finds veterans in trouble with the law and provides them with social services. State Supreme Court Justice Seamus McCaffery, a longtime judge in Philadelphia, was instrumental in bringing the alternative to jail time to Pennsylvania. He said it's also a cost-saving measure for local governments because it takes veterans off their court dockets. "They take these people, they're diverted out of the court, given over to the VA. Whatever their needs may be, Veterans Affairs comes in with federal dollars and takes care of that individual to allow him to get back into society," said McCaffery. For instance, McCaffery said, veterans often don't seek the treatment necessary to get reacclimated to civilian life. "They end up reverting to alcohol, and you find

them getting an excessive amount of DUIs, you find them involved in domestic violence, you now see them out there buying street drugs, getting arrested for possession," he said. "These are the types of individuals charged with misdemeanor crimes that are now being diverted out of the court system into the veterans court programs." More than 650 vets have gone through the program since its inception in 2009. Currently up and running in Philadelphia, Allegheny and Lackawanna counties, it could soon begin in Dauphin and York counties.

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VA Caregiver Program Update 04: The Department of Veterans (VA) is expanding support nationally to caregivers of Veterans with Alzheimer's disease. A pilot program of the REACH VA (Resources for Enhancing Alzheimer's Caregiver Health in VA) program showed great success in reducing stress on caregivers while improving care outcomes for the Veterans. "The REACH VA model exemplifies the many different kinds of support VA offers to the caregivers of Veterans," said Secretary of Veterans Affairs Eric K. Shinseki. "This program has been proven to provide the right resources, training and a renewed focus on personal health that can make a world of difference to those caregivers and their Veterans." "Caregivers step up every day to serve Veterans they love who sacrificed to defend our Nation," Shinseki added. "To them, caregiving is a labor of love and devotion, but that alone does not ease the burden and personal stress placed on those who provide daily care for the disabled." REACH VA involved 127 caregivers connected to 24 VA medical centers. The median age for the caregiver was 72 and the majority of the participants were spouses.

Typical issues caregivers face when caring for Veterans with Alzheimer's disease and dementia include memory problems, behavior problems and the need to provide basic attendance such as grooming assistance. Caregivers typically reported feeling overwhelmed, frustrated, cut off from family and friends, lonely, prone to bouts of crying and having worse physical health than the year before. For six months, the REACH VA caregivers were provided 12 individual in-home and telephone counseling sessions; five telephone support group sessions; a caregiver quick guide with 48 behavioral and stress topics; education on safety and patient behavior management; and training for their individual health and well being. Caregivers saw their burden reduced; drops in depressive symptoms and their related daily impacts; fewer frustrations, including those that have clinical potential for abuse; and decreases in dementia-related behaviors from the Veterans they cared for. Caregivers also reported they were able to spend fewer hours per day devoted to caregiving. "Dementia caregiving is such an all encompassing task," said Dr. Linda Nichols from the VA medical center in Memphis, Tenn., and co-author of a recent study on the program. "The intervention provided time for themselves, which caregivers never have enough of. REACH VA improved our caregivers' knowledge to manage care, made them feel more confident and competent as they formed bonds with the VA staff supporting them, and decreased the inevitable feelings of isolation and loneliness that come from a selfless, but very sacrificial duty of care."

VA will roll out REACH VA on a national basis through home-based primary care programs across the country. In addition, the program will be modified to assist caregivers of Veterans with other diagnoses like spinal cord injury and traumatic brain injury. "Providing support to caregivers who sacrifice so much to allow Veterans to remain at home surrounded by loved ones is the right thing for VA to do," said Dr. Robert Petzel, VA's under secretary for health. An article on the REACH VA program was published in the Feb. 28 issue of the Archives of Internal Medicine. Nichols and Dr. Jennifer Martindale-Adams, also from VA's Memphis facility, are the lead authors and based the VA pilot on the National Institute on Aging and the National Institute for Nursing Research funded REACH II study. REACH VA is the first national clinical implementation of a proven behavioral intervention for stressed and burdened dementia caregivers. Local caregiver support coordinators are available to assist Veterans of all eras and their caregivers in understanding and applying for VA's many caregiver benefits. VA also features a website, <http://www.caregiver.va.gov>, with general information on REACH VA and other caregiver support programs available through VA and the community. [Source: VA News Release 1 Mar 2010 ++]

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VA Caregiver Program Update 05: VA has submitted to the Office of Management and Budget (OMB) an Interim Final Rule (IFR) to speed the federal rulemaking process to implement certain provisions of Public Law 111-163, the Caregivers and Veterans Omnibus Health Services Act of 2010 that was signed by President Obama on May 5, 2010. It is tentatively scheduled for publication 1 May. The Law directs the Department of Veterans Affairs (VA) to provide an extensive range of new support services and benefits to caregivers of eligible Veterans and Service members seriously injured in the line of duty on or after September 11, 2001 (Post 9/11). These benefits and services are in addition to those currently available at VA to all enrolled Veterans and their caregivers. As part of the legal process, VA must issue regulations in order to implement these new authorities. Following OMB review and approval, the IFR will be effective immediately upon its publication in the Federal Register with an opportunity for public comment after its issuance. With this accelerated procedure, these unprecedented new direct-to-caregiver benefits can be fully in place as early as this summer.

Written comments may be submitted by email through <http://www.regulations.gov>; by mail or hand-delivery to Director, Regulations Management (02REG), Department of Veterans Affairs, 810 Vermont Avenue., N.W., Room 1068, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to “RIN 2900-AN94, Caregivers Program.” While this rulemaking process is necessary for certain unprecedented direct-to-caregiver benefits (including stipend and health care coverage benefits), other benefits are currently available to caregivers of enrolled Veterans of all eras. These benefits provide all caregivers with enhanced support services such a toll-free Caregiver Support Line, education and training, access to online information and resources, counseling and support groups, respite care, and referrals to other VA and community resources. [Source: TREA Washington Update 4 Mar 2011 ++]

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Saving Money: The last time you were at the pump, you probably noticed the price of gas is creeping towards \$4 a gallon and it may reach \$5 a gallon. Get used to the idea. As the world economy improves, rising world demand for oil, coupled with a weak dollar, virtually guarantees higher prices. Just as predictable as higher prices at the pump are the plethora of articles you’ll soon start seeing offering advice to save on gas. As you did the last time prices spiked, you’ll see ideas like “shop around”, “slow down” or “use a gas credit card that offers rebates”. If they sound familiar, that’s because you got them in 2008. To bring you up to date on advice you may have heard or already knew, here’s a condensed version recently culled from the internet:

- Pay Cash if you can get a discount for it.
- Fill up at a warehouse club. Usually runs five to ten cents per gallon cheaper.
- Weight. Take the extra weight out of your car. Just 100 unnecessary lbs. in your car can make your car 2% percent less efficient on gas mileage. This effect is more prevalent in smaller vehicles.
- Motor oil. You can improve your gas mileage by 1–2% by using the manufacturer's recommended grade of motor oil. For example, using 10W-30 motor oil in an engine designed to use 5W-30 can lower your gas mileage by 1–2%. Using 5W-30 in an engine designed for 5W-20 can lower your gas mileage by 1–1.5%. Also, look for motor oil that says "Energy Conserving" on the API performance symbol to be sure it contains friction-reducing additives.
- Tune-up. Fixing a car that is noticeably out of tune or has failed an emissions test can improve its gas mileage by an average of 4%.
- Tire alignment. Gas mileage increases as rolling resistance decreases. Total alignment sets all four wheels parallel which, along with proper inflation, minimizes rolling resistance.

- Tire pressure. You can improve your gas mileage by up to 3.3% by keeping your tires inflated to the proper pressure. Under-inflated tires can lower gas mileage by 0.3% for every 1 psi drop in pressure of all four tires.
- Air filter. Replacing a clogged air filter on an older car with a carbureted engine may improve fuel economy 2 to 6% under normal replacement conditions or up to 14% if the filter is so clogged that it significantly affects drivability. Replacing a clogged air filter on cars with fuel-injected, computer-controlled gasoline engines does not improve fuel economy but it can improve acceleration time by around 6 to 11%. This kind of engine is prevalent on most gasoline cars manufactured from the early 1980s onward.
- Don't use high octane gas unless your car is pinging. The octane rating of gasoline is the measure of how much fuel can be compressed before it ignites, rather than it being ignited by spark. Using the incorrect octane level fuel in your vehicle can negatively affect fuel economy and the engine itself.
- Don't top off your tank and make sure your gas cap is tight.
- Gas tank level. Change in mileage is insignificant on filling up half empty versus empty tanks. Weight of 15 gallons of gas is about 93 lbs so filling up at lower levels could decrease average weight of the car with a minimal increase in mileage. Every car built for sale in the U.S. since about 1966 has a fuel tank evaporation emission control system. It is designed to siphon off fuel tank fumes, filter them through an activated charcoal canister and vent them to the air filter or the intake manifold. From there the fumes are sucked into the engine and burned.
- Poor driving practices can lower your mileage by up to a third. Aggressive practices include speeding, heavy braking, rapid acceleration and "jackrabbiting".
- Gearing. Staying in the upper rev range in each gear for extended periods can consume massive amounts of gasoline.
- Hills. If you're coming to a hill, it's best to accelerate before it, rather than while on it. Also, using a lower gear going uphill saves gas.
- Rough Roads. Gravel and unsealed roads play havoc with fuel economy and are also far less safe than tarred roads. Avoid them where you can.
- Braking. Every time you apply your brakes, you lose the momentum built up by burning gas at acceleration. The less braking you do, the more momentum you conserve.
- Watch traffic and traffic lights ahead of you so you can anticipate slow-downs and avoid stops.
- Windows. Keep closed. Driving with the windows down creates drag which means that your engine has to work harder to keep your car at the current speed; this burns more gas than if you just ran your air conditioner.
- Air Conditioner. The air conditioner draws its power from the engine which uses some gas, but with most of today's cars, this use of gas is minute. The air conditioner can decrease the fuel economy of your car up to 20% in some vehicles, but it depends on the type. Driving with the air conditioner is more fuel efficient than driving with the windows down.
- Ride the slipstream. Not recommended. Drafting, while it creates better gas mileage for truckers, creates increased risks for drivers of smaller vehicles.
- Engine warm-up. If needed, less than a minute is adequate.
- Idling. If you have a reliable vehicle, don't let your car idle for more than 30 seconds - switch it off. Around town this can save you a substantial amount of fuel over the year and not to mention a huge amount of greenhouse gas emissions.

[Source: MoneyTalksNews Stacy Johnson article 8 Dec 2010 ++]

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Notes of Interest:

- **Correction.** The 1 March RAO Bulletin incorrectly stated that the **Battle of Gettysburg** during the Civil War is was fought in Maryland. This should have said Pennsylvania vice Maryland'
- **Bataan Memorial March.** Registration is currently open for the 2011 Bataan Memorial Death March, which will be conducted March 27, at White Sands Missile Range, N.M. The march is a challenging trek through the high desert terrain. Participants may choose either the 26.2 mile route or the 15.2 mile route. For more information, including training recommendations, visit the 2011 Bataan Memorial Death March site <http://www.bataanmarch.com>.
- **Space-A.** Space-A flights are free with the exception of customs and head tax fees on the aircraft. To sign up, eligible travelers must present a DOD-issued ID card (for ages 10 and up) and appropriate travel authorization or, for active duty personnel, current leave paperwork. Eligible travelers can sign up for Space-A in person at any passenger terminal, or by fax, email, Internet or regular mail. For more information, including AMC passenger terminal information, travel eligibility, and a downloadable Space-A traveler handbook, refer to <http://www.amc.af.mil/amctravel/index.asp>. Passenger terminal locations and contact information can be found at <http://www.amc.af.mil/amctravel/amctravelcontacts.asp>.
- **Government Shutdown.** A shutdown of the Federal government would mean several things, including that "Social Security checks and veterans benefits still will go out, though new claims will lag."
- **Reserves.** The Department of Defense announced it has mobilized over 800,000 Reservists since September 11, 2001. Of this number, more than 250,000 people have deployed more than once. Due to the high operations tempo, many National Guard and Reserve members are having trouble finding and keeping jobs. The Current Population Survey reported that unemployment for the 18 to 24 year old veterans (which is made up primarily by National Guard and Reserve) rose to 31.9% in January.
- **Flag Rule Change.** VA announced changes that will allow flags to be placed on gravesites at National cemeteries on Memorial Day and any other day of the year on a case-by-case basis. Federal rules had previously prohibited placement of American Flags on any day other than Memorial Day, including Veterans Day. The rule change was made at the request of Rep. John J. Duncan, Jr. (R-Tenn.).
- **Mortgage Settlement.** About 60,000 soldiers and veterans who refinanced Veterans Affairs Department-backed mortgages through Wells Fargo, Wachovia and SouthTrust will receive refunds under a \$10 million settlement in a class-action lawsuit.
- **FCTA.** If you are a veteran and you or family members have been injured due to veteran medical malpractice, including post-traumatic stress disorder (PTSD)," a Veterans Affairs "medical malpractice lawyer can help you determine whether you have a medical negligence lawsuit. If you were injured due to VA hospital malpractice by a doctor or any medical personnel at a VA hospital, a veterans' lawyer can sue the US government under a federal law called the Federal Torts Claims Act (FTCA)."
- **Outback Steakhouse.** From now to April 5, if you order from Outback Steakhouse's temporary "Red, White and Bloomin" menu \$1 million of its proceeds will be donated to Operation Homefront. This private charity provides financial and other emergency aid to families of troops and wounded warriors.
- **Incarcerated Vets.** Effective 1 APR 2011 a proposed rule that amends the Department of Veterans Affairs (VA) medical regulations to authorize VA to provide hospital and outpatient care to a veteran in a program that provides temporary housing upon release from incarceration in a prison or jail became final. The final rule permits VA to work with these veterans while they are in these programs with the goal of continuing to work with them after their release, which will assist in preventing homelessness in this population of veterans.
- **Calendar.** This year, July has 5 Fridays, 5 Saturdays and 5 Sundays. This happens once every 823 years.
- **Tricare Contract.** The health insurance provider that lost out on a contract from TRICARE Management Inc. is protesting the award. UnitedHealth Group Inc. lost the contract to Humana Military Healthcare Services last month when a previous protest by Humana was upheld. UnitedHealth filed a formal protest 6 MAR. The contract is to provide health insurance for 3 million active and retired military members and

their families in the TRICARE South Region. The protest triggers a stay in the contract. UnitedHealth claims Humana's contract would pay doctors and hospitals at rates so low that doctors would leave the military health care network.

- **Vet Spouse Federal Employment.** On 10 MAR the Office of Personnel Management (OPM) announced plans to eliminate the time limitation for military spouses of deceased and 100 percent disabled veterans to apply for federal employment preferences. Currently, military spouses who are not already federal employees, may apply for federal jobs without going through the regular competitive hiring process, but they must apply within two years of a partner's death or permanent disability.

[Source: Various 1-15 Mar 2011 ++]

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Medicare Fraud Update 63:

- **Florida** - Sen. Chuck Grassley (R-IA) grilled federal officials 9 MAR about the Cuban government's possible ties to rampant Medicare fraud in south Florida. He asked HHS Inspector General Daniel Levinson to look into any evidence that Cuban officials have been "facilitating" Medicare fraud and to get back to him after coordinating with the Justice and State departments. "We wouldn't comment on any particular case in a public forum," Levinson told The Hill after the hearing. Last month, the Department of Health and Human Services released a list of the Top 10 healthcare fraud fugitives, who have defrauded the government of \$124 million combined. Seven of the 10 fugitives were of Cuban origin, and six of those are now believed to be hiding on the island. During the hearing, Grassley referenced a report from the Institute for Cuban and Cuban-American Studies at the University of Miami raising questions about the involvement of Fidel Castro's regime. The report paraphrases a "high-level former intelligence official with the Cuban Government" as saying that there are "strong indications that the Cuban Government is directing some of these Medicare frauds as part of a desperate attempt to obtain hard currency." Some Cuban-American groups have begun to ask for a congressional probe of Cuba's potential ties to Medicare fraud.
- **St. Louis MO** - A doctor who helped the U.S. attorney's office win a \$350 million fraud settlement is being recognized with a national award for his "courage and integrity as a whistle-blower" and his subsequent work promoting ethical business practices, the FBI said Tuesday. Dr. Steven J. Bander will receive the Director's Community Leadership Award this morning in front of medical students at St. Louis University, and will be flown to Washington 25 MAR to receive the award again from FBI Director Robert Mueller. Bander filed a whistle-blower lawsuit against Gambro Healthcare in 2001 that resulted in a \$350.5 million civil settlement in 2004. Federal law allows whistle-blowers to collect as much as 25%. Bander received \$56 million for his efforts, which were described as "critical" to the case. At the time of the 2004 settlement, Gambro was one of the world's top chains of renal dialysis clinics, with 550 in 33 states, including dozens in Missouri and Illinois. Bander was Gambro's chief medical officer from 1995 to 2000, and tried to stop its improper practices, prosecutors said. Federal prosecutors said at the time of the 2004 settlement that Gambro overbilled Medicare and Medicaid by setting up a shell company to inflate the billings. The shell company pleaded guilty to a felony charge of execution of a health care fraud scheme.
- **Houston TX** - Alberto Noriega, of Miami, Fla., has been sentenced to federal prison for leading a Medicare fraud ring that submitted more than \$9 million in false and fraudulent Medicare claims for alleged infusion therapy services. Senior United States District Judge Ewing Werlein Jr sentenced Noriega, 49, at a hearing on 4 MAR to 63 months in federal prison without parole to be followed by a three-year-term of supervised release. Judge Werlein further ordered Noriega to pay \$1,440,367.00 in restitution to the victimized insurance companies. Noriega was indicted by a federal grand jury in Houston on 24 JUN, arrested by federal law enforcement agents in Miami on 1 JUL 2010. From at least DEC 08 through FEB 2010, Noriega and numerous co-conspirators executed a health care fraud scheme originating in the State of Florida, specifically targeting the Medicare Advantage Plan (MAP). Over time, Noriega and his co-

conspirators submitted approximately \$9,129,420 in false and fraudulent infusion therapy claims to seven insurance companies.

[Source: Fraud News Daily 1-15 Mar 2011 ++]

Medicaid Fraud Update 34:

- **Terre Haute IN** - John D. Love was charged 4 MAR with health care fraud and money laundering between JAN 06 and SEP 2010. Love submitted claims to the Indiana Medicaid Program for prescriptions that were never given to patients. Love used his access and knowledge of the THPS computer system to input false prescriptions into the THPS's computer billing system, which would then bill the Indiana Medicaid Program for the fraudulent claim. As soon as the computer system submitted the claim for the prescription to the Indiana Medicaid Program, Love would access the computer system again and void the prescription before any other employee of THPS could notice a record for a prescription that was never filled or dispensed. As part of his scheme, Love billed the Indiana Medicaid Program for prescription drugs significantly in excess of what THPS had ever ordered. As a result of Love's fraudulent acts, the Indiana Medicaid Program paid THPS \$3,575,699.73 for prescriptions that were never provided to patients. Love used at least \$3,000,000 of the fraudulent proceeds to purchase, in whole or in part, four parcels of real estate; fifteen vehicles, a destination wedding for one of his children in Destin, Florida; and numerous other personal expenses. The money laundering charges concern the purchase of one Harley Davidson motorcycle and the destination wedding.
- **Rochester NY** - Dr. Ghulam Mustafa was arrested on 28 FEB by the New York State Attorney General's Medicaid Fraud Control Unit and charged with stealing from Medicaid. According to the New York State Insurance Department, Mustafa was receiving free vaccines through Medicaid for his Medicaid patients. However, investigators say he used the vaccines for non-Medicaid patients and then billed their private insurers. As a result, the doctor is accused of fraudulently receiving \$135,000 in re-imburements. Mustafa is charged with 2nd degree grand larceny and offering a false instrument for filing. He is scheduled to appear in court for arraignment but continues to practice medicine. The state says a federal investigation is also pending.
- **Houston TX** - A federal jury has convicted a Houston medical supply business owner on charges that he made more than \$4.3 million in fraudulent claims to Medicare and Medicaid. Prosecutors said that 42-year-old Sunny Robinson was convicted Monday on 19 counts of health care fraud and anti-kickback violations. Authorities alleged that Robinson illegally obtained Medicare beneficiary information and used it to submit false claims for reimbursement for power wheelchairs and other medical supplies from 2005 to 2009. Prosecutors say the supplies either weren't needed by Medicare beneficiaries or weren't provided at all. Authorities say the claims made by Robinson's company, Memorial Medical Supply, included supposed deliveries to 34 dead people. Robinson was taken into custody pending sentencing, which is set for May.

[Source: Fraud News Daily 1-15 Mar 2011 ++]

State Veteran's Benefits: The state of Maine provides several benefits to veterans as indicated below. To obtain information on these refer to the "**Veteran State Benefits ME**" 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
- Financial Assistance Benefits
- Education Benefits

- Other State Veteran Benefits

[Source: <http://www.military.com/benefits/veteran-benefits/maine-state-veterans-benefits> Mar 2011 ++]

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Military History: The United States bombing of Libya (code-named Operation El Dorado Canyon) comprised the joint United States Air Force, Navy and Marine Corps air-strikes against Libya on April 15, 1986. The attack was carried out in response to the 1986 Berlin discotheque bombing. For over a decade, Libyan dictator Muammar al-Gaddafi had been involved in terrorism in Europe and elsewhere. After December 1985 Rome and Vienna airport attacks, which killed 19 and wounded around 140, Gaddafi indicated that he would continue to support the Red Army Faction, the Red Brigades, and the Irish Republican Army as long as European countries support anti-Gaddafi Libyans. The Foreign Minister of Libya also called the massacres "heroic acts". After years of occasional skirmishes with Libya over Libyan territorial claims to the Gulf of Sidra, the United States contemplated a military attack to strike targets within the Libyan mainland. In March 1986, the United States, asserting the 12-nautical-mile (22 km; 14 mi) limit to territorial waters recognized by the international community, sent a carrier task force to the region. Libya responded with aggressive counter-maneuvers on March 24 that led to the Gulf of Sidra incident.

On 5 April 1986, Libyan agents bombed "La Belle" nightclub in West Berlin, killing three people and injuring 229 people who were spending the evening there. Germany and the United States obtained cable transcripts from Libyan agents in East Germany involved in the attack. More detailed information was retrieved years later when Stasi archives were investigated by the reunited Germany. Libyan agents who had carried out the operation from the Libyan embassy in East Germany were identified and prosecuted by Germany in the 1990s. After several days of diplomatic talks with European and Arab partners, President Ronald Reagan ordered a strike on Libya on April 14. Eighteen F-111F strike aircraft of the 48th Tactical Fighter Wing, flying from RAF Lakenheath supported by four EF-111A Ravens of the 20th Tactical Fighter Wing, from RAF Upper Heyford in England, in conjunction with fifteen A-6, A-7, F/A-18 attack aircraft and EA-6B Prowler Electronic Warfare Aircraft from the aircraft carriers USS Saratoga, USS America and USS Coral Sea on station in the Gulf of Sidra, struck five targets at 02:00 on April 15, with the stated objective that their destruction would send a message and reduce Libya's ability to support and train terrorists. Reagan warned that "if necessary, [they] shall do it again."

The actual attack mission against Libya, had been preceded in October 1985 by an exercise in which the 20th TFW stationed at Upper Heyford airbase in the UK, which was equipped with F-111Es, received a top secret order to on October 18 launch a simulated attack mission, with ten F-111s armed with eight 500 lb practice bombs, against a simulated airfield located in Newfoundland, Canada south of CFB Goose Bay. The mission was designated Operation Ghost Rider. The mission was basically a full rehearsal for a long range strike against Libya. The mission was completed successfully, with the exception of one aircraft that had all but one of its eight bombs hang up on one of its wing racks. The lessons learned were passed on to 48th TFW which was equipped with the newer "F" models of the F-111. Elements of the then-secret 4450th Tactical Group (USAF) were put on standby to fly the strike mission against Libya. Over 30 F-117s had already been delivered to Tactical Air Command (USAF) and were operating from secret bases in Nevada. Commanders in the North Africa/Mediterranean theaters knew nothing about the capabilities of the F-117, or that the aircraft even existed. Within an hour of the planned launch time for the F-117s, the Secretary of Defense scrubbed the stealth mission, fearing a compromise of the secret aircraft and its development program. The airstrike was carried out with conventional US Navy and US Air Force aircraft. The F-117 would remain completely unknown to the world for several months until it was unveiled in 1988 and featured prominently in media coverage of Operation Desert Storm.

For the Libyan raid, the United States was denied overflight rights by France, Spain and Italy as well as the use of European continental bases, forcing the Air Force portion of the operation to be flown around France, Spain and through the Straits of Gibraltar, adding 1,300 miles (2,100 km) each way and requiring multiple aerial refuelings. To read more about this operation refer to this Bulletin's attachment titled "**Bombing of Libya**". [Source: http://en.wikipedia.org/wiki/Bombing_of_Libya Mar 2011 ++]

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

- Mar 16 1802 - The Army Corps of Engineers is established to found and operate West Point Academy.
- Mar 16 1935 - Adolf Hitler orders Germany to rearm herself in violation of the Versailles Treaty.
- Mar 16 1942 - WWII: The first V-2 rocket test launch. It explodes at liftoff.
- Mar 16 1945 - WWII: The Battle of Iwo Jima ends but small pockets of Japanese resistance persist.
- Mar 16 1968 - Vietnam: In the My Lai massacre, between 350 and 500 Vietnamese villagers: men, women, and children are killed by American troops.
- Mar 17 1776 - American Revolution: British forces evacuate Boston, Massachusetts.
- Mar 17 1942 - WWII: Holocaust: The first Jews from the Lviv Ghetto (western Ukraine) are gassed at the Belzec death camp (eastern Poland).
- Mar 17 1945 - WWII: The Ludendorff Bridge in Remagen, Germany collapses, ten days after its capture.
- Mar 17 1973 - Vietnam: First POWs are released from the "Hanoi Hilton" in Hanoi, North Vietnam.
- Mar 18 1945 - WWII: 1,250 U.S. bombers attack Berlin.
- Mar 19 1944 - WWII: The German 352nd Infantry Division deploys along the coast of France.
- Mar 19 1945 - WWII: Adolf Hitler issues his "Nero Decree" ordering all industries, military installations, shops, transportation facilities and communications facilities in Germany to be destroyed.
- Mar 19 1945 - WWII: Off the coast of Japan, a dive bomber hits the aircraft carrier USS Franklin, killing 724 of her crew. Badly damaged, the ship is able to return to the U.S. under her own power.
- Mar 19 2002 - Afghanistan: Operation Anaconda ends (started on March 2) after killing 500 Taliban and al Qaeda fighters with 11 allied troop fatalities.
- Mar 20 1942 - Holocaust: in Rohatyn, western Ukraine, the German SS murder 3,000 Jews, including 600 children, annihilating 70% of Rohatyn's Jewish ghetto.
- Mar 20 1942 - WW II: General Douglas MacArthur, at Terowie, South Australia, makes his famous speech regarding the fall of the Philippines, in which he says: "I came out of Bataan and I shall return".
- Mar 20 1969 - Vietnam: U.S president Nixon proclaims he will end Vietnam war in 1970.
- Mar 20 2003 - Iraq: Invasion of Iraq by American and British led coalition begins without United Nations support and in defiance of world opinion.
- Mar 21 1918 - WWI: The Germans launch the 'Michael' offensive [First Battle of the Somme].
- Mar 21 1943 - WWII: Assassination attempt on Hitler fails.
- Mar 21 1945 - WWII: 1st Japanese flying bombs (ochas) attack Okinawa.
- Mar 21 1971 - Vietnam: Two U.S. platoons in Vietnam refuse their orders to advance.
- Mar 22 1942 - WWII: Heavy German assault on Malta.
- Mar 22 1945 - WWII: U.S. 3rd Army crosses Rhine at Nierstein.
- Mar 22 1965 - Vietnam: U.S. confirms its troops used chemical warfare against the Vietcong.
- Mar 23 1862 - Civil War: Confederate General Thomas "Stonewall" Jackson faces his only defeat at the Battle of Kernstown, Va
- Mar 23 1942 - WWII: Japanese forces occupy Andaman Islands in Indian Ocean.
- Mar 23 1942 - WWII: U.S. move native-born of Japanese ancestry into detention centers.
- Mar 23 1945 - WWII: Largest operation in Pacific war, 1,500 US Navy ships bomb Okinawa.

- Mar 23 1951 - Korea: U.S. paratroopers descend from flying boxcars in a surprise attack in Korea.
- Mar 24 1944 – WWII: In an event later dramatized in the movie The Great Escape, 76 prisoners begin breaking out of Stalag Luft I.
- Mar 25 1915 - 1st submarine disaster; a US F-4 sinks off Hawaii, killing 21.
- Mar 25 1953 - Korean War: The USS Missouri fires on targets at Kojo, North Korea, the last time her guns fire until the Persian Gulf War of 1992.
- Mar 25 1975 - Vietnam: The former imperial capital of Hue fell to North Vietnamese troops along with the entire Thua Thien Province.
- Mar 26 1945 - WWII: Kamikazes attack U.S. battle fleet near Kerama Retto.
- Mar 26 1945 - WWII: U.S. 7th Army crosses Rhine at Worms Germany.
- Mar 26 1970 - 500th nuclear explosion announced by the U.S. since 1945.
- Mar 27 1794 - The U.S. establishes a permanent navy and authorizes the building of 6 frigates.
- Mar 27 1945 - WWII: Gen Eisenhower declares German defenses on Western Front broken.
- Mar 27 1945 - WWII: Iwo Jima occupied, after 22,000 Japanese & 6,000 US killed.
- Mar 27 1945 - WWII: Operation Starvation, the aerial mining of Japan's ports and waterways begins.
- Mar 27 1952 Korea: Elements of the U.S. Eighth Army reach the 38th parallel.
- Mar 28 1945 WWII: Germany launches the last of its V-2 rockets against England.
- Mar 29 1943 - WWII: Meat rationed in US (784 gram/week, 2 kilogram for GI's).
- Mar 29 1951 Korea: The Chinese reject Gen. Douglas MacArthur's offer for a truce in Korea.
- Mar 29 1973 - Vietnam: US troops leave, 9 yrs after Tonkin Resolution.
- Mar 30 1944 WWII: The U.S. fleet attacks Palau, near the Philippines.
- Mar 30 1972 Vietnam: Hanoi launches its heaviest attack in four years, crossing the DMZ.
- Mar 31 1941 - WWII: Germany begins a counter offensive in Africa.
- Mar 31 1965 – Vietnam: U.S. ordered the 1st combat troops to Vietnam.

[Source: Various Mar 2011 ++]

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Military Trivia 24: Dien Bien Phu.

1. On November 1953 General Henri Navarre launched Operation Castor and captured the valley of Dien Bien Phu. The French began to build a base there, with two airstrips protected by linked strongpoints, setting the stage for the bitter, decisive battle. The objective of Castor was to create a strong threat to the VietMinh rearguard by sending offensive incursions from Dien Bien Phu, thus forcing the Viets to fight in a set-piece decisive battle. Like the Japanese at Midway, they only forced their own decisive defeat. Camargue and Hirondele were successful offensive operations launched by the French before Dien Bien Phu. Atlante was another counter-insurgency operation done concurrently with the battle involving twice as many French forces, causing that only a small number of reserves were available to reinforce Dien Bien Phu.

2. The Communist field Commander-in-Chief Vo Nguyen Giap of the VietMinh gladly accepted the challenge of fighting at Dien Bien Phu.? General Giap is commonly regarded as a master of strategy. Many analysts disagree, but it must be taken into account that Giap played a key role in the only war the U.S. has failed to win. Ho Chi Minh was the political leader of the VietMinh and Giap's only boss. Ngo Dinh Diem, a Catholic, was elected president of South Vietnam once the French were gone, and was deposed and murdered in 1963. Van Tien Dung was Giap's successor and led the final assault of the North Vietnamese Army on Saigon, which ended the war in 1975.

3. Legend tells that the French strongholds were named after the lovers of Dien Bien Phu commander Christian de Castries. In fact, they were only an alphabetical sequence of denominations: Anne-Marie, Beatrice, Claudine,

Dominique, Eliane, Françoise, Gabrielle, Huguette, Isabelle. DeCastries' command post was located near the "C" position. In the last days of the battle a new "Junon" post was hastily created south of the airstrip and the command post moved there.

4. The Dien Bien Phu base had been sporadically shelled by the VietMinh since its creation, but on March 13th, 1954 a massive artillery attack was launched. Among its objectives was the closing of the main airstrip. The Groupe de Chasse (Fighter Group) 1/22 "Saintonge", which was based there, had to attempt an emergency take-off under the enemy shells. Its nine US naval-type planes were Grumman F8F Bearcats. Only three of the Bearcats managed to evacuate the base, the others being destroyed on the ground. The airstrip was damaged but remained operational for a further week, but after that it had to be closed for the remaining days of the campaign. Air power proved the key to the victory, and as VietMinh AA fire prevented accurate airdropped resupply and reinforcements, the entrenched camp was doomed.

5. That same day, the first VietMinh massive assault overran the most isolated outpost, Beatrice. It was garrisoned by the elite 3rd battalion of the 13e Demi Brigade de la Legion Etrangere (13th Half-Brigade, Foreign Legion) This unit was famous for its heroic stand against Rommel's Afrika Korps at Bir Hacheim The 3/13 DBLE was nearly destroyed at Beatrice (some 300 of its 500 men were killed, including lieutenant-colonel Jules Gaucher, the overall commander of the Demi-Brigade). Only 64 survivors managed to find a way back to the French lines. The unit had fought against Rommel in WWII, but now roughly half of its soldiers at Dien Bien Phu were Germans, including many that had lost their "jobs" in the SS. Morale among the surviving Legionnaires was severely crippled after the Beatrice combat.

6. The following day, March 14th, another VietMinh attack overran and captured the Gabrielle outpost, the strongest of the base, defended by the 5e/7e Regiment de Tirailleurs Algeriens (5/7 Algerian Riflemen Regiment). Due to his failure to stop the VietMinh assaults, the artillery chief, Colonel Charles Piroth committed suicide. Colonel Piroth had refused to receive more guns prior to the battle, for he believed he had more than enough to counter the VietMinh threat. When it became obvious he was heavily outgunned and air assets could do nothing to help him, he went into his bunker, primed a grenade and held it against his chest with his single arm.

7. Colonel de Castries was a cavalryman not well qualified for defensive operations. The fall of Beatrice and Gabrielle left him in a disoriented mood. The top Para officers felt he was unable to lead the base and replaced him with two of their own, the first as de-facto overall commander, and the second as his tactical aide-de-camp for the counterattacks they would launch against the VietMinh. They were Langlais and Bigeard. Quite surprisingly, de Castries accepted without questions the new leadership, and closely collaborated with Pierre Langlais and Marcel "Bruno" Bigeard who kept him as the nominal commander of the camp. Their relationship continued to be very good even after the battle was over.

8. On March 28th, the new Para commanders launched the first of a series of counterattacks and hit-and-go offensives aimed at recapturing fallen or endangered positions and destroying enemy AA guns. They used for these attacks their elite paratroppers and the available light tanks they still had. These tanks were a group of M24 Chaffee. The ten tanks (The French called them "Bisons") belonged to the Premier Regiment de Chasseurs a Cheval (First Light Cavalry Regiment), and had been sent in airborne and assembled in the camp. The tanks were among the most valuable assets the French had deployed in the valley.

9. March 31st. After a tremendous artillery barrage, the VietMinh launched a full-scale assault against Dominique and Eliane. At Dominique, the men of the 3e/3e Regiment de Tirailleurs Algeriens, along with some Thais that were reinforcing them, suddenly began to run for their lives. They left their artillery support completely undefended. The gunners fired the howitzers point-blank at the VietMinh and managed to repel them

10. On April 9th, a well coordinated attack of the Paras re-conquered the part of Eliane that had previously fallen to the communists. Eliane did not fall again to the VietMinh until the end of the battle. De Castries, Langlais and Bigeard were promoted respectively to General, Colonel, and Lieutenant-Colonel for this achievement. However, the French didn't know that Giap decided to accept this only because he had reverted to siege tactics to stop the heavy losses of his own infantry.

11. The entrenched camp was crossed by the Nam Yum River. Throughout the month of April, the number of "Rats of Nam Yum" increased alarmingly, posing a serious problem to the already troubled defenders. These were deserters from the defenders' own ranks. There were over 2,000 "Rats", mainly Thai and North-African defectors. Unable to exit the perimeter, they sought shelter in caves near the river. They lived upon the paradropped supplies, causing a severe drain to the defenders' resources. VietMinh sappers preceded the human waves and were called "Volunteers of Death" due to their near-kamikaze tactics. Their home-made Bangalore torpedoes were lengths of bamboo stuffed with high explosives.

12. On the last day of the battle (May 7th) the French simply ceased fire and announced it to the enemy by radio. The French had been trying to buy some time to mount a relief operation or to force a cease-fire in the Geneva negotiations table. On May 6th, Giap launched a full-scale attack against Claudine, Eliane and Huguette, backed by recently-arrived Soviet rocket launchers. De Castries saw the hopelessness of the situation, and asked his better commanders to mount a breakout attempt, but even the aggressive Bigeard agreed that it would only lead to a pointless slaughter. They considered a formal surrender too humiliating, so they told Giap by radio that they would cease fire at 17:30 on May 7th. Colonel Lalande, the commander of the Isabelle garrison, which had been isolated to the south of the main base during the battle, decided to attempt the breakout that night, but only a mere hundred of his 1,500 men or so succeeded, the rest being captured or forced to surrender.

13. The VietMinh took 11,721 prisoners, of which 858 were allowed evacuation by the Red Cross due to the seriousness of their wounds. The rest, 10,863 men, were forced to walk to prisoner camps some 300 miles away from the valley. 3,290 were returned to the French only four months later. It is not known how many of the rest died, for many Vietnamese and Thai were not returned but simply released. But undoubtedly conditions in the prisoner camps were appalling, as more men died there than in the battle itself. The VietMinh losses for the battle are estimated at between 8,000-12,000 KIA and 15,000-30,000 WIA.

14. Some time after the battle, General Henri Navarre received an anonymous gift: a beautiful lacqued Chinese box containing a single-bullet pistol. Navarre was held responsible of the defeat by many French people, the military among them. It is suspected that they were the ones that sent the "gift" to Navarre. He tried to justify himself later in his book "L'Agonie de l'Indochine".

15. In 1968, shortly before the launching of his Tet Offensive, the communists laid siege to the Marines' base at Khe Sanh perhaps attempting to create an "American Dien Bien Phu" situation. Even today it is not clear if Giap really meant to take Khe Sanh or if he only wanted to draw away US resources to the zone, thus creating a diversion for the Tet offensive. The Marines' base was never in real danger due to the huge assets that were deployed there, and the Tet offensive was defeated and Giap suffered enormous losses. However, this forced general Westmoreland to ask for more and more resources to try to end the war, and a political crisis was provoked in the US. Thereafter, America only tried to find a way to disengage of the war with honor. Giap's determination to win at any price had paid off again.

[Source: <http://www.funtrivia.com/trivia-quiz/History/Last-Stands-Dien-Bien-Phu-87643.html> Mar 2011 ++]

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Tax Burden for Wisconsin 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 Wisconsin

Sales Taxes

State Sales Tax: 5% (food and prescription drugs exempt). Most counties have adopted a 0.5% sales tax which is added to the state tax.

Gasoline Tax: 32.9 cents/gallon

Diesel Fuel Tax: 32.9 cents/gallon

Cigarette Tax: \$2.52/pack of 20

Personal Income Taxes

Tax Rate Range: Low - 4.6%; High - 7.75%. The state's 2009-2011 budget includes a new 7.75 percent income tax bracket on all income over \$300,000 for married couples and \$225,000 for individuals and heads of households.

And the exclusion for capital gains income was lowered to 30 percent from 60 percent. The tax brackets reported are for single individuals. For married taxpayers, the same rates apply to income brackets ranging from \$12,680 to \$190,210.

Income Brackets: Six: Lowest - \$10,250; Highest - \$225,000

Personal Exemptions: Single - \$700; Married - \$1,400; Dependents - \$700; 65 or older - \$1,000.

Additional Exemption: Each taxpayer and spouse over 65 - \$250

Standard Deduction: Single - \$9,440 maximum (reduced as income rises); Married filing jointly - \$17,010 maximum (reduced as income rises); Deduction phases out to zero for single filers at \$92,277 and joint filers at \$105,105.

Medical/Dental Deduction: 5% credit for expenses in excess of standard deduction

Federal Income Tax Deduction: None

Retirement Income Taxes: Generally the same amount of your pension and annuity income that is taxable for federal tax purposes is taxable by Wisconsin. Social Security and Railroad Retirement benefits are not taxable. Certain Wisconsin state and local government retirees qualify for a tax exemption. Out-of-state government pensions are fully taxed. All retirement payments from the U.S. military employee retirement system, the Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration and the Public Health Service are exempt. Retired persons whose income is less than \$10,000 (\$19,000 if married filing a joint return) are also eligible for a "working families tax credit." This credit reduces or completely eliminates the Wisconsin income tax for persons, including retirees, who are full-year residents of Wisconsin. It is not necessary that you be employed, or that you have more than one person in your household, in order to claim this credit. For more details, refer to <http://www.revenue.wi.gov/faqs/pcs/retired.html> and/or [click here](#).

Effective for taxable years beginning on or after January 1, 2009, individuals who receive income from a qualified retirement plan or an individual retirement account (IRA) may be able to subtract up to \$5,000 of such retirement benefits when computing their Wisconsin income tax. To qualify for the subtraction the individual must be at least 65 years of age before the close of the taxable year for which the subtraction is being claimed, and meet the following income limitations for that year. If the individual is single or files as head of household, his or her federal adjusted gross income is less than \$15,000. If the individual is married and files a joint return, the couple's federal adjusted gross income is less than \$30,000. If the individual is married and files a separate return, the sum of both spouses' federal adjusted gross income is less than \$30,000.

The subtraction does not apply to retirement benefits that are otherwise exempt from Wisconsin income tax. For example, an individual is receiving military retirement benefits that are exempt from Wisconsin income tax. The

individual may not claim the \$5,000 subtraction based on the military retirement benefits. The subtraction will first be available on 2009 Wisconsin income tax returns (due April 15, 2010). Individuals who will qualify for the subtraction and who will be making estimated tax payments for 2009 may want to consider the subtraction when determining the amount of their estimated tax payments.

Retired Military Pay: All military retirement pay is exempt.

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

Homeowners and renters whose household income is less than \$24,680 can benefit from the homestead credit program that is designed to soften the impact of property taxes on persons with low income. The credit is based on the relationship of household income to the amount of allowable property taxes and/or rent for the calendar year. Wisconsin also has a school property tax credit that is available to homeowners. It is actually a credit against Wisconsin income tax liability. Details on the state's property tax system can be found [here](#). For information on the Homestead Credit, refer to <http://www.revenue.wi.gov/faqs/ise/home.html>.

Inheritance and Estate Taxes

There is no inheritance tax but Wisconsin does have an estate tax.

As a result of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, approved by Congress and signed into law by President Obama on December 17, 2010, there is no Wisconsin estate tax for deaths in 2011 and 2012 unless action is taken by the Wisconsin Legislature to impose an estate tax. A federal estate tax is imposed on estates of \$5,000,000 or more. The credit for state death taxes paid has been eliminated for deaths in 2011 and 2012, which would have been the basis for Wisconsin's estate tax. The Act allows a deduction for state death taxes paid. On January 1, 2013, EGTRRA (Economic Growth and Tax Relief Reconciliation Act) sunset provisions would again apply with federal or state legislative action necessary to eliminate the Wisconsin estate tax for 2013.

For further information, visit the Wisconsin Department of Revenue site <http://revenue.wi.gov> or call 608-266-2772. For specific retiree information, [click here](#). [Source: www.retirementliving.com Mar 2011 ++]

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Veteran Legislation Status 13 MAR 2011: For a listing of Congressional bills of interest to the veteran community introduced in the 112th Congress refer to the Bulletin's "**House & Senate Veteran Legislation**" attachment. Support of these bills through cosponsorship by other legislators is critical if they are ever going to move through the legislative process for a floor vote to become law. A good indication on that likelihood is the number of cosponsors who have signed onto the bill. Any number of members may cosponsor a bill in the House or Senate. At <http://thomas.loc.gov> you can review a copy of each bill's content, determine its current status, the committee it has been assigned to, and if your legislator is a sponsor or cosponsor of it. To determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d111/sponlst.html>.

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

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Have You Heard? Navy Navigation

This is the transcript of an alleged radio conversation of a U. S. naval ship with Canadian authorities off the coast of Newfoundland in October, 1995. Radio conversation released by the Chief of Naval Operations on 10-10-95 was subsequently denied by the U.S. navy.

Americans: "Please divert your course 15 degrees to the North to avoid a collision."

Canadians: "Recommend you divert YOUR course 15 degrees to the South to avoid a collision."

Americans: "This is the Captain of a US Navy ship. I say again, DIVERT YOUR course."

Canadians: "No. I say again, you divert YOUR course."

Americans: "This is the aircraft carrier USS Lincoln, the second largest ship in the United States Atlantic Fleet. We are accompanied by three destroyers, three cruisers, and numerous support vessels. I demand that you change your course 15 degrees north...that's one-five-degrees North, or counter-measures will be undertaken to ensure the safety of this ship."

Canadians: "This is a lighthouse. Your call."

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"He who is not aware of his ignorance will only be misled by his knowledge."

--- **Richard Whatley** (1787 -1863)

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