

# RAO BULLETIN

## 1 January 2012

PDF Edition

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### THIS BULLETIN CONTAINS THE FOLLOWING ARTICLES

- == Vet Jobs [49] ----- (Australia Recruiting)
- == Vet Property Tax [02] ----- (Exemption Expanded)
- == Gulf War Presumptive Disease [05] - (Application Window)
- == WWII Vets [10] ----- (Carl Clark)
- == Stolen Valor [53] ----- (Fermijon Marrero's)
- == VA Medical Marijuana Policy [01] ----- (Vets Confounded)
- == Funeral Honors [07] ----- (Fort Snelling National Cemetery)
- == Old Time Radio ----- (Available Online)
- == Vet Rehab Center ~ San Diego ----- (Opposed)
- == VA Disputed Claims [02] ----- (James Graves)
- == VA Paralympic Program [02] ----- (\$4.4M in Grants)
- == POW/MIA [10] ----- (2 Located & Identified)
- == Tricare Pharmacy Policy [09] -- (ESI/ Walgreens Stalemate)
- == USS IOWA Museum ----- (Final Voyage Near)
- == Arlington National Cemetery [33] ----- (64K Markers in Err)
- == Credit Card Charitable Donations ----- (Processing Fees)
- == Hotel Guest Phone Scam ----- (BBB Warning)
- == Veterans Upward Bound ----- (Education Program)
- == Veteran Civilian Cultural Rift ----- (Communication Crisis)
- == Dover Air Base Mortuary [01] ----- (Disciplinary Actions)
- == VA Communications ----- (Facebook)
- == Mobilized Reserve 27 DEC 2011 ----- (1906 Decrease)
- == Purple Heart [02] ----- (New Standards)
- == Life Expectancy ----- (Talking With Your Doctor)
- == Military Retirement System [12] \*\* -- (2012 NDAA Impact)
- == Military Retirement System [13] \*\* ---- (No Overhaul Soon)
- == USO [02] ----- (New York)
- == VA Service Connection ----- (Validation)
- == VA Automobile Grants ----- (SC Disability Benefit)
- == Gulf War Syndrome [15] ----- (Research Funding)
- == DOD Tuition Assistance ----- (3 Mo Extension)

== Vets4Warriors ----- (National Guard Hotline)  
== Stolen Valor [52] ----- (US v. Alvarez Amicus Brief)  
== NDAA 2012 [07] ----- (Passed)  
== SBP DIC Offset [31] ----- (Will Continue)  
== SBA Vet Issues [18] ----- (\$500M Fraud & Abuse)  
== SBA Vet Issues [19] ----- (EBV)  
== GI Bill [109] ----- (2012 Housing Rates)  
== Vitamin Supplements [03] ----- (Who should take)  
== VA Compensation & Pensions [05] --- (Exam Do's & Don'ts)  
== Agent Orange Okinawa [02] ----- (Hamby Airfield)  
== VA Fraud Waste & Abuse [43] ----- (15-31 Dec 2011)  
== Veteran Charities [19] ----- (Veteran's Miracle Network)  
== Medicare Reimbursement Rates 2012 [04] ----- (Now 29 FEB)  
== Medicare Reimbursement Rates 2012 [05] ----- (Agreement)  
== Vet Toxic Exposure ~ Lejeune [26] ----- (Disability Settled)  
== Vet Toxic Exposure ~ TCE ----- (New Brighton/Arden Hills)  
== VAMC Cleveland ----- (\$275K Settlement)  
== DoD Veteran Rape Lawsuit [01] ----- (Dismissed)  
== IL Vet Home Purchase Program ---- (Welcome Home Heroes)  
== Reserve Community Bankruptcy Relief ----- (Means Test)  
== WRNMMC [01] ----- (Religious Item Policy Rescinded)  
== Commissary Elimination [01] ---- (2012 NDAA Amendment)  
== Travis AFB ----- (Holiday Display Controversy)  
== Camp Pendleton Mem Cross [01] -- (Congressman Intercedes)  
== Retirement Planning [02] ----- (Best Places to Work)  
== Retirement Planning [03] ----- (Medical Cost Concerns)  
== Retirement Planning [04] - (Long-Term Financial Confidence)  
== Don'T Ask, Don't Tell [03] ----- (UCMJ Article 125)  
== PTSD [82] ----- (SGB Navy Study)  
== PTSD [83] ----- (AnswerRing)  
== VA Contractor Use [04] ----- (Improper Expenditure Probe)  
== VA Contractor Use [05] --- (New Oversight Tools Ineffective)  
== 911 Fraud ----- (Charles E. Coughlin)  
== VA Homeless Vets [26] ----- (12% Decline in 2011)  
== Filipino Vet Inequities [23] ----- (Lobbying Continues)  
== Credit Card Application ----- (Reconsideration)  
== Vet Jobs [48] ----- (Fed Hiring 20-Year High)  
== Vet License Plates IL ----- (New Female Plate)  
== Veteran Support Organizations ----- (Operation Gratitude)  
== Saving Money ----- (Wholesale Clubs)  
== Notes of Interest ----- (16-31 Dec 2011)  
== Medicare Fraud [82] ----- (16-31 Dec 2011)  
== Medicad Fraud [54] ----- (16-31 Dec 2011)  
== State Veteran's Benefits ----- (South Dakota)  
== Military History ----- (Operation Frantic)  
== Military History Anniversaries ----- (Jan 1-15 Summary)  
== Military Trivia [42] ----- (Wartime Xmas's)  
== Tax Burden for Kansas Retirees ----- (As of DEC 2011)  
== Veteran Legislation Status 29 DEC 2011----- (Where we stand)

== Have You Heard? ----- (AIDS Warning!)

Attachment - Veteran Legislation as of 29 DEC 2011

Attachment - South Dakota State Veteran's Benefits

Attachment - SECNAV Purple Heart Standards

Attachment - Vet License Plates Illinois

Attachment - WWII Operation Frantic

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**Vet Jobs Update 49:** With the Iraq War officially over and the Army downsizing in the face of defense budget pressure, more troops will be making the transition back to civilian life -- a potentially challenging prospect given the state of the economy. But for those who want to stay in uniform, there may be a new option emerging -- just not an American one. Australia has put out the "Help Wanted" sign for foreign national veterans. "We are looking for serving or ex-serving foreign military personnel, who can directly transfer their job and life skills to whichever Service they join, with limited training and preparation," the Australian Defence Force has announced on its website <http://www.defencejobs.gov.au/recruitmentcentre/canIJoin/overseasApplicants/>. Jobs to be filled include special forces types, intelligence officers and submariners, according to the announcement, but the separate recruitment pages for each service branch show that the Aussies will consider veterans with a broad range of military experience.

As the U.S. tightens its defense belt slightly over the next year, the Army and Marine Corps will cut end strength by thousands of men and women. The Army expects to lose about 7,400 Soldiers by OCT 2012, to reach an end strength of 562,000. The Corps eventually plans shrinking its manpower by about 16,000 to reach a total Marine force of 186,800. The Navy already has brought down its numbers by more than 50,000 since reaching a wartime strength of 383,000 during the build-up for the Iraq invasion. It expects to ship another 3,000 Sailors off to civilian life by next fall. Only the Air Force expects to add people next year, but just a few hundred; and its end strength of about 333,000 for 2012 will still be about 40,000 Airmen lighter than it was in 2004. According to the U.S. State Department, the U.S. and Australia each recognize dual citizenship. Serving in the military of one is not listed as a cause for losing citizenship in the other. The Australian defense site also notes that security clearances acquired while in the U.S. military are transferable to the Australian military. "Australia is a great country and staunch ally, and aside from a common language, we share the same values and beliefs," said Joe Davis, a spokesman for the Veterans of Foreign Wars. "As our military begins to downsize, it could be a great opportunity for those who want to continue serving."

Among veterans who saw a story on the Aussie recruiting announcement posted to the Iraq and Afghanistan Veterans of America site on 27 DEC, a number said they would consider making the move Down Under, and some indicated enthusiasm for the idea. Ricardo Mireles of Texas, a retired Navy man, posted that if he were just out of the Navy, he'd "be there in a heartbeat, no doubt!" "Why not?" posted Laci DeLisle, whose Facebook page shows her in an Army uniform, hugging family members at an airport. "People here are trying to stay in when they don't need us anymore. I'd be down for it. Probably get better accommodations than the U.S. Army provides, but that really wouldn't take much." But other posters were adamant they would never wear another country's uniform. "Can't ever imagine putting my life on the line for another country," posted Larry Josefowski, an Iraq War veteran and Army reservist in Delaware, "even for Australia." [Source: Military.com Bryant Jordon article 28 Dec 2011 ++]

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**Texas Vet Property Tax Update 02:** A full homestead property tax exemption that began in 2009 to help totally disabled military veterans or those who are considered unemployable by the U.S. Department of Veterans Affairs will extend to their surviving spouses after 1 JAN. Senate Bill 516 allows the exemption if a surviving spouse does not remarry after a disabled veteran dies and the property remains the homestead of the surviving spouse. Surviving spouses would have to apply for the tax exemption through their county appraisal district. The application is available at <http://www.window.state.tx.us/taxinfo/taxforms/50-114.pdf>. [Source: Longview TX News-Journal article 28 Dec 2011 ++]

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**Gulf War Presumptive Disease Update 05:** Veterans of the Persian Gulf War with undiagnosed illnesses have an additional five years to qualify for benefits from the Department of Veterans Affairs. “Not all the wounds of war are fully understood,” said Secretary of Veterans Affairs Eric K. Shinseki. “When there is uncertainty about the connection between a medical problem and military service, Veterans are entitled to the benefit of the doubt.” A recent change in VA regulations affects Veterans of the conflict in Southwest Asia. Many have attributed a range of undiagnosed or poorly understood medical problems to their military services. Chemical weapons, environmental hazards and vaccinations are among the possible causes. At issue is the eligibility of Veterans to claim VA disability compensation based upon those undiagnosed illnesses, and the ability of survivors to qualify for VA’s Dependency and Indemnity Compensation. Under long-standing VA rules, any undiagnosed illnesses used to establish eligibility for VA benefits must become apparent by Dec. 31, 2011. The new change pushes the date back to Dec. 31, 2016. Veterans or survivors who believe they qualify for these benefits should contact VA at 1-800-827-1000. Further information about undiagnosed illnesses is available online at <http://www.publichealth.va.gov/exposures/gulfwar> and <http://www.publichealth.va.gov/exposures/oefoif/index.asp>. [Source: Army News Service 29 Dec 2011 ++]

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**WWII Vets Update 10:** Carl Clark, 95, will be awarded the Navy and Marine Corps Commendation Medal with the Combat Distinguished Device on 17 SEP, Rep. Anna Eshoo (D-CA) announced last week. Clark was serving as a steward first class aboard the destroyer minelayer Aaron Ward when Japanese kamikazes attacked the destroyer near Okinawa in May 1945. “They would guide those planes directly into the ships,” Clark said of the planes he described as “flying bombs.” Six kamikazes hit the destroyer, with the blast from one plane so powerful that Clark said it blew him “all the way across the ship.” Although he suffered a broken collarbone in the attack, Clark was credited with saving the lives of several men by dragging them to safety. He also put out a fire in an ammunition locker that, according to Eshoo’s office, would have cracked the destroyer in half.

Reached at his home in Menlo Park on Christmas Eve, Clark told The Associated Press that even though the destroyer’s captain acknowledged that he had saved the ship, it took 66 years to be recognized for his actions, according to Clark, because of bigotry. “It wouldn’t look good to say one black man saved the ship,” he said. The captain of the destroyer tried to make up for the slight by giving him extra leave and making sure that he was not sent back to sea, Clark said. The work in eventually getting him the medal was made more difficult because of the lack of documentation and living witnesses to the attack, Eshoo said, adding that the decision to award the medal was a Christmas Miracle. “It is a singular privilege to be in a position to correct the record for those who have fought to preserve our freedoms,” she said in a statement. “Carl Clark served our nation during a time when the

Navy was deeply segregated and a culture of racism was prevalent. His courage stands as a symbol of the greatness of our nation, and this award, also given to Senator John McCain, calls out Mr. Clark as a true American hero.” Clark will receive the medal during a ceremony at Moffett Field in Mountain View. [Source: Associated Press John S. Marshall article 27 Dec 2011 ++]



**Carl Clark receives a proclamation and a flag flown over the U.S. Capitol from Rep. Anna Eshoo in 2009.**

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**Stolen Valor Update 53:** Fermijon Marrero's pile of lies has come crashing down around him as media outlets from around the New York area have picked up the story after Talk of the Sound reported that the man honored as Grand Marshall of the 2011 Memorial Day Parade was not a Brigadier General in the U.S. Army or a Vietnam POW. In fact, Marrero is an outright fraud, discharged from the Army in 1976 as a private after 9 months of service. He never saw combat or served overseas, spending his entire time in the service stationed at bases in the United States. Talk of the Sound's based its reporting on information published on John Lilyea's This Ain't Hell Blog and research done by Mary and Chuck Schantag of the POW Network site after the Daily New Rochelle reported that Marrero claimed to have been a Vietnam POW. The POW Network specializes in outing phony claims on POW status.

The Journal News and others are now reporting on Marrero's fraud. When Channel 2 News reporter Catherine Brown pressed Marrero he grabbed her microphone and shouted that he left the Army in 1987 with the rank of Lieutenant Colonel in the U.S. Army and that the Brigadier General was his title in the Cadets. That claim is also false. On 22 DEC Colonel Joseph Land, Chief of Staff of the U.S. Army Cadet Corps categorically denied Fermijon Marrero was ever associated with the Army Cadets Corps or that his rank of Brigadier General was an honorary rank as a member of the cadets or that Marrero. "There is only one Brigadier General in the U.S. Army Cadet Corps, my boss", Land told Talk of the Sound. "I don't think he will appreciate Marrero sitting in his chair." Land went further stating that although Marrero had contacted him several months ago, Marrero was never associated in any way with the U.S. Army Cadets.

The matter began to come to ahead after the Daily New Rochelle reported Marrero's tall tales of eating maggots and being locked up in a tiger cage as a Vietnam POW before escaping. Refer to <http://www.thedailynewrochelle.com/neighbors/former-army-general-will-soon-move-new-rochelle>. The POW Network team suspected the story was false, researched Marrero and labeled him a "phony" on their web site. The Daily New Rochelle ran a new story on Marrero being a fraud but has yet to correct or clarify the original story. [Source: Robert Cox blog 23 Dec 2011 ++]



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**VA Medical Marijuana Policy Update 01:** The Department of Veterans Affairs last year began allowing former service members to use medical marijuana — in states that have laws permitting it — in conjunction with their regular treatment. The policy clarification has veterans like John Riccio wondering why the government continues to classify marijuana as a Schedule 1 drug alongside heroin and deny that the plant has any medicinal use. Riccio has been smoking marijuana to relieve his chronic back and shoulder pain for two years. In October, the four U.S. attorneys in California announced a massive crackdown on marijuana growers and storefront dispensaries. The directive on medical cannabis has added a new wrinkle to a years-old dispute between the federal government and a growing number of states that allow marijuana for sick and dying patients. The Justice Department has stressed that it would not focus federal resources on sick individuals in shutting down dispensaries. Federal authorities point out that not only is marijuana illegal under federal law, but they say in California it has become pervasive, profit-driven and abused by people who are not sick. There are laws allowing medical marijuana in 16 states and Washington, D.C.,

Medical pot advocates have lamented a series of memos from various federal agencies challenging the rights of patients to do everything from possess a firearm and ammunition to receive federal housing assistance. There's also the risk to one's job or being dropped from a list of people waiting for a liver transplant, said Michael Krawitz, executive director of Veterans for Medical Marijuana Access, which worked with Veterans Affairs to craft the policy. "There's the sentiment out there that you've led these vets almost into a trap," said Krawitz, whose organization is based in Elliston, Va. "You've got vets that were told they were going to be respected when it comes to their medicine. And when you start closing the noose around everybody, you are closing it around these vets as well." The Food and Drug Administration in April approved a study to test whether marijuana could ease symptoms

associated with post-traumatic stress disorder, including nightmares, insomnia, anxiety, anger and flashbacks. Those plans were dashed when HHS refused to sell researchers the marijuana needed for the study.

The Food and Drug Administration remains the sole institution that approves medication in the U.S. Rafael Lemaitre, communications director at the Office of National Drug Control Policy, said the veterans directive and the crackdown by federal prosecutors both deal with the reality of states working outside the Food and Drug Administration. "We can't control whether a patient does or does not participate in a state-approved marijuana program," said Michael Valentino, chief consultant for pharmacy benefits management services at the Department of Veterans Affairs. "What we have attempted to do is recognize the fact that veterans do, and other people do, and then to provide guidance to our staff on how to deal with those situations when they occur." [Source: Sign-on San Diego News Christopher Cadelago article 25 Dec 2011 ++]



**At his apartment in South Park, John Riccio uses a special vaporizer to take his medical marijuana treatment.**

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**Funeral Honors Update 07:** The volunteer rifle squad at Fort Snelling National Cemetery has provided military honors at almost 60,000 burials. But now it's in danger of losing its guns because the Army wants them back. The Army wants to replace the honor guard's 1903 Springfield bolt-action rifles, a model that predated World War I, with a somewhat more modern weapon, the World War II vintage M-1 Garand semiautomatic. But the volunteers with the Fort Snelling squad hope to stick to their old guns. U.S. Rep. John Kline (R-MN) a retired Marine who serves on the House Armed Services Committee, wrote to Army Secretary John McHugh 16 DEC asking the service to reconsider. On 21 DEC, he said the Army will look into the matter.

Vietnam-era machine gunner John Sobaski told Minnesota Public Radio the Springfield's mechanism is part of the weapon's allure. "I like the action that it makes, the sound that it makes," he said. "It sounds a little more traditional." Bob Nelson, a Vietnam vet who commands the squad, which formed in 1979, said the Springfield's shots have a distinct ring as well. "They sound the best. M-1's, they have a mellower sound. And we think it's really a nice tribute to our veterans that we are having the honors for that they go out in style and class," Nelson said. The Garand is also heavier, with a tricky reloading mechanism that could spell potential trouble for the volunteers, many of whom are in their 70s, 80s and even 90s. Howard Tellin, the armorer and bugler for the squad, calls it "The M1 thumb. If you don't watch it, you're going to have the prettiest black-and-blue thumb you've ever seen. It hurts for about a week," Tellin said.

The Army wants the Springfields back under a new policy that also limits the squad to 15 rifles, down from 50 that are now shared among the five details working different days. Combined, the details serve an average of 45 to 50 burials a week. The reason for the changes remains unclear, at least to the rifle squad members who blame the Pentagon bureaucracy. A Pentagon spokesman contacted by the Star Tribune said he did not have a ready answer. "We can't get a truthful statement out of anyone," Nelson said. "I don't know anyone who really knows why they want to take them away." On 21 DEC, Kline announced the Army would launch an inquiry. In addition, an aide said Kline intends to introduce legislation early next year to ensure the squad can keep its Springfields. Kline said the issue is largely about recognizing the squad's sacrifices for their fellow soldiers, sailors and Marines. "As you talk to them you realize they're all guys in their 70s and 80s," he said. "They're out there in the winter when it's below zero. They're out there all the time." [Source: Associated Press article 22 Dec 2011 ++]

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**Old Time Radio:** If you're an old retiree who enjoyed listening to radio shows such as Jack Benny, Mysterious Traveler, Inner Sanctum, Nick Carter, Phillip Marlowe, et al, when you were a kid or listening to radio shows that were broadcast by AFRS\AFRTS while you were overseas, you can still listen to the shows via the many web sites that stream Old Time Radio (OTR) shows. Following are a few of the sites that stream OTR shows each day. (During this holiday season, many of the sites are currently streaming special nostalgic holiday radio shows.)

- Relic Radio <http://relicradio.com/otr/stream>
- Radio Spirits <http://radiospirits.com> (login required)
- OTR Now <http://www.otrnw.com/otrnw/index.htm>
- Antitoch OTR <http://radio.macinmind.com>
- AM600 Conyers GA <http://radio.bobmerritt.com>
- Yesterday USA <http://www.yesterdayusa.com>

You can get links to other OTR sites by searching for "streaming OTR," "OTR shows," etc., or you can visit the Graymatters OTR Streaming Links at <http://www.angelfire.com/mi/lifespring/page6.html> (this site provides a list of links to OTR sites). If you're interested in a particular show or character, the OTR Archives web site is available at <http://www.archive.org/details/oldtimeradio> . This site has copies of just about every OTR show that was ever aired. The radio shows can be listened to while you're online or downloaded for your MP3 player, iPhone, etc. [Source: Links for Mil\Ret\Vets Milton Bell article Dec 2011 ++]

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**Vet Rehab Center ~ San Diego:** A proposed rehabilitation facility for veterans in San Diego is garnering opposition from local residents who say they support the troops — just not in their backyard. The head of one Washington-based veterans advocacy group called their opposition shameful. "President Obama and the VA along with states are finally starting to do the right things to help veterans. It is shameful that someone would stand in the way," Patrick Bellon, executive director of Veterans for Common Sense, told Stars and Stripes. "They just may not want to come face to face with the consequences of the wars from which they have been so insulated, but our veterans who fought in those wars need help nonetheless. It seems wrong that 1 percent would bear the brunt of these conflicts and a community would just scoff at an opportunity to repay that sacrifice." The building is a half-block long, on San Diego Avenue in the city's Old Town neighborhood, and sits vacant. It was formerly used by the Thomas Jefferson School of Law. According to the website of the local ABC affiliate, 10news.com, the San Diego City Council will vote on whether to allow it in the coming months.



The proposed 40-bed center, with single rooms, would be intended for veterans who need a place to live for one to six months. The facility would also have in-house medical and psychiatric care. Neighbors say they don't want it, and they insist that they're mostly against it for the vets' own good. "For the vets, I don't think it's a suitable place. They need wide open spaces. They shouldn't be in a residential neighborhood," said Janet Houts, whom the website described as "a longtime Old Town resident." Neighbors also said the bars, liquor stores and loud noise in the neighborhood were not ideal for rehabbing veterans. "These all could be very impactful to somebody recovering from post-traumatic stress," resident Lisa Mortensen said. "We have been called unpatriotic," Houts said. "We're anything but that. We have a VA facility down the street. We have a mental facility [on a nearby street]." Local veterans don't buy it. The news report points out that the building Houts refers to, apparently the Vietnam Veterans Village of San Diego, is separated from the neighborhood by Interstate 5. "So many of us served, and to come back and see our community not want us to be part of it is very [disheartening]," said Navy retiree Tara Wise. "It makes you feel like your service was for nothing." [Source: Stars & Stripes Bill Murphy article 21 Dec 2011 ++]

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**VA Disputed Claims Update 02:** James Graves says he finally got what is rightfully his. After a six year battle with the Department of Veterans Affairs, he will be paid the benefits he's owed as a former participant in the Vocational Rehabilitation and Employment program. VocRehab's purpose is to help veterans with service-related disabilities "prepare for, find and keep suitable jobs." The program paid for courses that Graves needed to obtain a provisional teaching license to teach at Warwick High School in Newport News. The problem is the license expired in three years, and the VocRehab plan for Graves stated that the goal was for him to "maintain employment as a teacher." Graves had to pay more than \$6,000 to take classes at Strayer University in order to keep his job at the high school, because the VA refused to pay. "What I had to do between May and July back in 2008, was take these five classes and to take the two tests that's required by the state and that was required by the plan, that they were supposed to pay for," explained Graves.

A recent hearing before the Board of Veterans Appeals finally brought Graves some good news. Graves says it's what he expected all along and is happy yet frustrated it took so long for the VA to do what it should have done originally. In the ruling, veteran's law judge Ronald Scholz states, "The board cannot believe that a rehabilitation plan to obtain a certificate to become a high school teacher does not contemplate the needs to take the education courses and certification tests necessary to obtain a permanent teaching license. After review of the entire record, the evidence supports the Veteran's claim. The evidence supports that the Veteran was not rehabilitated until June 2008 upon completion of his additional courses and certification tests. Reimbursement for courses taken after January 31, 2006, the expenses of the certification tests taken in 2008, and any appropriate monthly stipend payment for the period of time from March 4, 2008 to June 2, 2008 is warranted." [Source: ABC 13WVEC.com Janet Roach article 21 Dec 2011 ++]

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**VA Paralympic Program Update 02:** In OCT 09 the U.S. Olympic Committee (USOC) and the Department of Veterans Affairs (DVA) launched a new program to provide Olympic standard training, equipment, coaching and logistics for regional sports events for veterans hospitals and disabled veteran's support services throughout the U.S. In addition to \$8 million in annual funding to operate the program, \$2 million a year is available for grants to individual disabled veterans to pay for additional athletic training needs. On 22 DEC 2011 the USOC announced that more than \$4.4 million in funds from the DVA has been awarded to 95 community-based organizations in support of Paralympic sport and physical activity programs for disabled Veterans and disabled members of the Armed Forces. Grants ranging from \$2,500 to \$500,000 were provided to USOC partner organizations and community programs to increase the opportunities for disabled Veterans to participate in physical activity within their home communities and in more Paralympic programs at the regional and national levels. "This funding is already having a tremendous impact on disabled veterans and disabled members of the Armed Forces," USOC CEO Scott Blackmun said. "Through the USOC/Veterans Affairs partnership many community programs have been able to expand their programming and provide increased opportunities for Veterans to participate." [Source: Colorado Springs 'The Gazette' article 22 Dec 2011 ++]

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**POW/MIA Update 10:** The following MIA/POW's have been identified. For additional information on the Defense Department's mission to account for missing Americans, visit the Department of Defense POW/Missing Personnel Office (DPMO) web site at <http://www.dtic.mil/dpmo> or call (703) 699-1420 :

**Korea.** DPMO announced 14 DEC that the remains of Army Pfc. Maximo A. Troche, 24, of New York, missing in action from the Korean War, have been identified and were returned to his family for burial with full military honors. He was buried on Dec. 17, in Hartsdale New Yoek. On Feb. 4, 1951, Troche and soldiers from the I Company, 3rd Battalion, 19th Infantry Regiment, 24th Infantry Division, fought against Communist forces near Yangpyeong, Kyonggi Province, South Korea. After the battle, Troche was listed as missing in action. Following the end of the Korean War, returned prisoners reported that Troche had been held as a prisoner of war in Suan Bean Camp in North Korea, and died from dysentery sometime in April 1951. In the fall of 1954, during Operation Glory, Communist forces turned over remains of U.S. servicemen who died in the Korean War, but Troche was not included among those remains. On Dec. 21, 1993, North Korea gave the United Nations Command 34 boxes believed to contain the remains of U.S. servicemen. The remains were recovered from Suan County, North Hwanghae Province, North Korea, which is where Troche had reportedly died as a prisoner of war. In 1996, the remains could not be identified given the technology of the time. Along with forensic identification tools and circumstantial evidence, scientists from the Joint POW/MIA Accounting Command and AFDIL used dental records and mitochondrial DNA – which matched that of Troche's cousins—in the identification of the remains.

**Korea.** DPMO announced 14 DEC that the remains of Army Cpl. Agustin Alvarez, 22, of Los Angeles, Calif, missing in action from the Korean War, have been identified and were returned to his family for burial with full military honors. Alvarez was buried on Dec. 17, in his hometown. In November 1950, Alvarez and soldiers from the Heavy Mortar Company, 3rd Battalion, 31st Infantry Regiment, were forced to withdraw during a battle on the eastern side of the Chosin Reservoir, near Kaljon-ri, North Korea. Alvarez and many other men were taken as prisoners of war at that time. Following the end of the Korean War, returned prisoners reported that Alvarez had died from wounds and lack of medical care while in enemy hands, sometime in December 1950. In the fall of 1954, during Operation Glory, Communist forces turned over remains of U.S. servicemen who died in the Korean War, but Alvarez was not included among those remains. Between 1991 and 1994, North Korea gave the United States 208 boxes of remains believed to contain the remains of 200-400 U.S. servicemen. North Korean documents, turned over with some of the boxes, indicated that some of the human remains were recovered near Kaljon-ri, where Alvarez been held as a prisoner of war. Metal identification tags that were included with the remains bore Alvarez's

name and service number. Along with forensic identification tools and circumstantial evidence, scientists from the Joint POW/MIA Accounting Command and AFDIL used mitochondrial DNA – which matched that of Alvarez’s nephew—in the identification of the remains.

[Source: [http://www.dtic.mil/dpmo/news/news\\_releases/](http://www.dtic.mil/dpmo/news/news_releases/) 14 Dec 2011 ++]

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**Tricare Pharmacy Policy Update 09:** Walgreens first-quarter earnings fell more than 4 percent due in part to a slow flu season and its split with the Express Scripts pharmacy network. A three-year contract between the companies ends at the end of 2011. Since June, Walgreens and Express Scripts have said they were preparing to stop doing business. Walgreens gets \$5.3 billion in annual revenue from Express Scripts, but the Deerfield, Ill., company has said it would rather give that up than continue filling unprofitable prescriptions. President and CEO Greg Wasson said that the company had made one last attempt last week to come to terms with Express Scripts, but the two sides were unable to resolve their differences over the rates that Express Scripts pays to fill prescriptions. Walgreens remains open to another offer, Wasson said. Unless the companies strike a last-minute deal, most people whose prescription drug benefits are handled by Express Scripts won’t be able to fill their prescriptions at Walgreens stores, starting in January. Express Scripts clients include Tricare, the health plan that serves military members and their families, and WellPoint Inc., which is the largest U.S. health insurer based on membership.

Walgreens is the biggest drugstore chain in the U.S., with 7,812 locations. Shares of Walgreens fell \$1.29, or 3.9 percent, to \$32.21 in afternoon trading on 21 DEC while the broader markets edged down less than 1 percent. The decision to stop doing business with Express Scripts cost a penny per share in sales at pharmacies open at least a year, and a penny per share in expenses during the first quarter. The company took the same hit from the lack of a traditional cough, cold and flu season. Walgreens administered 5 million flu shots through Nov. 30 compared with 5.6 million a year ago. Net income fell to \$554 million, or 63 cents per share, from \$580 million, or 62 cents per share, a year ago, when it had more shares outstanding. Revenue grew 4.7 percent to \$18.16 billion. Analysts surveyed by FactSet expected, on average, earnings of 67 cents per share and \$18.24 billion in revenue.

In the wake of the Express Scripts stalemate, Walgreens is trying to hold on to as many prescriptions as possible by making its own arrangements with companies and health plans. Based on prescriptions Walgreens is filling in December and other trends, the company says it expects to keep between 97 percent and 99 percent of its 2011 prescription volume. Analysts estimate that Walgreens will lose most of the Express Scripts prescriptions and say the split will also hurt sales of other products, since fewer shoppers would be coming to Walgreens stores. Express Scripts also is trying to buy Medco Health Solutions Inc., another large pharmacy benefits manager. If that deal goes through, Walgreens may lose Medco’s clients over time. First-quarter selling, general and administrative expenses climbed 5 percent to \$4.2 billion because of its acquisition of drugstore.com and issues. Earlier this month, Walgreens said sales at stores open at least a year grew 2.5 percent during the quarter. However the Express Scripts fight reduced those sales by 1.1 percent. Sales at stores open at least a year are considered a key measurement of retailer health because they exclude results from stores that have opened or closed in the last year. [Source: The Associated Press Marley Seaman article 21 Dec 2011 ++]

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**USS IOWA Museum:** The last surviving World War II battleship without a home is docked at the Port of Richmond, where it is being prepared for its journey to the Port of Los Angeles for a new mission as a museum and memorial to Navy might. The Pacific Battleship Center raised \$8 million to rescue the 68-year-old ship from the Ghost Fleet in Suisun Bay. The 800-foot Iowa, commissioned in 1943, served in World War II and the Korean War.

It last sailed in 1990. The ship is drawing hundreds of tourists already in Richmond, where the vessel's exterior is undergoing refurbishment. More than 1,000 people showed up 10-11 DEC when the ship was opened for limited weekend tours for the first time, said Robert Kent, president of the Pacific Battleship Center, the nonprofit organization that received the ship donation from the Navy last year.

Despite some "hiccups" on the leasing negotiations with the Port of Los Angeles, Kent said it appears the ship will arrive in San Pedro sometime from February to April. The timing of the final tow south is "completely weather-dependent," Kent said. There are still details to be worked out with the Port of Los Angeles regarding the ship's lease. If all goes as planned, local tours could begin as early as 20 JUN in a "soft" opening, with the grand opening still slated for July Fourth. In Richmond, work is proceeding quickly to paint and preserve the ship's exterior, Kent said. The idea is to get the ship's exterior, including the mast, refurbished before it comes to San Pedro. "She's going to come down looking fit and trim," Kent told a San Pedro Chamber of Commerce committee last week.

Work on the interior will be ongoing, with new areas opened for tours as they're finished. Once it's towed south, the ship will remain anchored six miles off the coast near Long Beach while workers clean the hull, an operation expected to take about a week. A celebration will be scheduled to bring the ship up the Main Channel in the Port of Los Angeles, with the vessel carrying 1,000 to 1,500 invited guests onboard. The governor of Iowa is among those who plan to be on hand for the festivities, which could also include ship escorts by the Los Angeles Tall Ships and the SS Lane Victory. Iowa residents will receive special courtesies. "Anyone with an Iowa driver's license will get a general tour for no charge," Kent said.



**Tourists and members of the Pacific Battleship Center tour the USS Iowa.**

It is still unclear where the Iowa will initially be berthed, but its permanent home has been designated as Berth 87, just north of the Los Angeles Maritime Museum and the fireboat station. Fundraising is ramping up on the project as well, with about \$1 million already invested in the ship by the Pacific Battleship Center. A \$3 million grant from the state of Iowa is expected to be in hand by the end of this year and a \$5 million bank loan is in the works. Tours will feature an interactive experience, with part-time actors who will demonstrate Navy life. The ship, nicknamed "The Big Stick," served from the 1940s through the 1980s before it was decommissioned. The Pacific Battleship Center is asking for \$10 admission for adults (\$5 for children 12 or older) and raised \$15,000 in its first weekend. The group also is selling holiday gift certificates that give the recipient "plank" ownership status on the Iowa project. [Source: Long Beach Press-Telegram Donna Littlejohn article 18 Dec 2011 ++]

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**Arlington National Cemetery Update 33:** Thousands of grave markers at Arlington National Cemetery may need to be replaced or added to accurately account for the dead, following a meticulous Army review of each of the nearly 260,000 headstones and niche covers on the grounds. In a report to Congress on 22 DEC, the Army found potential discrepancies between headstones and cemetery paperwork on about 64,000 grave markers — about one in four. Congress ordered the review last year following reports of misidentified and misplaced graves that led to the ouster of the cemetery’s top executives. The report found no further evidence of misplaced graves, though it cautioned that its review is not complete and that some errors could have gone undetected. There are potentially thousands of minor errors, including misspelled names, or incorrect military ranks and dates of birth and death. The Army compared information on every headstone to its internal records, scouring handwritten logs of the dead from the Civil War and a hodgepodge of other records to verify accuracy.

In an interview, the cemetery’s executive director, Kathryn Condon, said reviews are ongoing and it’s premature to try to estimate exactly how many headstones may need replacement. To be sure, many of the 64,000 discrepancies will turn up no problem with a headstone — it may be as simple as a typo on an internal record. And in many cases, the discrepancies are not errors at all but reflect past practices at the cemetery that are now considered outdated. One of the biggest surprises uncovered by the review was that in most of the early 20th century, the cemetery did not include the name of a wife on a headstone when she was buried next to her husband. Under current practices, the name of the spouse is etched onto the back of the headstone. Condon said the cemetery will correct that by adding the spouse’s name to the gravesite. She said it is not only the right thing to do but is also required by law. Accounting for the forgotten spouses alone will require thousands of corrections, officials said. In some cases, replacement headstones will be made. In cases where the headstones are considered historic, footstones will be added.

Sen. Claire McCaskill (D-MO), who was critical of the old management team and has been supportive of Condon’s reform efforts, said the cemetery “is now a turnaround story. After we uncovered chronic managerial failure and demanded comprehensive reforms from a new leadership team, I am pleased to receive this report that shows great progress and lays out a plan to finish the job.” But Sen. Mark Warner (D-VA), said the report “raises more questions than it answers,” particularly with the ultimate disposition of those 64,000 discrepancies. He said that while Condon has worked hard to improve management at the cemetery, he is not convinced that the cemetery has fixed its data-management problems. Warner had asked a consortium of northern Virginia technology companies to help the cemetery get a data-management plan in place, and he wants further assurances that the Army took the help that was offered on a pro bono basis. The Army and a team of 70 analysts are undertaking painstaking reviews of every case where they find a potential discrepancy to ensure that records are made accurate. Those reviews are expected to be completed in the summer.

The process began with a hand count, using simple mechanical clickers, of every gravesite — 259,978 to be exact. (More than 300,000 people are buried at Arlington, but some grave markers have two or more names.) Then, during the summer, members of the Army’s ceremonial Old Guard unit used iPhones to photograph the front and back of every headstone, so the information could be compared against internal records. Officials cited Christian Keiner, a Civil War veteran from New York who died in 1919, as a typical example. The headstone reflected only his name, but internal records showed that his wife, Caroline Keiner, had also been buried there in 1915. In addition, the internal records spelled Caroline Keiner’s name as “Kiner.” Officials reviewed handwritten Census records from 1900 and Civil war-era military and pension records to confirm that “Keiner” was indeed the correct spelling. The Keiners’ great-granddaughter, 52-year-old Cee Cee Molineaux of Annapolis, Md., was shocked to learn the story of her ancestors when reached by phone by The Associated Press. She had only passing knowledge of her great-grandparents, and no idea her great-grandfather served in the Civil War. She was gratified that the cemetery is making efforts to commemorate the resting place of her great-grandmother. “It’s absolutely meaningful to me — not

just because she's an ancestor but just for women in general. To not have their final resting place acknowledged is kind of sad," said Molineaux, who now works for the American Red Cross.

John Schrader, co-chair of the Gravesite Accountability Task Force, said recordkeeping methods varied widely over the cemetery's 147-year history, from handwritten logs to index cards, to typewritten forms and two different computer databases. That sometimes compounded problems, as transcription errors were common. To avoid those problems, all of the old records have been scanned and digitized, rather than transcribed, to avoid introducing further errors, he said. The sheer size of the cemetery also made the task difficult. It is the second-largest cemetery in the country as well as a tourist site that draws more than 4 million visitors a year, all while conducting nearly 30 burials a day, some with full military honors. The most significant part of the review, Condon said, is that the cemetery for the first time has a single, reliable database that will allow officials to fix past mistakes and plan for the future. The cemetery is currently testing an interactive, web-based version of its database that will allow visitors to click on a digital map to see gravesites and learn who is buried there, ensuring the cemetery's records are open and accessible going forward. "We'll have 300 million American fact-checkers," Schrader said. [Source: Associated Press Matthew Barakat article 22 Dec 2011 ++]

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**Credit Card Charitable Donations:** Imagine if you made a \$10 charitable donation, but you later found out that some unrelated third party pocketed \$3 of it. If you or I did that, it would be called theft. But when a bank does it, we call it a credit card processing fee. Nonprofit organizations agree to these fees for the same reasons that businesses do: Performing a credit card transaction is so easy (for both cardholders and recipients) that the fees are considered just a cost of doing business. When you charge money to your credit card, the processing network and your bank earn a merchant fee, also known as a swipe fee. These charges tend to consume around 3 percent of the transaction – even when it's a nonprofit accepting the funds. So how do you make sure that a charity receives the most benefit from your donation? Follow these steps...

1. **Consider other ways to donate.** Every type of donation has its own inherent costs. For example, cash donations require labor to accept and count it, security to store it, and transportation to deposit it in the bank. But a wireless bank transfer is probably the least expensive way for a charity to accept cash, followed by checks, then paper money.
2. **Use your debit card.** If you want to minimize merchant fees but still use plastic, try your debit card. Thanks to recent legislation, debit card fees have been drastically reduced. This means that charities will benefit from lower merchant fees, just as businesses have.
3. **Donate via PayPal.** PayPal processes donations for charity by charging them 2.2 percent – and 1.9 percent for nonprofits that receive more than \$100,000 a year. This is less than standard credit card merchant fees, and you can use your favorite card.
4. **Look for merchant fee waivers.** Credit card processors have shown some recognition that their merchant fees are impacting charities, but only when a major disaster makes worldwide news. For example, most credit card processors waived their merchant fees during the aftermath of the 2004 Indian Ocean Tsunami and the recent earthquakes in Haiti and Japan.
5. **Use a card with lower merchant fees.** Among retailers, it's well known that American Express charges higher merchant fees than competitors Visa and MasterCard. As someone making a charitable contribution, you can at least try to use the less costly cards to make sure that your chosen charity receives more of your donation. If you are a

Capital One cardholder, you can make donations to your favorite charity without incurring merchant fees. Just go to their Giving Site and choose from any charity listed on the Network for Good site <http://www1.networkforgood.org>. By waiving merchant fees for all charitable donations, Capital One has become the only major card issuer to send 100 percent of its cardholder's donations to the nonprofit of its choice.

[Source: MoneyTalksNews Jason Steele article 21 Dec 2011 ++]

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**Hotel Guest Phone Scam:** Many people will be traveling to see family and friends in the next few weeks. Scammers know this too, and may try to trick you into divulging your credit card information by posing as hotel employees. The Better Business Bureau (BBB) is warning holiday travelers to beware of a telephone phishing scam designed to steal credit card numbers. A hotel guest in the Memphis area alerted the BBB of the Mid-South to the scam. However, BBBs around the nation have received similar calls. Since travel and hotel stays tend to increase over the holidays, the scammers may be ramping up their efforts during the holiday season.

**How the Scam Works:** A hotel guest receives a phone call in the wee hours of the morning. The caller claims to be a hotel employee who needs to get your credit card number because:

1. The hotel encountered a problem processing your credit card and they need to verify your number.
2. The hotel's computer system has crashed and they need to get your credit card information again.
3. The hotel's system has crashed and your credit card information is needed for an audit to be conducted shortly.

The crooks are counting on catching you while you are sleeping, so you aren't thinking clearly. And they might even offer you a discount on the room for the inconvenience. The callers are very convincing. According to one hotel guest, the caller sounded very professional. However, hotels generally handle any questions about billing at the front desk, not over the phone. And they certainly wouldn't be calling you in the middle of the night. The BBB Tips to protect yourself from being victimized are:

- Never give your credit card or banking information over the phone to someone you don't know.
- If you're staying at a hotel and get a call from someone claiming to be a hotel employee, hang up the phone and call the front desk yourself. Better yet, go down to the front desk. Chances are the call didn't come from the hotel.
- Remind friends and family not to provide credit card information over the phone during a hotel stay.

[Source: BBB Press Release 20 Dec 2011 ++]

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**Veterans Upward Bound:** Like many Veterans, you have probably avoided going to college because you feel you lack the needed academic skills. After all, it's been years since you went to school. Thanks to the Veterans Upward Bound (VUB) Program you don't have to let your rusty academic skills keep you from getting your degree and pursuing the career of your dreams. Veterans Upward Bound is a free U.S. Department of Education program designed to help you refresh your academic skills and give you the confidence you need to successfully complete your choice of college degrees. Forty-seven Veterans Upward Bound projects are currently funded across the U.S., including Puerto Rico. If interested visit the National Veterans Upward Bound Program website <http://www.navub.org> to find a program near you and contact them. The VUB program services include:

- Basic skills development to help Veterans successfully complete a high school equivalency program and gain admission to college education programs.
- Short-term remedial or refresher classes for high school graduates that have put off pursuing a college education.
- Assistance with applications to the college or university of choice.

- Assistance with applying for financial aid.
- Personalized counseling.
- Academic advice and assistance.
- Career counseling.
- Assistance in getting Veteran services from other available resources.
- Exposure to cultural events, academic programs, and other educational activities not usually available to disadvantaged people.

The VUB program can help you improve your skills in:

- Mathematics, Foreign Language, Composition, Laboratory Science, Reading, Literature, and Computer Basics
- Any other subjects you may need for success in education beyond high school.
- Tutorial and Study Skills Assistance.

To be eligible for VUB you must:

- Be a U.S. Military Veteran with 181 or more days active-duty service and discharged on/after Jan. 31, 1955, under conditions other than dishonorable.
- Meet the criteria for Low-income according to guidelines published annually by the U.S. Department of Education, and/or a first-generation potential college graduate.
- Demonstrate academic need for Veterans Upward Bound according.
- Meet other local eligibility criteria as noted in the local VUB project's Approved Grant Proposal, such as county of residence.

[Source: Military.com article Dec 2011 ++]

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**Veteran Civilian Cultural Rift:** As this decade of a two-front war gradually comes to a close, a sadly familiar cultural rift has been resurrected in America: the communication crisis between the civilian and the soldier/veteran. A groundbreaking Pew Research study attempted to assess the gravity of this miscommunication, achieving startling results. According to their research, 96% of the post-9/11 veterans and 91% of the public, regardless of the attitudes on either the Iraq or Afghanistan war, feel proud of those who served. Yet despite this pride and appreciation, 77% of these modern-era veterans say the American public has little or no understanding of the problems that those in the military face. Disappointingly, 71% of the public agrees. This may be why 44% of Post-911 veterans reported trouble adjusting to civilian life, meanwhile an estimated 25% experienced difficulty in past generations (we can deduce that these percentages are larger, as often veterans do not answer honestly). From these numbers, it is natural to conclude that most veterans feel detached from civilians, and civilians, despite their love affair with patriotism, do not feel connected to veteran's issues.

This is unsurprising. This longest sustained period of warfare has been fought by an all-volunteer, draftless military comprised of less than one-half of a percent of the 310 million person population in this country; a startling contrast to the 9% fighting at the height of World War II. Furthermore, passionate politics, cultural differences and life experiences drive a wedge between those that have and have not experienced war. Combat changes people and the American civilian is not fully engaged in these wars; these are inescapable truths. However, it is also true that many of the same social ills plaguing civilians affect the military community and veterans on an equal or more devastating level. Veterans and non-veterans have more in common than most realize. The United States is experiencing an economic crisis that is changing lives, both civilian and veteran. The national unemployment rate is higher than it was in the Great Depression. 14 million Americans are looking for work, 6.2 million of whom have been unemployed six months or longer. For veterans, unemployment is nearly twice the national average. According

to a recent Bureau of Labor Statistics report, the unemployment rate for post 9/11 veterans was 11.5 percent in 2010, compared to 8.7 percent for veterans of all eras combined and 9.4 percent for non-veterans.

Consider the American healthcare crisis. Due to the lack of competition in healthcare markets and excessive malpractice lawsuits, most American citizens are either uninsured at 50%, or pay exorbitant fees for healthcare. Health insurance costs increased 30% between 2001 and 2005 while income for the same period only increased 3%. 45% of insured civilian adults struggle to pay medical bills and 50% of personal bankruptcies are due to medical expenses. The only solution in sight is the much debated healthcare reform, which rewards providers for their billions in political investments by strengthening their hold on healthcare through government regulations, mandates, penalties, standards and subsidies that work in their favor. This will only drive costs higher, though “everyone” will have insurance.

For veterans, the crisis of civilian healthcare is unimpressive. They’ve already experienced healthcare in the arms of the Department of Veterans Affairs. In 2006, the VA lost records containing the personal information of 26.5 million veterans. In 2008, workers in 41 of 57 VA regional benefits offices improperly set aside hundreds of claims records for shredding, more than likely to relieve their own workload. In a recent audit, out of only 45,000 cases reviewed 23% of claims were processed incorrectly. The audit also showed that 83% of the regional offices failed to follow their own policies. Lost paperwork leads to delayed, denied or abandoned claims for medical or financial assistance that are urgently needed, sometimes for 2-14 months. Though one out of every three Afghanistan or Iraq veteran suffers from Post Traumatic Stress, Traumatic Brain Injury or wounds from combat trauma, the VA takes six months on average to process each compensation request for illnesses or injuries. Currently, there is a back-log of 1 million cases. Just like civilians trapped in the flawed “private” insurance system, veterans and their families do not get the care they were promised or desperately need.

Sadly, homelessness is an American problem. Due to the current economic downturn and subprime mortgage schemes of 2001-2008, the housing bubble burst and 20% of sub-prime mortgages went into default, displacing millions of families. This situation, combined with high unemployment and a stagnant economy, contributed to a sharp increase in homelessness. As it stands now, an estimated 2.3 and 3.5 million Americans will experience homelessness this year, 1.8 million of which are American children directly impacted by the ongoing foreclosure crisis. About one-third of the adult homeless population are veterans. 107,000 veterans, nearly half of whom served during the Vietnam era, are homeless on any given night. Two-thirds served our country for at least three years, and one-third were stationed in a war zone. With no recovery in sight for the American economy and with veteran financial assistance in the hands of the incompetent VA, our current soldiers and Marines returning from Iraq and Afghanistan threaten to swell these numbers further. It is estimated that 260,000 veterans will be homeless this year.

Americans may remain divided on the necessities of both wars and politics and differences in experience may play a major role in the lack of dialogue between both communities, but we have much to discuss. The common social ills deem these roadblocks largely irrelevant in the grander picture. For we, the American people, whether civilian or warrior, are both citizens. We are the only individuals that can effect change in the civilian world, and most effectively by working together. As our longest perpetual state of war ends, we will choose to understand each other, learn to communicate with civility, situational awareness, common sense, and compassion, or continue to allow the gap between our communities to widen. [Source: Washington Times Tiffany Madison article 20 Dec 2011 ++]

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**Dover Air Base Mortuary Update 01:** Air Force Secretary Michael Donley is expanding his review of the disciplinary actions taken as a result of the mishandling of body parts at the Dover, Del., military

mortuary, and he did not send a completed assessment to Pentagon leaders last week as initially expected. In a statement 20 DEC, the Air Force said Donley is asking a retired general and two experts to review the punishments. And he also plans to wait for the Office of Special Counsel to complete its separate investigation of the matter so he can include that in his review. The additional steps could delay the final report for weeks. An Air Force spokesman, Lt. Col. John Dorrian, said there is no specific date for its completion. Asked about the delay, Pentagon press secretary George Little said Defense Secretary Leon Panetta believes Donley is “proceeding prudently and deliberately.” He said Panetta expects to review the final report as soon as possible.

Early last month, in a series of gruesome revelations, the Air Force said small body parts of U.S. troops killed in Afghanistan were lost on two occasions. It also revealed that some cremated partial remains of at least 274 American troops were dumped in a Virginia landfill until a policy change halted the practice three years ago. The Air Force, which runs the mortuary, disciplined three supervisors but did not fire anyone. But as outrage over the matter reverberated through Congress and the public, Panetta asked Donley to assess whether stronger punishments were warranted. The Office of Special Counsel, an independent investigative agency, was highly critical of the Air Force’s handling of the matter, and its review is ongoing. Part of that review involves allegations by three whistle-blowers who called attention to the problems that the Air Force retaliated against them in several ways, including an attempt to fire one of them. The Air Force has said it found no evidence that those faulted at Dover had deliberately mishandled any remains. They attributed the mistakes largely to a breakdown in procedures and a failure to fix problems that had been building over time.

Donley sent an interim report to Panetta last Thursday that summarized the discipline taken and its legal basis. The Air Force statement said the interim report was the first step in a three step process, and was intended to ‘gather the facts.’ Donley is asking a retired general from one of the other military services and two experts on federal civilian personnel law to do independent assessments of the discipline to date. Gen. Norton Schwartz, the Air Force chief of staff, told a congressional committee last month that Col. Robert Edmondson, who commanded the Dover mortuary at the time of the incidents in 2009, had been given a letter of reprimand. He also was denied a job commanding a unit at Shaw Air Force Base, S.C., and will not get any future commands. Two civilian supervisors at Dover — Trevor Dean and Quinton Keel — took a cut in pay and were moved to non-supervisory jobs at Dover. They still work there. [Source: Associated Press Lolita C. Baldor article 20 Dec 2011 ++]

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**VA Communications:** The Department of Veterans Affairs announced 22 DEC that all of its 152 medical centers are now actively represented on Facebook, the world’s largest social networking site. “This event marks an important milestone in the overall effort to transform how VA communicates with Veterans and provide them the health care and benefits they have earned,” said Secretary of Veterans Affairs Eric K. Shinseki. “Veterans and their families told us from the beginning that they want to engage and they want relevant information delivered at the local level. By leveraging Facebook, the Department continues to expand access to VA, and embrace transparency and two-way conversation.” The process that began with a single Veterans Health Administration Facebook page in 2008 has now produced over 150 Facebook pages, 64 Twitter feeds, a YouTube channel, a Flickr page, and the Vantage Point blog. Additionally, in JUN 2011, VA produced a Department-wide social media policy that provides guidelines for communicating with Veterans online. The overarching strategy is designed to help break down long-perceived barriers between the Department and its stakeholders.

“Veterans of all eras are depending on us to get the right information to the right person at the right time,” said Brandon Friedman, VA’s director of online communications, and a veteran of Iraq and Afghanistan. “With more troops returning home, we also have a responsibility to connect with the thousands of Servicemembers who have been—and will be—entering our system. They’re using social media, so that’s where we need to be. Facebook

helps us do that.” “We are very pleased to have pioneered social media in VA, and now our VA medical centers across the nation are all engaged,” said Dr. Robert Petzel, under secretary for health. “We are committed to helping Veterans understand their benefits and receive the health care their service has earned them.” VA clinicians can’t discuss the specific health concerns of individual Veterans on Facebook, but that doesn’t prevent staff from monitoring VA’s sites closely each day—and providing helpful information to Veterans when they can. In the last year, for instance, VA’s Crisis Line counselors have successfully intervened on Facebook in cases where Veterans have suggested suicidal thoughts or presented with other emotional crises.

“Facebook’s mission is to make the world more open and connected and we are excited to see government agencies using our service to better to connect with citizens, provide information, and deliver services,” said Don Faul, Facebook’s vice president of online operations, a former U.S. Marine and a veteran of Iraq and Afghanistan. “We want to do all we can to support Veterans, so we’re pleased to see the Department of Veterans Affairs using Facebook connect with Veterans in an authentic and engaging way.” VA currently has over 345,000 combined Facebook subscribers (or, “fans”). The Department’s main Facebook page has over 154,000 fans and its medical centers have a combined subscribership of over 69,000. The Department plans to continue expanding its Facebook presence while also focusing on bringing Twitter to every VA medical center as well. For more information, visit the Directory of All VA Social Media Sites: <http://www.va.gov/opa/SocialMedia.asp> and the VA Facebook Page Directory: [http://www.facebook.com/VeteransAffairs?sk=app\\_7146470109](http://www.facebook.com/VeteransAffairs?sk=app_7146470109). [Source: VA News Release 22 Dec 2011 ++]

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**Mobilized Reserve 27 DEC 2011:** The Department of Defense announced the current number of reservists on active duty as of 6 DEC 2011. The net collective result is 1906 fewer reservists mobilized than last reported in the 15 DEC 2011 RAO Bulletin. At any given time, services may activate some units and individuals while deactivating others, making it possible for these figures to either increase or decrease. The total number currently on active duty from the Army National Guard and Army Reserve is 66,935; Navy Reserve 4421; Air National Guard and Air Force Reserve 10,189; Marine Corps Reserve 5220; and the Coast Guard Reserve 769. This brings the total National Guard and Reserve personnel who have been activated to 87,525 including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found online at <http://www.defense.gov/news/d20111227ngr.pdf>. Reservists deactivated since 9/11 total 747,453. [Source: DoD News Release No. 1049-11 dtd 29 DEC 2011 ++]

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**Purple Heart Update 02:** Recently, due to advances in the diagnosis and treatment of mild traumatic brain injuries (MTBI), the Secretary of the Navy (SECNAV) updated the standards and procedures for the awarding of the Purple Heart Medal. Sailors and Marines may be awarded the Purple Heart for certain mild traumatic brain injuries that were caused by direct or indirect enemy actions with intent to kill or maim. Those who suffered a loss of consciousness or were ‘not fit for full duty’ by a medical officer for more than 48 hours after a concussive event may qualify for the Purple Heart Medal. The new standard allows for retroactive awards to injuries suffered since 1 SEP 2001. The SECNAV stated that Purple Heart Medals awarded for MTBI will continue to meet the historical standards of severity applied to all types of wounds, ensuring the prestige and integrity of one of the U.S. military’s most recognized wards is maintained. To learn more about these recent changes to the standards and procedures for retroactive award of the Purple Heart Medal refer to the attachment to this Bulletin titled, “**SECNAV Purple Heart Standards**” or <http://www.public.navy.mil/bupers-npc/reference/messages/Documents/ALNAVS/ALN2011/ALN11079.txt>. [Source: NAUS Weekly Update 22 Dec 2011 ++]

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**Life Expectancy:** Life expectancy is a topic many disabled seniors want to talk about with their doctors but very few have that discussion, a new study finds. It included 60 elderly patients with an average age of 78 who had multiple illnesses and disabilities and lived in a community-based, long-term care program in San Francisco. None of the patients had been diagnosed with a specific terminal illness. Interviews with the patients revealed that 75 percent would want a conversation about their prognosis if their doctor felt they had less than a year to live, while 65 percent would welcome such a dialogue if they likely had fewer than five years to live. However, only one of the 60 patients reported having such a discussion with a doctor, said the researchers at the San Francisco VA Medical Center and the University of California, San Francisco.

Wanting to prepare for death, making the most of their remaining time and making medical or life decisions were among the most common reasons the patients gave for wanted to discuss their prognosis. "When physicians bring up prognosis, it's usually thought of as a health issue, but for the person on the receiving end, the conversation is about a lot more than that," lead author Cyrus Ahalt, a geriatrics research coordinator in UCSF's Department of Medicine, said in a university news release. "We've made big strides in changing the way that doctors communicate prognosis to patients who have cancer, organ diseases or other terminal diagnoses, but this study shows that we still have room to grow in discussing life expectancy with frail older adults who have poor prognosis simply because of multiple physical or cognitive impairments or old age," added principal investigator Dr. Alexander Smith, a physician at SFVAMC and a bioethics expert and assistant professor of medicine in the division of geriatrics. The study was published online Nov. 30 in the Journal of General Internal Medicine. [Source: University of California, San Francisco, news release, 14 Dec 2011 ++]

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**Military Retirement System Update 12:** (Note: Military Times Copyrighted material - Not authorized for reproduction on any publicly accessible website or website accessed newsletter . Forwarding via email in personal communications is authorized.)

Congress has approved 15-year retirements and other voluntary separation tools to help the services manage potential deep cuts to troop levels. Concerned that the Defense Department and services are ill prepared for potential force cuts of 10 percent or more over the next five years, lawmakers are erecting a four-part safety net to protect career troops from getting cut loose without benefits. The defense authorization bill, passed by Congress on 15 DEC, revives three tools last used in the 1990s post-Cold War drawdown, when the force was cut by one-third, and extends a fourth tool that has been authorized since 2006. They are:

- Early retired pay, known as temporary early retirement authority or TERA, for members with as few as 15 years of service.
- Voluntary retirement incentive pay that could equal up to one year of basic pay for officers with between 20 and 29 years of service.
- Voluntary separation pay for officers and enlisted members with six to 20 years of service.
- Early release from active duty for enlisted members.

The law would keep these tools on the books through 2018.

The \$662.4 billion bill also includes some landmark provisions that will give the National Guard a seat on the Joint Chiefs of Staff; cap annual increases in Tricare Prime health coverage for retirees; and strengthen sexual abuse prevention programs. Drawdown tools included in the bill are aimed at a situation that has not yet arrived, because the bill calls for very modest cuts in personnel end strength next year. The tools are designed to address what might happen in 2013 and beyond. "When we talk to the services, they don't seem to be planning for the possibility of big

defense cuts,” said a House aide who worked on the compromise and spoke on condition of anonymity. “They don’t believe the cuts are going to happen, which we see as very shortsighted because things are a lot less rosy than they seem to think.” The Pentagon already is wrestling with how to reduce planned defense spending by \$465 billion over the next 10 years. On top of that, another reduction of \$500 billion to \$600 billion is looming because of sequestration — automatic, across-the-board cuts that are due to start in 2013 because Congress failed to come up with an alternative plan to cut the federal deficit by at least \$1.6 trillion. But even if sequestration is avoided, the defense budget could still face deep cuts. [Source: ArmyTimes Rick Maze article 26 Dec 2011 ++]

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### **Military Retirement System Update 13:** (Note: Military Times Copyrighted material - Not

**authorized for reproduction on any publicly accessible website or website accessed newsletter . Forwarding via email in personal communications is authorized.)**

The Defense Department’s highest-ranking officer said changes to the military retirement system are unlikely anytime soon and today’s troops can expect to be grandfathered under the current rules. Army Gen. Martin Dempsey, chairman of the Joint Chiefs, said retirement reform has been “pushed to the side of the table,” and he expects a blue-ribbon commission to take a long look at the issue before any changes are made. “We have to look at retirement. But as we do, we’ve got to understand the effect,” Dempsey told troops at a town hall-style meeting in Germany on Monday. “Before we do something, we really want to do the proper analysis to understand what it will mean to retention and recruiting, let alone breaking faith with those of you who have served under a certain expectation,” Dempsey said. “I am quite confident ... that those who are currently serving will be grandfathered. So, you know, what we are talking about in terms of getting retirement under control would affect folks that entered the armed forces after we made the adjustment ... so that they would know what plan they were walking into “ Dempsey’s remarks came in response to a direct question from an airman. Troops have grown increasingly concerned about the retirement system since a Pentagon advisory group in July said the current 20-year pension is unaffordable and should change immediately. Today’s personnel costs are too high, Dempsey said, and senior leaders are considering an array of budget-cutting measures that could affect pay and benefits, and health care fees. “We need an all-volunteer force. But we’ve got to figure out how to afford it,” he said. [Source: NavyTimes Andrew Tilghman article 22 Dec 2011 ++]

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**USO Update 02:** Through its history, the USO has brought Hollywood celebrities and volunteer entertainers to perform for the troops – including the beloved Bob Hope, Bing Crosby, Ann Sheridan, James Cagney, Jimmy Stewart, Fred Astaire, the Andrews Sisters and more. At its high point in 1944, just three years after its founding, curtains were rising on USO shows 700 times a day. That popularity seemed almost unimaginable when the USO was founded Feb. 4, 1941, and opened its first center in a small storefront smack in the middle of New York's Times Square. The organization was founded at President Franklin D. Roosevelt's request with the solid mission of lifting the spirits of service members and their families. It was a unique experiment that brought together six service agencies that had been working independently to support the military. The six stars on the USO logo continue to pay tribute to these organizations: the Salvation Army, National Catholic Community Services, National Jewish Welfare Board, National Travelers Aid Association, and the YMCA and YWCA.

Ultimately growing to about 3,000 centers during World War II, the USO provided a "home away from home" for the military. USO centers hosted dances, social events, movies and music. They also offered quiet refuge where troops could write a letter home or enjoy a free cup of coffee and a snack. Now with operations consolidated into about 160 centers, the USO continues to serve its historic mission of caring for military members, their families, and especially forward-deployed troops according to Brian Whiting, president and CEO of the USO of Metropolitan New York, told American Forces Press Service. The tiny, initial USO facility has relocated to a larger space in the

busy Port Authority Bus Terminal complex, he said, but remains focused like a laser beam on its original mission. "First and foremost, we are about making sure that we can provide any- and everything that we possibly can to troops and their families," he said, whether through the USO or another not-for-profit organization.

Like many USOs that now operate at airports to provide an oasis for and assist military travelers, the New York one keeps busy helping military tourists as they visit the Big Apple. In addition to information about places to go and sites to see, one of its most favorite offerings is free and reduced-price theater tickets. The New York USO provides nearly \$3 million in discounted and complementary tickets every year. In addition to providing tickets to nearly impossible-to-get-ahold of productions such as Phantom of the Opera, and thousands of tickets to Mary Poppins, the USO has arranged more than 16,000 troops to enjoy private showings of the Christmas spectacular at Radio City Music Hall. The USO staff participates in every deployment and homecoming in the area, and partners with a broad range of organizations to provide other services. Among them is the United Through Reading program that enables troops away from their loved ones to record a storybook and send it to a son or daughter at home. In another effort, the USO distributed thousands of donated bicycles to local military children. Since the 9/11 terror attacks, the New York USO's most regular patrons are members of the New York National Guard supporting the Empire Shield security mission. When they're not manning their posts or patrolling busy transportation hubs, they seek refuge in the comfort and quiet of the well-appointed USO facility, or at smaller USO break rooms in Grand Central Station and Penn Station. Here they can come in with their weapons and other personal belongings, and they can take off the nearly 100 pounds that they are carrying and be able to enjoy a sandwich.

Throughout the USO's history, volunteers have been the glue that has enabled it to stay true to its original mission. Among those at the Times Square center is Army Capt. Jacquie Jordan, who puts in time at the reception desk in between Master's degree studies at nearly Columbia University to prepare her to teach at the U.S. Military Academy. Tom Flagg, a six-year volunteer in New York, first learned about the USO when his son, Air Force 1st Lt. Tyler Flagg, raved about the services he received during a long airport layover in Denver. Flagg checked out the New York USO facility that he'd walked past for 30 years, and soon started volunteering his services, followed by his wife. "This is the best-kept secret in New York," he said. "You are safe here. The coffee is free. "And the best part is, we get to do for [military members] who have done so much for us," he said. Joan Ashner, a volunteer at the Times Square center, recently was singled out from about 18,000 USO volunteers nationwide as the 2011 USO volunteer of the year. When a blizzard crippled the city last year and brought mass transportation to a standstill, she single-handedly opened and operated the center for five days straight to help more than 800 stranded service members and their families, Whiting reported. Army Staff Sgt. Neftali Perez, a member of the New York National Guard's 27th Brigade Combat Team, called the USO the best thing going for the military. "The USO is our family," he said. "We can rely on them for anything. They support the troops, and have been doing it for many years." [Source: AFPS Donna Miles article 20 Dec 2011 ++]

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**VA Service Connection:** A chronic residual from an illness or injury that happened to the veteran while that veteran was on active duty may qualify as a service-connected (SC) condition. A veteran did not have to serve in a war or during a period of wartime, to have a SC condition. For any medical condition to be service-connected, the first thing a veteran has to do is submit their claim to the VA for adjudication. If it is the veterans first application for benefits, they need to complete VA Form 21-526. The VA has created an alternative to submitting the paper form. Veterans can actually apply on-line by going to <http://www.va.gov>. On that page, place the cursor over Veteran Services. That will cause a sub-menus to display. Click on the link to Disability Compensation. The apply on-line link is on this page. If you are mailing in your form and have any of the following material, attach it to your application:

- Discharge or separation papers (DD214 or equivalent)

- Dependency records (marriage & children's birth certificates)
- Medical evidence (doctor & hospital reports)

Once the VA Form 21-526, or on-line application, is submitted, the VA will notify the veteran the application has been received. The veteran will then be scheduled for a Compensation and Pension (C&P) examination. The VA will arrange for this examination. The examination may be at a VA Hospital or the VA Regional Office may refer the veteran to a non-VA provider. Either way, the VA will pay the veteran for travel to their appointment. Make sure you either get your travel pay or submit the appropriate paperwork for it to be mailed to you before leaving your appointment. After all the medical information has been received, and all supporting information has been obtained, the VA will adjudicate the claim. Three elements must be met in order for a condition to be SC.

- 1) **Evidence of in-service relationship.** What actually happened on active duty that caused or contributed to the current medical condition? Was there an injury? Was this a disease? Was the veteran exposed to something? The burden of proof is on the veteran to establish this relationship.
- 2) **Current diagnosis.** This is pretty straight forward. What is the actual diagnosis? The veteran needs to ensure they received a diagnosis by a licensed provider if they are using a non-VA provider and the veteran should be diagnosed by the appropriate discipline. If the veteran is seeing a Dentist and asks them about a heart condition, the VA may not find the condition service-connected.
- 3) **Medical nexus.** What is medical connection between the current diagnosis and the in-service occurrence. This is quite often the part of the claim that will or won't connect a condition to service.

Once all three elements have been answered, the VA adjudicator can determine the claim. If the condition was related to active duty and the physician finds the current diagnosis is at least "as likely as not" related to active duty, then the claim may be service-connected. [Source: VeteransAdvice blog David Peters article 21 Dec 2011 ++]

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**VA Automobile Grants:** Financial assistance, in the form of a grant, is available to purchase a new or used automobile (or other conveyance) to accommodate a veteran or servicemember with certain disabilities that resulted from an injury or disease incurred or aggravated during active military service. The grant may also be paid, if disabilities are a result of medical treatment, examination, vocational rehabilitation, or compensated work therapy provided by the Department of Veterans Affairs (VA). The grant is paid directly to the seller of the automobile for the total price (up to \$11,000) of the automobile. The veteran or servicemember may only receive the automobile grant once in his/her lifetime. A veteran or servicemember must have one of the following disabilities to qualify for the automobile grant:

- Loss, or permanent loss of use, of one or both feet;
- Loss, or permanent loss of use, of one or both hands; or
- Permanent impairment of vision in both eyes to a certain degree.

Those qualified for the automobile grant, and veterans or servicemembers with ankylosis (immobility of the joint) of one or both knees or hips resulting from an injury or disease incurred or aggravated by active military service may also qualify for the adaptive equipment grant. Adaptive equipment includes, but is not limited to, power steering, power brakes, power windows, power seats, and special equipment necessary to assist the eligible person into and out of the vehicle. Contact should be made with your local VA medical center's Prosthetic Department prior to purchasing any equipment. The adaptive equipment grant may be paid more than once, and it may be paid to either the seller or the veteran.

You can apply for the automobile and/or the special adaptive equipment grant by completing VA Form 21-4502, Application for Automobile or Other Conveyance and Adaptive Equipment and submitting it to your local VA regional office. The instructions on the VA Form 21-4502 contain a list of adaptive equipment that has been pre-approved for particular disabilities. After you complete and submit Section I of the application, VA will complete Section II and return the original to you. You are responsible for obtaining the invoice from the seller, updating Section III, and submitting the form to your local VA regional office for payment. If you are entitled to adaptive equipment only (i.e., service connected for ankylosis of knees or hips) you should complete VA Form 10-1394, Application for Adaptive Equipment - Motor Vehicle and submit it to your local VA medical center. Additionally, VA Form 10-1394 should be completed for approval of equipment not specified on the VA Form 21-4502. For More Information, Call Toll-Free 1-800-827-1000 or visit <http://www.va.gov>. [Source: <http://www.vba.va.gov/VBA/benefits/factsheets/#BM2> Dec 2011 ++]

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## **Gulf War Syndrome Update 15:**

Congress has approved dedicating \$10 million to research the mysterious Gulf War illness, ending concerns from veterans' groups that the money would disappear because of budget problems. It was not the 25 million that Dr Stephen Hauser (IOM-NAS chair of Gulf War and Health Committee and Professor and Chair of Neurology, University of California, San Francisco, Calif -School of Medicine) had advocated was needed but it is better than what was projected. It maintained what Representative Kucinick (D-OH) had gotten through the House Defense Appropriations Bill with an amendment back before August. It at least maintains the program for 2012. The Omnibus spending bill passed by the Senate on 17 DEC and signed by President Obama includes the money for specific research into the series of ailments suffered by veterans of the Persian Gulf War.

Originally, money for the research would have to come from a larger pot of money that could have been spent on other work besides studying Gulf War illness. Rep. Dennis Kucinich (D-OH) led House efforts to restore the money. He told USA TODAY that sick veterans had called from their beds to ask members of Congress to approve the funding. "When one out of three who served is affected, and when some veterans' maladies are turning into long-term health problems like ALS (amyotrophic lateral sclerosis or Lou Gehrig's disease), and when researchers are getting closer every single year to finding a treatment with this program, there is an urgency," Kucinich said. "It's comparatively little money that is doing an extraordinary amount of good and is the best hope we have for them." About one in four Gulf War veterans have developed chronic headaches, widespread pain, memory and concentration problems, persistent fatigue, gastrointestinal problems, skin abnormalities and mood disturbances, said Sen. Bernie Sanders (I-VT) who also pushed for the funding.

The possibility of cuts came just as researchers in the peer-reviewed Congressionally Directed Medical Research Program had begun making progress on possible treatments. The research is different because it is not directed by the departments of Defense or Veterans Affairs. For years, Veterans Affairs focused its research on the mental health issues of Gulf War veterans, rather than assuming a physical cause, and the Defense Department stopped funding research on Gulf War research several years ago. Recent research suggests the cause may be the bug sprays, anti-nerve-agent pills and sarin gas troops were exposed to, and treatments targeting that possibility have shown promise. One study funded by the Congressionally Directed Medical Research Program showed that coenzyme Q10 appeared to relieve some Gulf veterans' symptoms. "It's reassuring to see that members of Congress of both parties remain strongly committed to finding treatments for Gulf War illness, as the Institute of Medicine says can still likely be done with the right research," said Jim Binns, chairman of the federal Research Advisory Committee on Gulf War Veterans' Illnesses. [Source: USA Today News Kelly Kennedy article 18 Dec 2011 ++]

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**DOD Tuition Assistance:** The Department of Defense said U.S. colleges that hope to receive tuition assistance funds will have another three months to accept new requirements meant to ensure the protection of servicemembers. A 1 JAN deadline for schools to sign the new memorandum of understanding with the military was extended to March because the department is still hoping more institutions will sign on, according to a DOD news release. So far, more than 1,900 schools have signed the agreement, which governs costs, ensures that institutions provide timely information and grades, and also deals with credit transfers and residency requirements, the DOD said. The three-month deadline extension also means military students will have until 30 MAR to spend tuition assistance money at schools that have not signed the new agreement, according to DOD.

The tuition assistance program helps active-duty servicemembers pay for undergraduate and most graduate college courses, including both online and classroom instruction, and is separate from the Post-9/11 GI Bill. Approximately 320,000 servicemembers used \$545 million in military tuition assistance last year, officials said. Despite its popularity, the program has become a target of budget cuts as costs have skyrocketed and the DOD searches for ways to cut hundreds of billions of dollars from its overall budget in the coming years. The Marine Corps slashed its individual tuition assistance by more than 80 percent - from \$4,500 per month to \$875 - in October. But it quickly reversed the move a week later following widespread outcry from Marines. Institutions like the University of Maryland have said further cuts and changes are expected. The DOD announced two days after the Marine Corps decision that it is considering a new military-wide tuition assistance program. So far, no announcement of an overhaul has been made. [Source: Stars & Stripes Matthew M. Burke article 19 Dec 2011 ++]

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**Vets4Warriors:** The National Guard unveiled its Vets4Warriors counseling program for service members at a Capitol Hill ceremony 13 DEC. Vets4Warriors is a toll-free, peer-to-peer counseling hotline that provides Guard members and other Reserve Component members the opportunity to speak with counselors on the phone or online. The counselors are former service members who are prepared to provide a wide variety of tools aimed at helping today's service members fight the fight on the front lines and the home front. It's okay if callers want to remain anonymous, or don't want to give any personal information when they call or chat with them online. Connect with someone who understands and can help. The hotline enables members of any Reserve Component to call the center 24 hours a day, seven days a week, to discuss any issues, challenges or problems with a peer counselor. To learn more about Vets4Warriors or to speak with a counselor, service and family members can call the Vets4Warriors toll-free hotline at 1-855-VET-TALK (838-8255) or go to <http://www.vets4warriors.com>. [Source: NAUS Weekly Update 16 Dec 2011 ++]



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**Stolen Valor Update 52:** The National; Association for Uniformed Services (NAUS) and 24 other military associations and veterans service organizations joined an *amicus brief* (i.e. Someone, not a party to a case, who volunteers to offer information to assist a court in deciding a matter before it.) filed before the United States Supreme Court to reverse an appellate court decision finding the Stolen Valor Act unconstitutional. *United States v. Alvarez*, U.S. Sup. Ct. No. 11-210. The Stolen Valor Act, 18 U.S.C. §704, makes it a crime for individuals to falsely claim they have been awarded a military decoration or medal authorized by Congress for the Armed Forces. The Stolen Valor Act was signed into law in 2006. In this case, Xavier Alvarez claimed at a meeting of the Three Valley Water District in Pomona, California, that as “a retired Marine of 25 years” he was “awarded the Congressional Medal of Honor,” the highest decoration awarded by the United States. Alvarez never served in the military a day in his life.

Alvarez was convicted under the Stolen Valor Act, fined, and sentenced to three years’ probation and 416 hours of community service. He appealed his sentence and the Ninth Circuit Court of Appeals ruled the Stolen Valor Act unconstitutional. As the Amicus Brief states the associations “share a strong interest in preventing pretenders from appropriating for themselves, and enjoying the benefits of, the tremendous goodwill and prestige associated with military awards.” Michael T. Morley, of the Washington, D.C., office of Winston & Strawn LLP, is representing the military associations in the Amicus Brief on a pro bono basis. A decision is expected in the spring of 2012. [Source: NAUS Weekly Update 16 Dec 2011 ++]

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**NDAA 2012 Update 07:** On 14 DEC, the House passed 283-136 the conference report on H.R. 1540, the fiscal year 2012 National Defense Authorization Act, and sent it to the Senate for its action, which they did on 15 DEC. The Senate passed the bill on a 86-13 vote and moved it down Pennsylvania Avenue to the President for his signature. With the President withdrawing a veto threat on provisions dealing with detention of terrorists, it is anticipated the bill will soon be enacted. The various reports applicable to the bill are available at:

- Senate Armed Services Committee bill summary <http://armed-services.senate.gov/press/NDAA%20FY12%20Conference%20Press%20Release.pdf>
- House Armed Services Committee bill summary [http://armedservices.house.gov/index.cfm/files/serve?File\\_id=6bbafd38-7aae-46f9-b856-31652b920f1f](http://armedservices.house.gov/index.cfm/files/serve?File_id=6bbafd38-7aae-46f9-b856-31652b920f1f)
- Read the full bill. [http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.1540:](http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.1540)
- Conference Report <http://www.gpo.gov/fdsys/pkg/CRPT-112hrpt329/pdf/CRPT-112hrpt329-pt1.pdf>

The bill provides a \$518 billion base defense budget, which is approximately the same level as the 2007 level of defense spending, with \$117 billion for overseas contingency operations. Included in the legislation is an across-the-board 1.6 percent military pay raise and a \$1.1 billion increase in military health and family programs. Of note:

- The bill allows the Pentagon to advance an increase of 13 percent in the cost of TRICARE Prime for all Prime beneficiaries. (TRICARE Prime beneficiaries enrolled in the program prior to Oct. 2011 will not pay the increase until the start of next fiscal year due to a fortunate mix up within TRICARE Management Activity. Only newly enrolled beneficiaries will be affected by the increase in 2012.)
- Allows for increases to TRICARE premiums but caps increases to the cost-of-living adjustment beginning Oct. 1, 2012.
- Does not prohibit pharmacy copayment changes.
- Extends time limit for submitting TRICARE claims from one year to five years for care provided outside of the United States.
- Includes the chief of the National Guard Bureau as a member of the Joint Chiefs of Staff

- Reduces Army active forces 7,400 to 562,000, Navy 3,000 to 325,700, maintains Marine Corps active force at 202,100, and increases Air Force active forces 600 to 332,800.
- Not included in the NDAA were provisions to eliminate the SBP/DIC offset, increasing the amounts of the Special Survivor Indemnity Allowance (SSIA) and concurrent receipt of both Retired Pay and VA Disability Pay by military retirees rated lower than 50 percent disabled. It is very disappointing these were not included, but not totally unexpected due funding restraints.

[Source: NAUS Weekly Update 16 Dec 2011 ++]

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**SBP DIC Offset Update 31:** Once again, at the eleventh hour, Congress shot down efforts to eliminate the ‘Widows Tax’. Spouses of deceased military retirees will continue to have their SBP payments offset by DIC and retirees will continue to have their retirement pay reduced by irreversible premiums intended for 55% of their retirement pay offset by \$14,340 DIC or more annually. The amendment to the fiscal year 2012 National Defense Authorization Act to eliminate the offset did not survive the House/Senate Conference committee despite efforts of the military community. When it comes reelection time those affected might want to remember the legislators appointed to the committee who made the decision to continue the offset. Their continued presence in office could be detrimental to future legislative efforts to eliminate the offset. While it is not known how each voted, the collective votes of the below Committee members enabled the offset to continue. It would be prudent to determine how your legislator voted before casting your vote in the next election:

- AK: Sen. Begich
- AL: Rep. Rogers | Sen. Sessions
- AR: Rep. Griffin
- AZ: Sen. McCain
- CA: Rep. Davis | Rep. Hunter | Rep. McKeon | Rep. Sanchez
- CO: Sen. Udall
- CT: Rep: Courtney | Sen. Blumenthal | Sen. Lieberman
- FL: Rep. Miller | Rep. Rooney | Rep. West
- GA: Sen. Chambliss
- GU: Rep: Bordallo
- HI: Sen. Akaka
- IA: Rep: Loeb sack
- IL: Rep. Schilling
- MA: Rep: Tsongas | Sen. Brown
- MD: Rep. Bartlett
- ME: Rep: Pingree
- ME: Sen. Collins
- MI: Sen. Levin
- MN: Rep. Kline
- MO: Rep. Akin | Sen. McCaskill
- MS: Sen. Wicker (R-Mississippi)
- NC: Rep. McIntyre | Sen. Hagan
- NE: Sen. Nelson
- NH: Sen. Shaheen | Sen. Ayotte
- NJ: Rep. Andrews | Rep. LoBiondo
- NY: Sen. Gillibrand
- OH: Rep. Turner | Sen. Portman

OK: Sen. Inhofe  
PA: Rep. Shuster  
RI: Rep. Langevin | Sen. Reed  
SC: Sen. Graham  
TN: Rep. Cooper  
TX: Rep. Conaway | Rep. Reyes | Rep. Thornberry | Sen. Cornyn (R-Texas).  
VA: Rep. Forbes | Rep. Wittman | Sen. Webb  
WA: Rep. Larsen | Rep. Smith  
WV: Sen. Manchin  
[Source: RAO Bulletin Editor Dec 2011 ++]

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**SBA Vet Issues Update 18:** Billions in federal contracts meant to go to small businesses owned by disabled veterans could go to ineligible firms if Veterans Administration oversight of the program does not improve, according to federal government watchdogs. The U.S. Veterans Affairs inspector general's office has estimated \$500 million worth of VA contracts through the Service-Disabled Veteran-Owned Small Business Program go to ineligible businesses each year. After the VA beefed up its review process over whether firms actually are headed by disabled veterans, it found 1,800 companies were not eligible. Of the 1,800, 70 were referred for criminal prosecution, according to a 30 NOV report by the GAO. The fraud was often committed by business owners who put disabled veterans in charge of front companies that exist only on paper to qualify for the contracts. The fake company passes work onto the non-veteran-owned company that is propping it up. In other cases, owners claimed to be veterans or disabled when they were not.

Some firms identified through the new review process have been blacklisted from government work. A handful of cases have resulted in charges, said Gregory Kutz, director of forensic audits and investigations for the Government Accountability Office. "If you look at the broad totality of fraud and abuse, only a tiny fraction have faced any consequence," Kutz said. The issue is important because veterans coming out of military service are suffering from high unemployment rates, and this program is one of the ways the federal government is using to help them start new businesses and succeed in civilian life. The federal government is required to direct 3 percent of all contracts to firms owned and directly managed by disabled military veterans.

Last month, Arthur W. Singleton, 62, of Luthersville, Ga., was charged with fraud for setting up a fake company headed by a disabled veteran, who had no construction experience, to funnel \$2.8 million in government construction contracts to his company. Last July, Warren K. Parker, 69, of Blue Springs, Mo., was charged with fraud for faking his impressive military credentials (including a nonexistent Silver Star) to help land \$6 million in government contracts. Both have pleaded not guilty and are awaiting trial. And last April, a New York City jury convicted John Anthony Michael White of faking his own military credentials to help earn millions in government contracts. "The fact that the people who are being ripped off are service-disabled veterans — that means something to a lot of people," Kutz said. "There's a lot of anger. It's almost like a stolen valor kind of thing, so I think people have gotten interested in trying to make some statements that will curtail some of the abuses."

Veterans Affairs contracts are only one-third of the \$10 billion program. Other government agencies, including the Department of Defense, still depend largely on the honesty of applicants. "There's no real control in place," Kutz said. Greg Fones, a disabled 61-year-old Vietnam veteran from South Haven, Mich., in September received \$140,000 in a whistle-blower lawsuit against his former employer, Deerpath Corp., a contractor for a NASA facility in Sandusky. Fones had alleged Deerpath's president controlled a veteran-owned front company to funnel work back to her Michigan-based firm. The president, Lydia Demski agreed to pay \$850,000 to settle the suit, filed in 2007,

after the U.S. Department of Justice got involved, according to reports. Fones, who left Deerpath to start his own company, said the new controls used by the VA “absolutely” would have prevented Deerpath from doing what he alleged it did. “Any time you have people self-certifying” their status (disabled veteran, woman-owned, minority-owned, etc.) without additional verification, fraud will result, he said. [Source: Springfield News-Sun Andrew J. Tobias article 19 Dec ++]

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**SBA Vet Issues Update 19:** The Small Business Administration (SBA) and Syracuse University are expanding the successful Entrepreneurship Boot Camp for Veterans with Disabilities (EBV) program to an eighth school, Cornell University. The EBV is designed around two central elements: a) focused, practical training in the tools and skills of new venture creation and growth, reflecting issues unique to disability and public benefits programs; and b) the establishment of a support structure for graduates of the program. The practical elements of the program will involve three phases:

- Phase I: Delegates participate in a self-study curriculum, facilitated by an online discussion and assessment module, which will be moderated by entrepreneurship faculty and graduate students from one of the partner EBV Universities. During this phase delegates will work on the development of their own business concepts.
- Phase II: During the nine-day residency at one of the seven EBV Universities, delegates are exposed to the "nuts and bolts" of business ownership through experiential workshops and lessons from world-class entrepreneurship faculty representing nationally ranked programs around the country.
- Phase III: Delegates are provided with ongoing technical assistance from faculty experts at the EBV Universities and EBV partners.

Applications for EBV can be submitted online at <http://whitman.syr.edu/ebv/Apply/>. Selection will be based on the ‘whole-person’ concept, with a particular focus on an assessment of potential to excel both in the program, and also excel upon graduating from the EBV in the area of entrepreneurship and small business management. Eligible veterans are those who:

- Have separated from active duty service after 2001 (or currently in the administrative process of separating)
- Have been identified as having a ‘service-connected disability’ as a result of their military service (including activated National Guard and Reserves)
- Demonstrate a strong interest in entrepreneurship & small business ownership/management.
- Submit an application package which includes the completed EBV Application Form (including responses to personal statement #1-6), a résumé, and two Letters of Recommendation.

Since inception of the program, more than 320 wounded warriors have graduated and more than 150 businesses have been launched by graduates. Participating schools include Syracuse University, University of Connecticut, UCLA, Florida State University, Texas A&M University, Purdue University, Louisiana State University, and Cornell University. For more information, visit the Syracuse University website <http://whitman.syr.edu> and the EBV Foundation website <http://www.ebvfoundation.org/index.php?page=about-our-foundation>. [Source: NAUS Weekly Update 16 Dec 2011 ++]

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**GI Bill Update 109:** The DoD announced the new Basic Allowance for Housing rates for 2012. Most GI Bill recipients will see a modest increase in the Post-9/11 GI Bill Housing Stipend as a result. The VA should adjust GI Bill housing stipends for 2012 in January, meaning you should see any increase in the February 1, 2012 payment.

You do I have to submit a form or do anything to get the new housing rate. To determine the housing rate applicable to you check out the Military.com GI Bill Calculator at <http://www.military.com/gi-bill-calculator/>.  
[Source: Veterans Report 19 Dec 2011 ++]

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**Vitamin Supplements Update 03:** The Medical Letter on Drugs and Therapeutics has updated its review on appropriate use of vitamin supplements. The following summarizes their conclusion on the benefits and risks of taking vitamins:

**VITAMIN E** — Vitamin E in food, which is mostly gamma-tocopherol, acts as an antioxidant. Vitamin E in supplements is mostly alpha-tocopherol, which may block the antioxidant activity of gamma-tocopherol and may have a pro-oxidant effect in vivo. High doses of vitamin E may interfere with vitamin K metabolism and platelet function.

- Effect on Mortality – A meta-analysis of 26 clinical trials including 105,065 subjects found that supplementation with vitamin E alone or in combination with beta-carotene and vitamin A was associated with an increased risk of death.
- Pregnancy – A meta-analysis of 9 trials involving 19,810 pregnant women found that vitamin E and C supplementation was associated with an increased risk of gestational hypertension and premature rupture of membranes. A randomized, double-blind trial in 10,154 pregnant women found that 400 IU of vitamin E and 1000 mg of vitamin C started at any time between weeks 9-16 of gestation did not decrease the risk of preeclampsia.
- Stroke – A meta-analysis of 13 randomized, controlled trials in 166,282 patients found that supplementation with vitamin E at any dose was not beneficial in preventing any type of stroke. Another meta-analysis of 9 trials in 118,765 patients found that vitamin E increased the risk of hemorrhagic stroke by 22% and reduced the risk of ischemic stroke by 10%.
- Cardiovascular Events and Cancer – Three randomized trials, one in 14,641 men and two in 39,876 and 8171 women found that supplementation with vitamin E did not reduce the risk of major cardiovascular events or cancer. A randomized, controlled trial in 35,533 men found that after 7 years (5.5 years on supplements and 1.5 off supplements), men taking vitamin E alone (400 IU/day) had a statistically significant 17% increase in the risk of prostate cancer, compared to those taking a placebo.

**VITAMIN A AND BETA-CAROTENE** — Vitamin A and beta-carotene, a potent source of vitamin A, are antioxidants, but may also have pro-oxidant effects in vivo. Multivitamin preparations usually contain 1000 to 10,000 IU (0.6 to 6 mg) of beta-carotene; betacarotene supplements usually contain 12-15 mg.

- Cancer – A double-blind, randomized, placebo-controlled trial in 18,314 smokers, former smokers and workers exposed to asbestos found that 30 mg/day of a beta-carotene supplement plus 25,000 IU/day of vitamin A for an average of 4 years increased the incidence of lung cancer. A placebo-controlled trial in Finnish smokers found that 20 mg/day of a beta-carotene supplement significantly increased the risk of lung cancer. A prospective study that analyzed serum vitamin A levels in 29,104 men found that higher serum vitamin A concentrations were associated with an increased risk of prostate cancer.

**VITAMIN D** — Many elderly people, especially those with dark skin, have inadequate amounts of vitamin D because of limited exposure to sunlight, decreased synthesis of vitamin D in the skin, and decreased absorption and activation of the vitamin. The latest US recommendations for the minimum daily requirement of vitamin D (vitamin D3 is preferred), based on amounts that have slowed the rate of bone loss, are 600 IU for males and females 1-70 years old, and 800 IU for men and women over 70. Persons infrequently exposed to the sun may need 800-1000 IU of vitamin D daily, and many experts now recommend 800 IU or more for all postmenopausal women. Elderly

people who do not expose themselves to sunlight will need to take supplements to achieve adequate serum levels of vitamin D.

- Fractures – Some experts have suggested that serum levels of 25-OH vitamin D =30 ng/mL may be desirable in older adults to help prevent fractures and falls. A meta-analysis of 7 randomized, controlled trials in men and women =60 years old indicated that a minimum of 700 IU/d of vitamin D<sub>3</sub>, with or without calcium supplementation, could decrease the risk of nonvertebral fractures. Another meta-analysis in men and women =50 years old reported that use of calcium alone or calcium plus vitamin D reduced fractures of all types, especially with calcium doses =1200 mg/d and vitamin D doses =800 IU/d.
- A double-blind trial in 2256 women =70 years old at high risk for fracture found that a single 500,000-IU dose of vitamin D<sub>3</sub> taken once a year for 3-5 years increased the risk of fractures and falls, compared to placebo.

**VITAMIN C** — Dietary levels of about 300-400 mg/day of vitamin C maintain body pools of the vitamin. One 8-oz glass of orange juice contains about 100 mg of vitamin C.

- Cancer – Vitamin C 500 mg/day plus 400 IU of vitamin E every other day for a mean follow-up period of 8 years in men = 50 years old failed to reduce the risk of cancer, compared to placebo. Similar findings have been reported in women.
- Cardiovascular Disease – The Physicians' Health Study II found no beneficial effect of vitamin C supplementation (in combination with vitamin E) on the primary or secondary prevention of cardiovascular disease.
- Upper Respiratory Infection – A meta-analysis of 30 trials involving 11,350 subjects showed that prophylactic use of =200 mg/day of vitamin C did not significantly reduce the risk of developing a cold or the severity of cold symptoms.
- Toxicity – High doses of vitamin C (more than 1 gram) are poorly absorbed, cause diarrhea, and could increase urinary oxalate excretion to a level that might cause kidney stones in people with pre-existing hyperoxaluria.

**VITAMIN B12** — Vitamin B12 deficiency, diagnosed by elevated serum concentrations of methylmalonic acid with or without elevated serum homocysteine and low serum B12 concentrations, is common in older patients. Atrophic gastritis, which affects 10-30% of older people, results in inability to absorb vitamin B12 from food, with absorption of crystalline vitamin B12 usually left intact. Vitamin B12 can be taken orally or sublingually, injected IM once monthly, or sprayed intranasally.

**FOLATE** — The standard US diet provides 50-500 mcg of absorbable folate per day, but the bioavailability of folate in mixed diets varies. Folic acid in supplements is about twice as bioavailable as folate in food. All enriched cereal grains sold in the US contain 140 mcg of folic acid per 100 g of grain; estimates suggest that this fortification increases folic intake by about 215-240 mcg/day. Even this amount, however, may be inadequate for prevention of neural tube defects, which occur early in pregnancy before most women know that they are pregnant.

- Neural Tube Defects – Supplementing the diet of women of child-bearing age with 400 mcg of folic acid per day, the amount contained in most multivitamin preparations, has decreased the incidence of neural tube defects in their offspring.
- Toxicity – High doses of folic acid can mask vitamin B12 deficiency, permitting progression of neurologic disease.

**VITAMIN B6** – Cardiovascular Disease – A randomized, double-blind, placebo-controlled trial in 5422 women with, or at risk for, cardiovascular disease found that a combination of 2.5 mg of folic acid, 50 mg of vitamin B6 (pyridoxine) and 1 mg of vitamin B12 for 5 years reduced homocysteine levels, but did not reduce the risk of

stroke.<sup>24</sup> Other trials have also failed to demonstrate that vitamin B6 supplementation, in addition to folate and vitamin B12, reduces the risk of stroke or any other cardiovascular event.

- Cancer — A meta-analysis of 12 studies found that vitamin B6 supplementation reduced the risk of colorectal cancer, but 2 randomized, double-blind trials found no association between vitamin B6 supplementation alone and a reduction in the risk of any cancer.

**MULTIVITAMINS** — A study in 38,772 women (mean age 61.6 years) found that self-reported use of at least one supplement containing either multivitamins, vitamin B6, folic acid, iron, magnesium, zinc or copper was associated with an increased mortality rate.

**BARIATRIC SURGERY** — A study in 58 patients who underwent bariatric surgery found that serum levels of vitamin B12, vitamin C and beta-carotene remained low even with supplementation.<sup>30</sup> Bariatric surgery patients are also at risk for deficiencies in folate and vitamins B1, A, D and K.

**CONCLUSION** — In healthy people living in developed countries and eating a normal diet, the benefit of taking vitamin supplements is well established only to ensure an adequate intake of folic acid in young women and of vitamins D and B12 in the elderly. There is no good reason to take vitamins A, C or E routinely. No one should take high-dose beta-carotene supplements. Long-term consumption of any biologically active substance should not be assumed to be free from risk.

[Source: Medical Letter 53:101-103, 2011 ++]

Table 1. Sources of Some Vitamins	
Vitamin/RDA <sup>1</sup>	Some Common Food Sources
Vitamin E 15 mg (22.5 IU)	Vegetable and seed oils, nuts
Vitamin A 700-900 mcg (3000 IU)	Dairy products, meats, fish, fish oil, beta carotene in green or yellow or orange fruits and vegetables
Vitamin D 15 mcg (600 IU) <sup>2</sup>	Fish and fortified milk
Vitamin C 65-90 mg	Citrus fruits and juices, tomatoes and green leafy vegetables
Vitamin B <sub>12</sub> 2.4 mcg	Meat, fish and dairy products
Folate 400 mcg	Beans, peas, oranges and dark-green leafy vegetables
Vitamin B <sub>6</sub> 1.2-1.7 mcg	Meat, whole-grain breads and cereals, soybeans and vegetables
<p>1. Recommended Dietary Allowance (RDA) is the average daily dietary intake level that is sufficient to meet the nutrient requirements of most healthy adults. (US Department of Agriculture Dietary Guidelines for Americans 2010 found at <a href="http://www.cnpp.usda.gov/Publications/DietaryGuidelines/2010/PolicyDoc/PolicyDoc.pdf">http://www.cnpp.usda.gov/Publications/DietaryGuidelines/2010/PolicyDoc/PolicyDoc.pdf</a>. Accessed November 29, 2011.)</p> <p>2. For males and females 1-70 years old, and 800 IU for men and women over 70.</p>	

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**VA Compensation & Pensions Update 05:** The following is written from a C&P (Compensation and Pension) examiner's perspective relating to psychiatric exams to assist veterans in navigating the VA system. It is also a good guideline for all VA exams. A little common sense and clarity of thinking will go a long ways towards getting you what you are entitled:

- 1) Be on time or a little early.
- 2) Be polite. Yelling at the examiner for the injustices you perceive will do nothing but alienate him/her.
- 3) Curse at your risk. You can get your point across much better with proper English than you can with outlandish language.
- 4) Keep in mind that your examiner is the person that is going to judge you. It's his/her job and that is why you are there. To be adjudicated fairly how would you like to be remembered? A skuzzy stereotypical veteran or a troubled one who is doing the best he/she can.
- 5) Do not talk about alcohol or drug related issues. You are not there to be assessed for those problems. You are there to be assessed for your psychiatric functioning as today relates to your service history. If the examiner asks about alcohol or drugs, politely remind them that you are not there for those issues (assuming you've ever had them,) but for how impaired you are in your daily functioning. It's best to avoid even talking about them.
- 6) Don't waste your time relating how badly you believe you've been mistreated. The examiner only has a short time to figure out how impaired you are and they need the facts. In coherent, concise, sentences, and not rambling rants that end nowhere.
- 7) Answer the questions to the best of your ability. If you don't know say so.
- 8) Be honest. Don't embellish your stories with fanciful tales. Just the facts please. Be able to document everything you tell the examiner. You may run into someone who checks stories out. If possible have letters from people you served with, unit diary copies of incidents that occurred during your time and space, and letters from family members. Family member letters usually don't add a lot of weight to your case because families are there to support you and examiners understands that.
- 9) When responding to examiners you need to pick the worst moment of time relating to that question. You need to be rated for the worst times you have had. As an example, pick a really bad day you have experienced and relate all of your answers to that day. Such as, the day you could not sleep, was anxious and startled easily, was grouchy to your wife and friends, you felt like your heart was coming out of your chest, and nothing went right for you. That day should have been in the last 30-90 days. If it was a year ago you may not need to be having this exam.
- 10) Remember when you are asked, "ow are you doing today?" to report how you REALLY are doing and not how you'd like to be doing. Most veterans want to be doing MUCH better than they really are. It's like they know they can be doing better, and have done better, but their pride does not want to let anyone know how badly they really are doing
- 11) Ask if it would be okay to have your husband/wife in the room with you during the exam. Husbands and wives can tell the truth much better than the veteran. Ask your spouse how well you've done in the past ten days versus your own opinion of how you've been doing. Quite a dramatic difference if you are truthful!

The questions you are being asked are on a script in front of the examiner. After examiners do this for a while they get a sense of what is in front of them. It's not too difficult to determine when someone is flat out lying and when they are struggling with memory. Examiners can be scammed but the scammers often pay a price. It's a Federal criminal act to lie in order to gain monetary compensation. And the odds are you will be prosecuted. It simply isn't worth it. Examiners are generally good people trying to do a very difficult job. Make it easy for them. [Source: Mountain Home AFB Counselor Steve A. Neff, MSW Dec 2011 ++]

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**Agent Orange Okinawa Update 02:** The Okinawa local government said 17 DEC it will test water near a popular public beach for traces of Agent Orange following allegations by a U.S. veteran that barrels of herbicide were buried in the area during the Vietnam War. Testing will focus on a waterway that empties into the ocean between Araha Beach and Chatan park, recreation land that was once the U.S. Army's Hamby Airfield and is nearby two Marine Corps bases, a spokesman for Chatan city government said. An unnamed Army veteran told the Japan Times last month that he took part in burying dozens of barrels of Agent Orange, a powerful herbicide linked to cancer and other serious health problems, on the former Army land in 1969. The U.S. government and U.S. Forces Japan have repeatedly denied that Agent Orange was ever present on the island. "The survey, which is expected to start in January, will be mainly water testing, taking water samples from three different locations in a nearby river," a spokesman for Chatan city said.

The Hamby airfield was decommissioned in 1981 and eventually redeveloped into one of the island's most popular beaches and tourist attractions, which are a short walk from Marine Corps headquarters on Camp Foster as well as a hospital and family housing on Camp Lester. Magnetic surveys and soil sampling were done when the property was redeveloped and there were no reports of the herbicides being discovered, according to the city. "It has been about 30 years since the redevelopment and until this day there has been no report of any health damages from the local communities," the spokesman said. The claims have raised some doubts among city officials because the site identified by the veteran appears to be the former runway of Hamby Airfield. It would be unlikely that soldiers were ordered to stop air traffic and bury barrels of herbicide on or near the runway, according to the spokesman. The unnamed veteran told the newspaper that the barrels were offloaded from a transport ship that had run aground and were then buried in a 150-foot trench on the old airfield. The exact location of the alleged trench is now uncertain because the area has been transformed by growth in recent decades, the newspaper said.

The former soldier is one of more than 20 veterans who have recently claimed Agent Orange was sprayed or stored on Okinawa in the 1960s and early 1970s when the military was still using it to kill vegetation as part of the war effort in Southeast Asia. Similar allegations of Agent Orange use have also recently surfaced in South Korea and Guam. Vietnam War-era veterans have claimed herbicide use in those areas have caused long-term health problems that are not being covered by the Department of Veterans Affairs. They say the VA is unfairly barring their claims because the military refuses to admit the dangerous herbicide was stored or used in those countries. The VA does provide disability compensation and health care benefits to veterans who can prove they are exposed to Agent Orange and have herbicide-linked illnesses that include leukemia, diabetes, Parkinson's disease, lung cancer and heart disease. [Source: Stars & Stripes Travis J. Tritten and Chiyomi Sumida article 17 Dec 2001 ++]

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## **VA Fraud Waste & Abuse Update 43:**

- **Madison WI** - Sergio Guaderrama, 44, was sentenced to six months in prison, followed by a three-year term of supervised release, for defrauding the U.S. Department of Veterans Affairs. He pleaded guilty to the charge on 2 SEP. according to a Western District of Wisconsin Department of Justice news release. Guaderrama, a Navy veteran, was collecting VA disability benefits and he received medical care at VA Medical Centers. While living in Madison WI, Guaderrama would attend appointments at the VA Medical Center in Madison, yet claim that he had traveled from Chicago. He would then submit false mileage reimbursement forms. He submitted a total of 54 fraudulent claims for travel reimbursement. In 2008, Guaderrama also submitted a falsified marriage certificate to the VA so that his girlfriend and her children would also receive VA medical care. In total, Guaderrama submitted 34 fraudulent medical claims. Guaderrama also fraudulently received disability benefits for his girlfriend and her children. He was ordered to pay \$20,366.97 in restitution to the VA. [Source: Channel3000.com News article 17 Dec 2011 ++]

- **Houston TX** - Sometimes when Wylma Barnett watched her son standing outside his personal care home, she thought the disabled ex-Marine looked homeless clad in his worn and raggedy clothes, though he had plenty of money in the bank. The picture seemed wrong, she thought, for a man who had served his country and whose ample assets for the last 20 years were entrusted to a Houston attorney by the Department of Veterans Affairs. Instead, in JAN 2012, Joe B. Phillips, 72, and his wife Dorothy, 71, are expected to stand trial for conspiracy to commit fraud and theft in a Houston federal court. They are accused of embezzling more than \$2 million from at least 28 disabled veterans, including Barnett's son, and allegedly carrying out the biggest rip-off ever uncovered in a VA program responsible for about \$3.1 billion in disabled veterans' assets nationwide. But according to court records reviewed by the Houston Chronicle and interviews with those who investigated the thefts, local veterans lost even more money and the fraud persisted longer than authorities initially reported. Evidence of possible exploitation in Phillips' own public accountings and actions were overlooked for years. "All they would have had to do was ask," Barnett said, referring to the government's lack of scrutiny. "Ask anybody who had been assigned to Phillips."

More than two dozen veterans and insurance companies have since filed civil lawsuits against Joe Phillips, who continues to practice law four years after a VA auditor first found evidence of embezzlement. Phillips declined to comment for this story. Phillips, a former VA attorney, has worked as a money manager for local veterans since the 1980s. Money went missing from their accounts as early as 2001 - years before the VA's audit, according to indictments and lawsuits filed in Harris County probate courts. At least 28 veterans have been compensated by taxpayers for losses estimated at \$3,000 to \$250,000 each. Twenty won additional settlements from insurance companies. Others are pending. Barnett's mentally disabled son received a settlement in OCT. No one so far has investigated whether Phillips or his wife took more money from disabled veterans who died before the shortfalls were discovered.

A VA audit first found problems with Phillips' accounts in late 2007. Bernard Hebinck, a retired U.S. Air Force colonel and attorney who also serves as a VA fiduciary in Houston, said it was the first formal audit by the VA of fiduciary records in this area in about a decade. He and his partner, Kevin Alter, subsequently sued Phillips on behalf of 20 veterans and obtained 18 settlements so far. "I treat veterans the way I would want to be treated as a veteran - with respect," Hebinck said. A VA spokesman declined to comment, citing the pending prosecutions. But officials did say stricter safeguards are in place because of thefts in Houston and elsewhere. Fiduciaries, for example, are now required to provide original bank documents in annual reports. In responses to lawsuits, Phillips blames the VA for the missing money, claiming auditors and administrators failed to adequately protect veterans' assets. Phillips filed for bankruptcy in 2009. But bankruptcy attorneys have been unable to determine where the vets' money went, aside from gambling debts that Phillips accumulated at the L'Auberge du Lac Casino and the purchase of a Lexus. Despite subpoenas, Phillips has failed to turn over his bank records, claiming a garage fire and a flood destroyed his files.

The evidence of possible theft and mismanagement appeared in reports Phillips submitted annually to probate courts and the VA. Court records show he sometimes failed to properly list veterans' savings accounts. Some would inexplicably disappear in reports and reappear years later with different balances. He also failed to properly balance veterans' checkbooks, records show. Paperwork filed by Phillips also contained more sophisticated elements of fraud, including account balances verified with forged bank officers' signatures and a confusing assortment of real and fake accounts in Texas and out-of-state, according to records and interviews. In one case, Phillips turned in documents with the forged signature of an official at a bank where Phillips served on the board of directors. Caregivers and relatives of veterans whose money was stolen say Phillips was unresponsive, rude or evasive when questioned about expenses or accounts. Shirley German, whose disabled son relies on a wheelchair, said Phillips often acted like her son's money belonged to him, resisting requests for unexpected expenses, like house repairs or appliances. Rose Redding, a caregiver for another veteran, said Phillips was "always rude" and brushed the vet off even

when he asked for copies of his bank statements: "He could have spotted (problems). He was never privileged to get that."

Since October 1998, the VA's Office of the Inspector General has conducted more than 315 fiduciary fraud investigations, resulting in 132 arrests across the country. Katrina Eagle, a California attorney who represents veterans, said problems could be prevented if veterans and designated relatives were given more information about their own money. "It seems so simple to me. The fiduciary (should be) required to provide an accounting to his client - that's who he serves," she said. [Source: Houston Chronicle Lise Olsen article 19 Dec 2011 ++]

- **Topsham ME** — Marsha Jacobs, 64, has been charged with misusing tens of thousands of dollars from her brother-in-law's (Bradley Jacobs) veterans benefits account. Jacobs was appointed in 2003 the fiduciary of benefits from the U.S. Department of Veterans Affairs to her brother-in-law. She allegedly used the money to build a \$106,000 addition to her home in Nobleboro, pay for vacations to Florida and Las Vegas, buy a time share, pay college tuition and pay personal living expenses and other bills. Estimates of the amount of money misused ranged from a low of \$74,000 to a high of \$279,000, the entire amount of the benefits her brother-in-law received between AUG 03 and APR2010, according to the complaint. Regulations prevent fiduciaries from co-mingling their own funds with the benefits and from borrowing, loaning, giving away or investing the beneficiary's funds, according to the complaint. Rules also require that fiduciaries keep accurate, complete records and receipts. Between AUG 06 and DEC 09, Jacobs allegedly submitted false reports about the amount of money in her brother-in-law's account. As an example, the complaint cited a 13 NOV 09, report in which she said there was more than \$88,000 in the account. A check of bank records showed a balance of about \$1,700 on that date in Bradley Jacobs' account. If convicted, Marsha Jacobs faces up to five years in prison and a fine of up to \$250,000. She most likely would be ordered to pay restitution to the VA. [Source: Bangor Daily News Judy Harrison article 23 Dec 2011 ++]
- **Exter Township PA** - On 21 DEC Federal crime-fighters Jason Milbrandt, 41, defrauded the federal Department of Veterans Affairs by collecting \$185,460 in benefits after becoming ineligible. According to the release, Milbrandt applied for dependency and indemnity compensation benefits after his wife died in 1993. She had been a member of the U.S. Air Force. He remarried in 1995 but did not report his marriage to the Department of Veterans Affairs. He lied on reports asking for his marital status. In 2011, the department learned that Milbrandt received benefits from 1993 to 2011, even though his remarriage made him ineligible. [Source: Reading PA BCTV.org article 24 Dec 2011 ++]
- **Memphis TN** - Federal prosecutors say two Memphis men were sentenced to three years in prison each for embezzling hundreds of thousands of dollars from disabled veterans' benefits accounts. The U.S. Attorney's Office in Memphis said in a statement 29 DEC that 75-year-old Jack Perry, a former court-appointed fiduciary, and 67-year-old Robert Tabbutt, a former U.S. Department of Veterans Affairs Field Examiner, were accused of stealing \$896,000 from 10 different accounts over nearly a decade. Prosecutors said Perry diverted funds from the accounts and both men used them for personal use such as making cable and utility bill payments. The office said the two also gambled large sums of the embezzled money in casinos in Tunica, Miss., in an attempt to recover previously spent funds and conceal the scheme. [Source: Associated Press article 29 Dec 2011 ++]

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**Veteran Charities Update 19:** The Virginia Department of Agriculture and Consumer Services' (VDACS) Office of Consumer Affairs (OCA) cautions the public that an organization by the name "Veteran's Miracle Network" of Stafford, Virginia, has solicited contributions from Virginia citizens for allegedly charitable

purposes. The organization might also go by the names “Project Foot” and “Operation Walk America.” As of 14 DEC 2011, and after multiple requests by VDACS, this organization has not filed registration documents as required by law. Contributors are cautioned that their contributions to this organization or its affiliates may be used for non-charitable purposes. The Department recommends that before making a donation or making a purchase in the name of a charity, citizens should consider the following tips for donating wisely:

- **Know the charity.** Never give to a charity unless you know its history, purpose and reputation. Before donating, be sure the name of the organization corresponds to the charity you know and respect, as disreputable organizations often use sound-alike names to prey on the good name of well-known charities. If you are unfamiliar with the charity, research it carefully before donating.
- **Request information.** The majority of telephone solicitation calls are done by professional solicitors under contract with the charities. The professional solicitors often receive a specific percentage of each donation. As part of your research into the charity, you may wish to consider asking how much of your donation will be spent on fundraising and administrative overhead versus how much will actually support the charity’s purpose. Virginia law requires telephone solicitors to tell you the name of the professional fundraising company that employs them and that they are paid to solicit your donation. Be suspicious of any solicitor who does not readily volunteer this information.
- **Verify registration with OCA.** State law requires charities that solicit donations in Virginia, except for certain exempt groups, to register with the OCA. To determine whether a charity is registered with OCA, please visit [www.vdacs.virginia.gov/consumers/index.shtml](http://www.vdacs.virginia.gov/consumers/index.shtml) and click on “Charitable Search.” You may also call the Consumer Protection Hotline toll free at (800) 552-9963 statewide, or (804) 786-2042 in the Richmond area.
- **Do not give cash or give in to pressure.** Once you decide to make a donation, write a check payable directly to the charity and not to the individual solicitor. Legitimate charities do not expect you to donate immediately if you are unfamiliar with their services.
- **Examine gift offers.** Mail solicitations often come with a small gift such as greeting cards or personalized address labels. The charity sometimes implies that the gift is yours to keep only if you make a donation. State law, however, specifies that unless you asked for the item, it is yours to keep without making a donation.

[Source: VDACS News Release 15 Dec 2011 ++]

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**Medicare Reimbursement Rates 2012 Update 04:** Wrapping up legislative business before the Christmas recess, the Senate on 17 DEC approved legislation that freezes Medicare payments to physicians until 29 FEB. In a vote of 89-10, the Senate passed an amended version of the House payroll tax bill that the lower chamber approved earlier in the week. The legislation from Senate Majority Leader Harry Reid (D-NV) and Minority Leader Mitch McConnell (R-KY) —which extends a payroll tax holiday for two months—provides no payment update in Medicare reimbursement levels for the nation's doctors in January and February 2012, which prevents a 27.4% cut that was scheduled to take effect on 1 JAN 2012. The bill also extends for two months a host of Medicare and health-related provisions that are scheduled to expire by year's end. These measures include reimbursement raises for ambulance services, mental health reimbursements, the Qualifying Individual (QI) program, the outpatient “hold harmless” provision, and transitional medical assistance, which provides Medicaid benefits for low-income families who are transitioning from welfare to work. Because the Senate amended the bill has to go back to the house for final approval where it was anticipated it would be approved and forwarded to the President for signature.

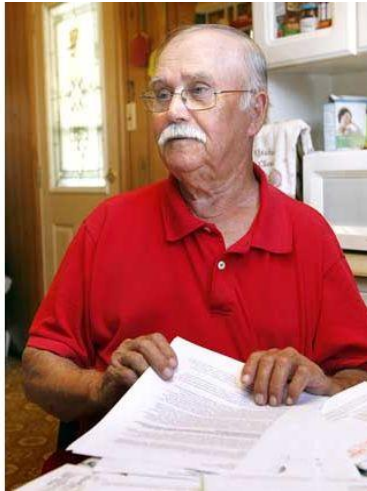
In a statement, American Medical Association President Dr. Peter Carmel said waiting until the final week of the legislative session to address an issue Congress knew about all year is no way to conduct business for the country. "We strongly commend the bipartisan work by Senators Baucus (D-Mont.) and Kyl (R-Ariz.) to develop a framework to permanently repeal the universally criticized Medicare physician payment formula and urge all members of Congress to pursue a similar effort," Carmel said in his statement. "It is time for Congress to act on previous commitments to repeal the failed Medicare physician payment formula. The 12 temporary patches that Congress has applied have raised the cost of solving the problem by more than 500% over the last few years and eroded patients' access to care. A permanent solution is the long overdue, fiscally responsible approach." Anders Gilberg, senior vice president of government affairs at the Medical Group Management Association, said his organization was disappointed by the short-term fix. "It sets up a situation like 2010 where congress averted the Medicare physician cuts five times," Gilberg said in an e-mail following the vote. "The lack of visibility this approach creates for physician practices will no doubt impact their willingness to incur the risks associated with accepting new Medicare patients in 2012," he added. "We are hearing from MGMA members every day and their faith in congress's ability to responsibly address physician Medicare payments is at an all-time low." [Source: Healthcare Business News Jessica Zigmund article 1 Dec 2011 ++]

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**Medicare Reimbursement Rates 2012 Update 05:** In a classically convoluted way the chances of a "doc fix" – which would prevent a 27% cut in Medicare and TRICARE payments to medical providers starting the first of the year – went from hopeful to bleak back to hopeful over the past two weeks. Last week the House passed a two-year doc fix along with a one-year extension of payroll tax cuts and unemployment benefits (H.R. 3630). With vastly differing opinions on how to offset the cost of paying for this long-term fix the Senate amended the House version and reduced the fix to a much smaller two-month patch with the stated goal of hammering out a long-term solution in early 2012. After passing this short-term patch the Senate promptly left town for their holiday recess. The political atmosphere went from promising to hopeless when the House refused to consider the Senate's two-month patch and instead, appointed conferees in hopes of working out the differences. After much finger pointing and with strong constituency criticism, cooler heads prevailed as House and Senate leaders agreed to a short-term, two-month bill with a guaranteed conference between both chambers for a longer-term, one-year fix. House Speaker John Boehner (R-OH) stated that he expects both House and Senate to act on the bill 23 DEC. The Military Officers Association of America MOAA is appalled that Congress waited until the last minute and failed to come to a longer-term solution; however, they remain hopeful that a longer-term solution will be developed by the conferees after the first of the year. [Source: MOAA Leg Up 23 Dc 2011 ++]

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**Vet Toxic Exposure ~ Lejeune Update 26:** Bill Lawson, a 75-year-old former Camp Lejeune Marine, has a medley of maladies, many of which he believes can be traced to his exposure to contaminated drinking water during the 13 years he spent on base. This fall, he received confirmation from the Department of Veterans Affairs: A letter mailed in October granted him 100-percent disability for colon cancer, first diagnosed in 1998, and 20 percent for bladder cancer, diagnosed in 2005, citing Lawson's time aboard Lejeune as connection. What Lawson remains unsure of is what portion of his time spent on base caused his cancers: living in base housing at Tarawa Terrace, where the drinking water supply was contaminated with the organic solvents TCE and PCE, or working at a warehouse building in the Hadnot Point Industrial Area. For 13 months beginning in 1961, Lawson worked supply near the Hadnot Point Fuel Farm, in Camp Lejeune's building 1101. More than a quarter-century later, engineers would find a massive underground layer of gasoline, the result of a decades-long leak at the fuel farm, that snaked underneath portions of the industrial area including building 1101. In total, an estimated 1.1 million gallons of fuel spilled into the ground before the farm closed in 1991.



**Bill Lawson shows some of the VA paperwork and other records at his home in Jacksonville**

In 1961, Lawson didn't know all that; he just knew what he smelled. "On our lunch hour, me and a couple friends of mine used to play ping-pong; that was our exercise, and you could smell gas in that building, but I thought it was just because of the fuel dump across the street," he said. "It seemed to get to some people, it seemed to bother them: headaches, nausea. I didn't think much of it at the time. You trust your seniors, I guess." Lawson is not the only one who suspects his time in building 1101 made him sick. Last year, the Daily News spoke with Frank Orr, who worked there 17 years and believes his exposure to gasoline fumes contributed to his diagnosis with advanced-stage kidney cancer in 2003, and Antainette Bell, who recalled chronic daily headaches while she worked there. In Dec. 2001, strong gasoline odors led to the evacuation of building 1101. Measurements would show chemical readings above 50,000 parts per million and a low explosive level of 100 percent at some areas of the building.

According to Camp Lejeune officials, the building was declared safe for occupancy in 2007 and is now classified as an in-call warehouse, with base personnel entering the facility daily. The building, they said, continues to be monitored on a regular basis. But a 2007 email from a base environmental engineer viewed by the Daily News shows that officials continued to detect vapors in parts of the building that year, and a monitoring well inside the facility gave benzene readings in excess of 50,000 parts per million. Lawson listed both his time living on Tarawa Terrace and his tenure working in building 1101 and nearby building 1108 on his disability claim, but the VA paperwork was nonspecific about what element of his exposure led to the claim being granted. VA officials never responded to requests for more information about the decision process. For the retired gunnery sergeant, it's almost a moot point. "I had it both ways," he said. Lawson now spends most of his time at home in Jacksonville or shuttling to doctor's appointments. With his cancers in remission, he now worries mostly about his two daughters, ages 48 and 49, who went to school aboard Tarawa Terrace and were exposed to the contaminated well water on a daily basis. "I'm just trying to live with it; I do the best I can," he said, "but I'm upset at the people in charge at Camp Lejeune that knew this was happening." [Source: Jacksonville Daily News Hope Hodge article 14 Dec 2011 ++]

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**Vet Toxic Exposure~TCE:** As early as WWII, United States Air Force and other Military bases used and disposed of chemical degreasers and other toxic substances that were later determined to contaminate drinking water and pose multiple health risks including: Cancers, Reproductive disorders, Birth defects, and Multiple other serious difficulties. Countless military personnel, their families, and private individuals living and working in the near vicinity of the bases may have been affected by these contaminants, through drinking water, general water

usage and exposure through vapor seepage. The four most alarming contaminants are: Trichloroethylene (TCE), Tetrachloroethylene (PCE), Vinyl Chloride, and Benzene. Scientific studies show that some or all of these chemical compounds have breached the ground water supply on several of our US Military Bases and in some instances, have affected civilian properties adjacent to the bases including churches, schools and private wells. Currently, on-going research is being conducted on military bases around the country and on properties directly adjacent to these bases to identify just how wide spread this contamination may be.

The New Brighton/Arden Hills National Priorities List (NPL) Site is a 25-square-mile area in Ramsey County, Minnesota, just north of the Minneapolis/St. Paul metropolitan area. The site includes the 4-square-mile Twin Cities Army Ammunition Plant (TCAAP) and portions of seven nearby communities: New Brighton, St. Anthony, Arden Hills, Shoreview, Mounds View, Columbia Heights, and Minneapolis. As presently defined, the site covers much of the U.S. Geological Survey's New Brighton, Minnesota, 7.5-minute quadrangle map. In June 1981, the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Health (MDH) discovered trichloroethylene (TCE) and other volatile organic compounds (VOCs) in municipal, mobile home park, and private well water in the vicinity of TCAAP. Initial analysis of TCAAP water supply wells revealed high concentrations of TCE (720 parts per billion [ppb]), 1,1,1-trichloroethane (360 ppb), 1,1-dichloroethane (130 ppb), and other VOCs. Scientists with MPCA and MDH worked with all involved parties to identify contaminated wells and, when possible, to reduce the concentrations of contaminants below state and federal drinking water standards or to provide alternative water supplies. However, some people using private wells and mobile home park wells may have continued to use contaminated well water for 2 to 3 years before their homes were connected to alternative water supplies.

In May 1987, 15 families petitioned the Agency for Toxic Substances and Disease Registry (ATSDR) to conduct a public health assessment of TCAAP for populations exposed to hazardous substances from TCAAP. ATSDR agreed to conduct the public health assessment in conjunction with the public health assessment of the New Brighton/Arden Hills NPL site. Therefore, this public health assessment addresses the contaminants and the health concerns of people affected by contaminants from TCAAP. Some of the health concerns expressed by people living near TCAAP include past exposures to contaminated drinking water and the possibility of adverse health effects, such as birth defects and leukemia. From its review of available data, ATSDR concludes that hazardous waste sites within TCAAP are public health hazards because people were exposed in the past to groundwater contaminants at concentrations that may cause adverse health effects. People were exposed to solvents via ingestion, inhalation, and skin contact when contaminants from TCAAP migrated into private, mobile home park, commercial, industrial, TCAAP, and municipal water supply wells. Human exposure to TCAAP contaminants in municipal and TCAAP water supply wells was ended with the use of comprehensive water treatment technology. Current municipal water supplies used by the cities surrounding TCAAP, as well as the TCAAP water supply system, meet all state and federal drinking water standards.

The concentrations measured in some of the contaminated private wells were high enough that long-term exposure (greater than 1 year) to those concentrations could have resulted in adverse health effects. Exposure ended for many of the people with contaminated private wells when their homes were connected to municipal water supplies in the early 1980s. Nonetheless, other water supplies may be threatened. Unless they are remediated, concentrations of TCAAP contaminants in the Hillside Sand and Prairie du Chien/Jordan aquifers will remain above levels of health concern for many years. The contaminants continue to move and to contaminate other portions of the two drinking water aquifers. TCAAP groundwater contaminants also pose an indeterminate health hazard because people may be exposed to TCAAP contaminants now or in the future as a result of the unreported or unidentified use of private, mobile home park, commercial, and industrial wells within two plumes of contamination, the North Plume and the South Plume. MPCA, MDH and the Army have undertaken special efforts to identify all wells threatened by TCAAP contaminants. In addition to past inventories and monitoring by MPCA, the Army has conducted a detailed well inventory, at MPCA's request, to determine if there are any previously

unidentified water supply wells threatened by TCAAP contaminants.

The possibility of current and future human exposure to TCAAP groundwater contaminants from the North Plume will be mitigated for private well users through implementation of the selected remedy for Operable Unit 1, which was proposed by the Army, MPCA, and the Environmental Protection Agency in September 1993. As described in the Background section of this document, the remedy includes the use of drilling advisories that regulate the installation of new wells within the North Plume as a Special Well Construction Area and the provision of alternative water supplies to residents with private wells within the North Plume. The proposed containment system will prevent future movement of the most highly contaminated portion of the groundwater contaminant plume. MPCA has stated that the South Plume will also be contained in the Special Well Construction Area (48). To read more about this article go to <http://www.atsdr.cdc.gov/hac/pha/pha.asp?docid=689&pg=0>. [Source: <http://www.militarycontamination.com> Nov 2011 ++]

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**VAMC Cleveland:** An Ohio man who had two towels left in his body after surgery at a veterans hospital has won a \$275,000 settlement from the federal government. Forty-seven-year-old Robert Sanner, of New Philadelphia, didn't feel right following his May 2008 kidney cancer surgery. He made three trips back to the Louis Stokes VA Medical Center in Cleveland before a scan in August 2008 detected the 14-by-11-inch towels. The towels were removed the next day. Sanner's lawsuit said VA hospital officials acknowledged the mistake. Sanner's attorney, R. Craig McLaughlin, also said the hospital was hesitant to perform a third surgery needed to repair a hernia caused by the first two procedures. Medical center spokeswoman Ashley Trimble says the episode is one reason why the hospital adopted new technology to keep track of sponges and other surgical equipment. Sanner served as an Army mechanic in the 1980s. He declined to comment on the settlement. [Source: CBS News article 14 Dec 2011 ++]

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**DoD Veteran Rape Lawsuit Update 01:** A federal judge has dismissed a lawsuit filed by 28 current and former military service members who say they were raped and abused by their comrades. The suit was filed in February and named former Defense Secretaries Robert Gates and Donald H. Rumsfeld. Those who filed the suit said they wanted to force the Pentagon to change how it handles such cases. They say there is an atmosphere in the military conducive to rape and assaults. U.S. District Judge Liam O'Grady in Alexandria said in an order dated 9 DEC that the current and former troops don't have a right to sue under the law they cited. Notwithstanding the "egregious allegations" raised in the lawsuit, O'Grady wrote, the Supreme Court has counseled against judicial intervention in the military disciplinary structure. [Source: The Virginian-Pilot AP article 14 Dec 2011 ++]

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**IL Vet Home Purchase Program:** Gov. Pat Quinn today announced a program aimed at helping veterans and active duty military members purchase homes by providing \$10,000 grants for down payment and closing costs. Qualified applicants also will be able to lock in low-interest loans at 4 percent for a 30-year mortgage and receive an additional tax credit of up to \$20,000 over that same time period. Launched to honor those who sacrifice to safeguard our freedom the program, dubbed 'Welcome Home Heroes', criteria for qualification is:

- Veterans (who need not be first-time homebuyers)
- Active military personnel, reservists and Illinois National Guard members (must be first-time homebuyers)
- Buyers must qualify based on income and purchase price limits.

Interested buyers must apply through a lender in their area. The program only applies to 1-2 unit residential properties in the State of Illinois purchased as a primary residence. The new loan builds on the existing affordable home loan, SmartMove, also available through IHDA's lenders. The money comes from a combination of state and federal sources and is first-come, first-serve. It's estimated that 1,000 veterans and service members will qualify for the program. "I don't think there's a better holiday present, Christmas present, that we can give our veterans than to help them get a home and be a homeowner," Quinn said at the National Guard Armory on the city's Near South Side. Applicants must meet certain income and purchase price requirements depending on which area of the state they live. More information can be found at <http://ihda.org/homeowner/heroes.htm>. [Source: Chicago Tribune Monique Garcia article 14 Dec 2011 ++]

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**Reserve Community Bankruptcy Relief:** On 14 DEC President Obama signed into law H.R.2192 (The National Guard and Reservist Debt Relief Extension Act of 2011), authored by Congressman Steve Cohen (D-TN) to help members of the National Guard and Reserve obtain bankruptcy relief should they need it. This legislation was needed because of a deadline provision impacting on the Bankruptcy Abuse Prevention and Consumer Protection Act signed into law almost six years ago. That Act established a "means test" to determine a debtor's ability to repay debts. Under this test, a Chapter 7 bankruptcy case is presumed to be an abuse of the bankruptcy process if it appears that the debtor has income in excess of certain thresholds. The National Guard and Reservists Debt Relief Act of 2008, now known as Public Law No. 110-438, created an exception scheduled to expire in 2011 to the means test's presumption of abuse for members of the National Guard and Reserve who, after September 11, 2001, served on active duty or in a homeland defense activity for at least 90 days. The exception is also available for 540 days after the servicemember leaves the military.

The National Guard and Reservist Debt Relief Extension Act of 2011 extends the exemption until December 2015. This extension of the exemption to the means test will allow qualifying members of the National Guard and Reserves to obtain Chapter 7 bankruptcy relief without having to go through the substantial and sometimes onerous requirements of the means test. Since 9/11, more than 500,000 members of the National Guard and Reserve have been called to active duty in Iraq and Afghanistan, with many having served multiple tours of duty. The disruption to their civilian lives, often called with little notice to serve their country in active war zones, can result in difficulty readjusting to civilian life. [Source: TREA News for the Enlisted 16 Dec 2011 ++]

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**WRNMMC Update 01:** The new Walter Reed National Military Medical Center (MRNMMC) issued a Religious Item Policy Memo in SEP 2011 which read, "No religious items (i.e. Bibles, reading material, and/or artifacts) are allowed to be given away or used during a visit." The policy became a cause for many members in Congress including Rep. Randy Forbes (R-VA). In response Walter Reed leadership assured him that the policy had not been properly vetted and was being changed. Accordingly, on their website <http://www.bethesda.med.navy.mil/> they have posted the following:

"We are in the process of rewriting our policy and would like to offer the following statement: Bibles and other religious materials have always been and will remain available for patient use at Walter Reed National Military Medical Center. The visitation policy as written was incorrect and should have been more thoroughly reviewed before its release. It has been rescinded. We apologize for any confusion the policy may have caused.

Please know that at admission, all patients are asked for their religious preference and a chaplain associated with their preference visits them regularly to provide spiritual services. In addition, their families may also bring religious material and we will not refuse any religious group entrance.

WRNMMC provides multiple venues at WRMNMC for religious expression and worship. There is daily Catholic Mass as well as Protestant, Hindu, and Muslim services. Eucharist is also available at the bedside. There are weekly Torah studies, multiple weekly Christian bible studies, as well as weekly Qur'an study. Furthermore, chaplains coordinate spiritual needs for those whose faith groups are not represented by staff chaplains (such as Latter-Day Saints, Buddhist, and Christian Scientist).

Walter Reed National Military Medical Center remains committed to supporting the religious preferences of all our patients and we will continue to ensure their spiritual needs are met. “

[Source: TREA News for the Enlisted 16 Dec 2011 ++]

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**Commissary Elimination Update 01:** A congressional proposal to combine the commissary and exchange systems under one, self-supporting retail store is likely dead for now, but could easily pop-up again next year, said a lobbyist who was been working against the issue. “This very well could become part of the budget debate ... next year,” said Tom Gordy, president of the Armed Forces Marketing Council, which represents over 300 manufacturers who supply the commissary and exchange systems. “It’s one of those things that, as long as it’s out there, it very well could find itself attached to any piece of legislation.” The measure, most recently floated by Oklahoma Republican Sen. Tom Coburn, would have required the disassembly of the Defense Commissary Agency, known as DeCA, which now provides military shoppers with steep discounts on groceries in exchange for a five percent surcharge. If the bill became law, groceries would instead be provided under the military exchange model, which offers products for retail prices competitive with off-base stores but does not charge sales tax.

The three current exchange systems – the Army and Air Force Exchange Service, Marine Corps Exchange and Navy Exchange – would also be combined under the same new system. Unlike the commissary system, which receives an annual appropriation from Congress of about \$1.3 million, the exchange system is currently self-sustaining. Coburn had offered the measure as an amendment to the 2012 Defense Authorization Act, which funds Defense Department activities. The amendment was not included in the final version of the bill and has not been attached to any other legislation. The idea to combine the commissary and exchange systems was originally floated as a cost savings measure by the Congressional Budget Office, tasked with finding cost efficiencies within the federal budget. Analysts found that combining the programs would give the government a net annual savings of about \$1 billion by 2016. They said that Congress could make up for the additional cost of groceries to active duty families under the new system by issuing a \$400 annual grocery stipend.

Opponents of the legislation, including the National Military Family Association, warned that any such measure would effectively gut the commissary benefit, leaving shoppers paying about thirty percent more for their groceries. The annual stipend to active duty servicemembers would come nowhere near covering the higher cost of groceries for under the new system, they said. And retirees, surviving family members, National Guard members and Reservists would be forced to cover the cost increase on their own. “There are no winners or losers with the way the benefit works today. Everyone has an equal opportunity with savings regardless of how much money you make,” Gordy said. “A family of four currently saves about \$4,400 a year at the commissary. That’s huge. But when they are only covering \$400, that doesn’t even touch it.”

While the Defense Department has not issued an official statement on the plan, the Army's highest ranking enlisted Soldier, who sits on the Army and Air Force Exchange advisory board, early this month said the plan might not be such a bad idea. Sgt. Maj. of the Army Raymond Chandler said that because the exchange systems currently give annual support to Morale, Welfare and Recreation programs, a combined system could increase those funds, giving a boost to programs that are facing the chopping block under the current budget crunch. "You have to open your mind at least to all things," Chandler said. "I'm definitely interested." But Gordy said the MWR payout would likely also suffer under the proposed changes. He said the cost of combining the three exchange systems and DeCA would force the resulting agency to raise prices at least seven percent for all exchange goods. That cost spike could drive customers to civilian stores, lower the dollar amount the new exchange system could bring in and potentially eliminate any exchange support to MWR programs.

"For me to go to the commissary, I have to drive 30 miles. Why would I take extra time to do that if all I'm going to be saving is just a few dollars?" Gordy said. "It's just shortsightedness to think 'Oh we can just raise prices.' ... You're not going to end up with increased MWR dividends; you're probably going to end up with less." Candace Wheeler, government relations deputy director with the National Military Family Association, agreed. She said her organization opposes the measure because it would take away a valuable benefit while not saving the government any money over the long run. "Our whole point is that we do not see this as a cost savings," she said. "Everyone is trying to be a good steward of money and if that's what they are trying to do ... this not a good way to do it." Officials with Senator Coburn's office did not respond to repeated calls for comment. [Source: Military.com| Amy Bushatz article 12 Dec 2011 ++]

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**Travis AFB:** Officials at Travis Air Force Base, Calif., are talking with lawyers in response to a watchdog group's demand that the base relocate its Christian nativity and Hanukkah menorah displays from an open space to the base chapel. "As of right now, we are reviewing the concerns of the [Military Religious Freedom Foundation] and consulting with our legal experts and our higher headquarters," base spokesman Johnathan Monroe told Military.com. It's not only the MRFF that wants the religious displays moved. The California Council of Churches, which represents about 5,500 Protestant congregations with about 1.5 million members, has added its own voice to the foundation's request. "We would ask that you keep faith entirely personal for each and every individual," the council's director of public policy, Elizabeth Sholes, wrote in a letter to 60th Air Mobility Wing commander Col. Dwight Sones. "We support MRFF's request that you move the crèche to the chapel grounds so that Travis AFB is not perceived to be promoting Christian religious messages as if they were national policy."

The crèche and menorah are among more than a dozen holiday displays running along two sides of a green area by a main intersection on the base. Many of the displays appear to be holiday season themed displays, including "Happy Holidays," "Seasons Greetings" and at least one featuring Santa Claus, according to photos provided by the base. MRFF attorney Katherine Ritchey, in her letter to the base commander, says she understands there is only one secular display. She also noted that the crèche is the tallest display and is in the center. While courts have ruled in favor of religious displays as part of a larger, inclusive and secular holiday display, Ritchey wrote that the overall Christian religious theme of the Travis display, along with the central location and height of the crèche, sends "a clear message to viewers that the Air Force endorses rituals and beliefs associated with that faith." MRFF founder Mikey Weinstein said he represents more than 100 clients at the base, the vast majority of them mainline Protestants and Catholics. [Source: Military.com Bryant Jordan article 16 Dec 2011++]

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**Camp Pendleton Memorial Cross Update 01:** California Rep. Duncan Hunter has waded into the battle over the so-called Camp Pendleton cross -- put up by leathernecks in honor of four buddies killed in Iraq -- by asking the commander of Marine Corps Base Camp Pendleton to let the cross stay. "Honoring those and other Marines with a memorial at Camp Pendleton is a fitting tribute that represents the fighting spirit of the Marine Corps and (those Marines') extraordinary personal sacrifice," wrote Hunter, according to a report in the Los Angeles Times. The cross, which was erected without official authorization, has come under fire by several groups, including Americans United for Separation of Church and State. "We've pointed out all along that the cross does not memorialize all the men and women who serve in the armed forces," spokesman Rob Boston said. "It is explicitly a Christian symbol and the military is made up of people of many religious beliefs and no religious beliefs." The 13-foot cross was raised on Veterans Day by several Marines, as other Marines and family members watched. A previous cross on the site burned in a brush fire in 2004.

The LA Times reported that Hunter, a veteran of the wars in Iraq and Afghanistan, served alongside one of the four Marines during the battle of Fallujah in 2004. Though the cross was put up specifically in memory of Maj. Ray Mendoza, Maj. Douglas Zembiec, Lance Cpl. Aaron Austin and Lance Cpl. Robert Zurheide, of the 2nd Battalion, 1st Marine Regiment, supporters say it also honors other Marines. According to the Times, Mendoza, Zembiec and Zurheide were part of the group that in 2004 took the original cross to the site. Austin and Zurheide were killed in Fallujah in 2004, the paper said, while Mendoza was killed in Al Qaim in 2005 and Zembiec in Baghdad in 2007. In addition to Americans United, the Military Association of Atheists and Freethinkers [MAAF] and the Military Religious Freedom Foundation [MRFF] have called for removing the cross. "U.S. Marines, and all armed forces members take an oath to protect and defend the United States Constitution and not a particular religious faith's symbol such as a cross, Star of David or Crescent Moon," MRFF founder Mikey Weinstein said. "Those brave Marines died for our country's beautiful Constitution and not as warriors for Christ or any other religion's central figure."

The American Center for Law Justice and the Thomas More Law Center say the cross should remain in place. "The Constitution does not prohibit honoring fallen troops through the use of a historic symbol merely because that symbol also carries religious significance," wrote Jay Sekulow, chief counsel for the ACLJ. "In fact, the Constitution forbids excluding religion from every aspect of public life, precisely the goal of the MAAF and other atheist groups." [Source: Military.com Bryant Jordan article 14 Dec 2011 ++]

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**Retirement Planning Update 02:** Tinker Air Force Base is just 13 miles from downtown Oklahoma City, which means that veterans in the area have easy access to base shopping that's tax-free and some 25% less than standard retail prices. Boeing and other federal contractors have a large presence nearby. The unemployment rate in Oklahoma City is just 5.2% and the median home price, \$119,000. All those factors land it at the top of the list of ten best places for veterans to retire, published in DEC by USAA, a San Antonio financial services company that caters to the military and their families. USAA and Military.com, a free military news website with 10 million subscribers, commissioned Sperling's Best Places to compile the list. This is the second year Sperling's has put together the list, but last year, the emphasis was on retirement. This year, says Ward Carroll, an editor at Military.com, he and the other list editors realized it made more sense to emphasize work than retirement. Most enlisted members retire at age 39 and officers, at 46. Though after 20 years, military retirees are entitled to a pension worth half their base pay, and low-cost health insurance, that's not enough for most to stop working.

Carroll is typical, having retired as a naval Tomcat pilot in 2002 at age 42. He was collecting a salary of \$33,000. "It's not stay at home and don't work money," he says. He had his own struggles when he faced the challenge of networking and reinventing himself. "The thing about being in the military is it's a tough act to follow," he says.

“It’s a job that defines you in ways that are hard to rival.” Carroll taught at the naval academy in Annapolis, worked in a civil service job and wrote five novels before landing at Military.com. According to the Defense Department, as of 2010, there were some two million military retirees who had served at least 20 years. To emphasize the possibilities for employment, Sperling’s devoted six of the following 14 variables to employment-related factors:

- Military skill-related jobs
- Unemployment rate
- Number of federal government jobs
- Volume of Defense Department contracts
- Number of small businesses
- Number of veteran-owned businesses
- Military installation proximity/amenities
- Veteran’s Affairs hospitals
- Affordability
- Military pension taxation
- Presence of colleges/universities
- Sales tax
- Climate
- Crime level

Sperling’s examined 379 U.S. metropolitan areas, excluding those where the unemployment rate was one percent above the national average. For the top ten, it also excluded places where housing costs were 40% above the national median. After Oklahoma City, Norfolk, Va., where NASA has its Langley Research Center, rates number two. Richmond, Va., number three, is home to security giant Brink’s. Austin, Texas, number four, is the base for computer giant Dell, and in number 5, San Antonio, Lockheed Martin has a substantial presence. [Source: Forbes Susan Allen article 11 Dec 2011 ++]



**Oklahoma City, Okla. Unemployment Rate: 5.2% Median Home Price \$119,000 Population: 1,228,100**

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**Retirement Planning Update 03:** Proposed changes to the military's health insurance program, Tricare, are prompting middle-class military families to begin looking at new ways to cover their medical costs during retirement. The latest findings of the First Command Financial Behaviors Index reveal that 31 percent of middle-class military families (those in pay grades E-6 and above with household incomes of \$50,000 or more) are extremely or very nervous about proposed changes, which could mean increased out-of-pocket costs during retirement. In response, they expect to:

- Increase the amount they are saving for healthcare costs during retirement (52 percent of survey respondents).
- Get more information on the proposed changes (27 percent).
- Look into different retirement options (16 percent).

The potential increase in savings for healthcare costs during retirement is a significant development as middle-class military families save considerably less for this need than the general population. Among consumers who save for medical needs in retirement, military families report saving a median amount of \$30 per month compared to \$100 in the general population. Notably, military families are significantly less concerned with their ability to pay for medical care during retirement than those in the general population. Just 16 percent of servicemembers are extremely or very concerned compared to 42 percent of the general population.

This new focus on Tricare is yet another indicator that active-duty families are concerned about the proposed overhaul of the military retirement system. A separate Index survey revealed that two thirds of middle-class military families feel nervous about potential changes, which would phase out the traditional vesting system that provides lifetime income to retirees after 20 years of service. "Our men and women in uniform clearly place great value on Tricare," said Scott Spiker, CEO of First Command Financial Services, Inc. "Almost nine out of ten survey respondents say that Tricare is an extremely or very important part of their military retirement benefits. Faced with the possibility of an erosion of this benefit, active-duty families are dedicated to learning more today and saving more for tomorrow. One of the positive developments of this proposal appears to be an increased focus on saving for retirement healthcare needs, which would bring active-duty families more in line with the general population." [Source: CampPendelton Patch article 13 Dec 2011 ++]

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**Retirement Planning Update 04:** Men and women in uniform are changing their financial behaviors in light of proposed overhaul of military retirement system, according to the First Command Financial Behaviors Index. The long-term financial confidence of military families is beginning to unravel, reflecting concerns over the economy and a proposed overhaul of the military retirement system. Recent survey findings from the First Command Financial Behaviors Index reveal that just 37 percent of middle-class military families (senior NCOs and commissioned officers in pay grades E-6 and above with household incomes of at least \$50,000) are extremely or very confident that their financial situation will improve over the next year, down from 41 percent in the first quarter. And just 34 percent are extremely or very confident in their ability to retire comfortably, down seven percentage points from the first quarter. "This drop in consumer sentiment is the result of concerns over the economy in general and military retirement benefits in particular," said Scott Spiker, CEO of First Command Financial Services, Inc. "Two thirds of middle-class military families say they feel nervous about a proposed phase-out the traditional 20-year retirement system. One in five respondents say they are going to start looking into different retirement options. Combined with continuing economic uncertainty, the result is a loss of long-term financial confidence among active-duty personnel and their families."

Congruent with concerns about the economy and retirement benefits, many military families are changing their financial behaviors for the better. Two out of five servicemembers are moving to more conservative investments,

and many families are working harder to pay down debt and cut spending. During the third quarter average monthly debt payments reached a two-year high of \$1,103 for short-term debt and \$1,371 for long-term debt. And half of military families report cutting back on everyday expenses. A previous Index survey revealed that two-thirds of military families expect to reduce their holiday spending. At the same time, though, these families are finding it more difficult to save. During the third quarter, survey respondents reported putting an average of \$2,630 per month into short-term, long-term and military retirement savings accounts – down more than \$200 per month from the first quarter. “As the government continues to propose new changes to the military retirement system, the First Command Financial Behaviors Index points to increased concern with their long-term finances and the ability to retire comfortably,” Spiker said. “As a result, military families are changing their behaviors, possibly as a way to prepare for this potential overhaul. As these changes continue to progress, we will be watching closely to see how military families work to cope with and counter these developments.” [Source: CampPendelton Patch article 30 Nov 2011 ++]

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**Don'T Ask, Don't Tell Update 03:** Gays and lesbians have been allowed to serve openly in the armed forces since September, but gay and lesbian sex will continue to be against military law. Language that would have repealed prohibitions of sodomy and bestiality from the Uniform Code of Military Justice was dropped from the final version of the fiscal 2012 defense authorization bill (H.R.1540) completed this week by a conference committee and adopted Wednesday evening by the House. The repeal language had been added to the Senate version of the bill by Armed Services Chairman Carl Levin, D-Mich. With the existing ban — Article 125 of the code — left in place, soldiers can be prosecuted for engaging in sodomy. Although seldom enforced, the code section creates a double standard for gay and lesbian soldiers, whose sexual relationships are, by the military’s definition, always considered sodomy. Only certain sex acts between heterosexual soldiers are considered sodomy.

Gay rights activists criticized the move not to repeal the ban. “It’s an antiquated provision that’s outlived its usefulness, and the time has long passed that it should have been taken out,” said Fred Sainz, a Human Rights Campaign spokesman. “This is yet another indication that Washington is often the last to adopt social change.” Commissions on military justice recommended a repeal of the sodomy ban in 2001 and in 2009, concluding that it was out of step with modern sexual norms. The rule, for example, bans oral and anal sex involving heterosexual as well as gay soldiers. Some social conservatives said the defense authorization negotiators did the right thing. Tony Perkins, president of the Family Research Council, called the removal of the Levin language an “incredible victory on an issue that other conservative organizations refused to fight.”

For practical purposes, the rule’s preservation means gay and lesbian soldiers could be prosecuted for sexual relations with another soldier, or with non-military partners if the encounters occur on a military base. A 2003 Supreme Court decision, *Lawrence v. Texas*, barred state sodomy prosecutions, and a 2004 decision by the Court of Appeals for the Armed Forces found that the *Lawrence* decision applied to the military. So gay and lesbian soldiers cannot be prosecuted for sexual activity that has no connection with their service. Dropping the Levin language was part of a broader effort to remove controversial language relating to gays and lesbians from the defense policy bill. In a victory for gay rights activists, conferees nixed a House-passed provision sponsored by Todd Akin (R-MO) that would have barred military chaplains from performing same-sex weddings on bases in states where such weddings otherwise are legal. Under current Pentagon rules, chaplains may perform those ceremonies but are not required to do so. [Source: CQ Today Shawn Zeller 15 Dec 2011 ++]

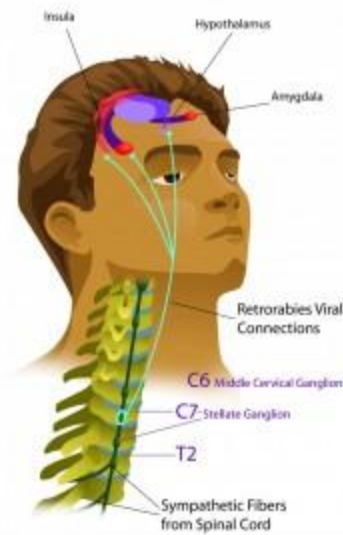
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**PTSD Update 82:** Dr. Eugene Lipov, a Chicago anesthesiologist, claims he can cure post-traumatic stress disorder with a single injection to the neck. The freaky procedure is called stellate-ganglion block (SGB). It's the brainchild of Lipov who has touted the method for years, even winning then-Senator Barack Obama's support in 2007, and he's treated dozens of military personnel and veterans at his own clinic. Until recently, Lipov was largely ignored by Pentagon brass and military doctors. All four of his applications for military research funding were denied. The most recent rejection came just last month. But someone with the Pentagon's funding review boards forgot to tell the Navy. One of its doctors is now several months into the first-ever military study on SGB — and she says that the method actually appears effective. "I think of SGB as being similar to re-starting a computer, only we're talking about circuitry of the nervous system and chemical pathways," says Capt. Anita Hickey. Hickey is the director of Integrative Pain Medicine at the Naval Medical Center San Diego, where she's studied a variety of new approaches to PTSD diagnosis and treatment among military personnel, including brain scans and acupuncture. "We're seeing very positive results."

The study is the latest evidence of the Pentagon's increasing desperation to get a handle on PTSD — a frequently debilitating condition that affects an estimated 250,000 soldiers just from this decade's wars, and thousands more from earlier conflicts. Doctors across the country are getting Pentagon dollars to study ideas as far-out as dog therapy and "digital dreaming" software. Capt. Hickey says that the Navy alone is currently funding 82 different studies on potential PTSD treatments. So far, nothing's proven to be a magic bullet. You can credit — or blame — the military's recent embrace of holistics (acupuncture is now used in combat, and several military hospitals offer yoga) for Hickey's SGB study. Last year, a senior Naval official heard Dr. Lipov present his idea to the House Veteran's Affairs Committee. The official brought the idea up to top Navy docs, all of whom rejected it. Then Capt. Hickey, a doctor herself, came along. An aficionado of alt-medicine and longtime advocate for combat acupuncture, Hickey thought the concept had potential. Hickey applied to the Navy for funding, and got \$100,000 — even as other military doctors gave Lipov's proposals the thumbs-down. She's now midway through a long-term evaluation of SGB in 42 Naval personnel diagnosed with PTSD.

Capt. Hickey said she couldn't divulge specific data from the study. But she did say that the process is double blind and placebo controlled. One group of patients receives a placebo, and neither doctor nor patient knows what was administered. The method is the gold-standard for rigorous medical research because it minimizes any subjective bias and helps distinguish real results from imagined ones. "Of course, we've got more work ahead of us," Capt. Hickey says. "But our team considers itself very open minded — if something works, it works. And with PTSD, we desperately need something to work."

Lipov initially used SGB to treat hot flashes among post-menopausal women. When he dug up an old Finnish paper on adapting the procedure for PTSD, he in 2007 decided to give it a stab. Preliminary attempts worked incredibly well: SGB seemed to alleviate PTSD symptoms within five minutes, and one former Marine Corps Sergeant enthused that "I immediately felt more relaxed and calmed down. It's been great." Unfortunately, Lipov wasn't entirely sure how SGB targeted PTSD — hardly what Pentagon brass want to hear about an exciting new treatment prospect. After subsequent research, however, Lipov in 2009 published a paper in *Medical Hypothesis* — a journal whose stated mission is to "publish radical, speculative and non-mainstream ideas" — describing how SGB seems to work. The injection of anesthetic, administered into a bundle of sympathetic nervous tissue in the neck, appears to turn off something called nerve growth factor. Nerve growth factor can surge during stressful experiences and promote the sprouting of nerves. That triggers chronic stress — what's commonly known as the "fight or flight" response. "If somebody's circuitry is going haywire, then the anesthetic shuts it off, and reboots the system," Dr. Hickey says. Of course, you'd be right to think that rebooting a soldier's nervous system sounds a little scary. And indeed, SGB isn't without risks. The injection can trigger seizures, hit an artery or even puncture the lung, however rarely.



Those downsides might explain why the Pentagon hasn't jumped all over SGB. Most recently, Lipov's proposal for a \$1.6 million study was rejected by the U.S. Army Medical Research and Materiel Command at Fort Detrick. Reviewers noted that the proposal was too ambitious and expensive for something that still lacked "a convincing neurobiological explanation." Sure, many in the military are open minded about new approaches to treating PTSD. But claiming to cure PTSD with one injection, when months of therapy and powerful prescriptions fail, hardly seems realistic. Not to mention that therapy isn't accompanied by the risk of a punctured lung. Still, there's no question the military is running out of options. Giving more serious consideration to controversial ideas, such as SGB, ecstasy or marijuana, is likely only a matter of time. Lipov, for one, has no plans to stop pushing the Pentagon: He's written a book on the procedure, and has a new study of his own, on eight veterans, being published in February's edition of the journal Military Medicine. Not to mention a new strategy for scoring federal research dollars. "I'm done trying to get any money from the Pentagon, because they've got a broken, biased system for giving it out," he tells Danger Room. "From now on, I'm just going to go straight to Congress and the Senate." [Source: Wired Kattie Drummond article 13 Dec 2011 ++]



**Stellate-Ganglion Block advocate Dr. Eugene Lipov, shown here with ally Capt. Anita Hickey**

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**PTSD Update 83:** When America's military service members return home from war, they often face another dangerous, if more subtle, battle within themselves. Veterans often experience post-traumatic stress, suffering panic attacks and dwelling on what they saw overseas, feeling isolated from family and finding themselves unable to adjust to life at home. The results can be horrific. A veteran commits suicide every 80 minutes, the U.S. Department of Veterans Affairs estimates, and tens of thousands of others have been diagnosed with post-traumatic stress. The real danger, experts say, is that it can be extremely difficult to diagnose post-traumatic stress victims. They often don't realize what's wrong with themselves, or they avoid seeking help for fear they'll be labeled "crazy," hurting their reputation and their career. But now, architect Timothy Belton has designed a deceptively simple tool he hopes will help veterans take initial steps toward breaking through that wall: a Frisbee-sized cardboard wheel called the AnswerRing.

With four moveable tabs circling a draped American flag graphic, the ring is designed to be played with. It conspicuously stands out lying on a coffee table or on a kitchen counter. "It's, if you will, a guy thing," Belton said. "The curiosity of simply seeing it and saying, 'I wonder what this is' is enough to hook them." Once the ring is picked up, the veteran can move around the tabs to choose from different scenarios that may apply to him or her: from war memories that can't be shaken to marital problems to thoughts of suicide. After his or her selections are made, the vet can flip the wheel over to read explanations for such behavior — "recurring memories of the war is the most common problem" — along with suggestions on how to deal with it, from simple advice to counseling or suicide hotline contact information. The goal of the AnswerRing, Belton said, isn't to solve vets' problems, but to identify them — both for them and their loved ones, who may later see the choices their veteran has selected on the ring.

After a real-life experience of violence by a military veteran decided he wanted to develop some sort of system that would allow people with common problems to be able to quickly and easily find potential solutions. A bit of tinkering later, the AnswerRing was born — and subsequently patented. But it took until 2009 for Belton to find a cause worthy of his new invention. While driving one day, he heard a radio show featuring a psychologist and a military chaplain discussing the problems returning military veterans face and how it's often hard for them to identify what's wrong with them after they return home. By chance, one of Belton's neighbors, Victor Ashear, had worked for more than three decades as a psychologist at the Sheridan Veterans Affairs Medical Center. Working together, the two came up with the format and wrote the scenarios for the AnswerRing. "This AnswerRing is designed to create in the mind of the user that, yes, you have a legitimate problem, and yes, there is help for it," Ashear said. "Particularly with the younger vets from Iraq and Afghanistan, they're very leery about receiving help."

The goal now, Belton said, is to get a ring into the hands of every service member returning from combat, either directly or via a loved one through the military's family programs. "I think it could, quite simply, save marriages and save lives," Belton said. "And save the kind of thing that our little town went through in 1993." So far, Belton said, his company has distributed about 1,200 of the cardboard discs, including 600 to the Wyoming Psychological Association, 200 to the Wyoming National Guard, 200 to the Colorado National Guard, and 100 to the Sheridan VA Medical Center. Belton's also talked with the National Guard on a national level, along with other veterans groups, about purchasing the AnswerRings. "If the military will pick up the ball," Belton said, "and they get these distributed en masse to returning combat veterans, [the AnswerRings] will find themselves where they belong." The rings sell in bulk for \$16.95 apiece, Belton said; they're also sold individually on Amazon.com for \$19.95 apiece. If that seems high, those prices don't even cover the manufacturing cost of each ring, Belton said. Belton himself isn't selling the rings to make a profit: indeed, he's sunk in a lot of his own money into the AnswerRing venture that he doesn't expect to see again, though he declined to say how much he's given.

The very nature of how the AnswerRing is supposed to work makes it extremely difficult to know how effective it's been in helping people. But Belton said he's already gotten a number of signs that it's made a real difference in people's lives. The Wyoming National Guard has used some novel ways to distribute the 200 AnswerRings it's already purchased, Belton said, as troops often don't want to be seen with one. One tactic has been to hang a couple of rings on hooks in bathroom stalls in armories and National Guard facilities around the state, said Larry Barttelbort, director of the Wyoming Veterans Commission. Barttelbort said it's too soon to tell what effect, if any, the AnswerRings are having. But while the National Guard is prohibited from endorsing products, Barttelbort said the Wyoming Guard sees them as a tool that, along with smart phone apps and other communication methods, could help National Guard members who have post-traumatic stress. "Every veteran integrates back into their life back here in a different manner," he said. "So if this AnswerRing can be used as a tool to help someone if they're having some readjustment issues, all the better." "If it can help veterans," Barttelbort said, "we certainly want to embrace that." [Source: Casper-Star Tribune Jeremy Pelzer article 26 Dec 2011 ++]

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**VA Contractor Use Update 04:** The U.S. Department of Veterans Affairs may have improperly spent billions of dollars on purchases including pharmaceuticals, according to a lawmaker who is probing the allegations and whether the safety of those who use the medicine was put at risk. The VA may have paid out as much as \$333 million without contracts in the fiscal year that ended Sept. 30, according to a letter to Veterans Affairs Secretary Eric Shinseki by U.S. Rep. Joe Donnelly, the top Democrat on the House Veterans' Affairs subcommittee on oversight and investigations. The unauthorized buying may have been going on for years and involved "billions of dollars" in spending, the Indiana congressman wrote. "This information, if found to be true, is both shocking and deeply troubling," Donnelly said in the 28 OCT letter obtained by Bloomberg News.

Larry Allen, president of Allen Federal Business Partners, a procurement consulting firm based in Arlington, Virginia said, "Buying drugs or other medical products without a contract would make it hard for the government to ensure it's getting the best price, and that a purchase meets safety requirements and complies with trade agreements. These are big issues: What steps did the VA take to make sure the government is getting a good deal, how was a price determined to be reasonable?" . Allen, said he wasn't aware of the allegations until contacted by Bloomberg News. Donnelly's letter asked Shinseki to explain how the agency can ensure that drugs purchased without contracts meet federal safety and efficacy standards, and that the VA paid a fair price. The letter asked for records of meetings between VA officials and pharmaceutical suppliers as well as the names of agency leaders who approved decisions to buy drugs without contracts. Donnelly's panel has an obligation "to ensure that transparent and legal contracting procedures are being followed," he wrote.

No one from the VA has responded to Donnelly's request for information, which asked for the materials by 10 NOV, Elizabeth Shappell, a Donnelly spokeswoman, said in an e-mail. "Allegations were brought to Congressman Donnelly's attention, and he had an obligation" to seek more information, said Shappell. She declined to comment on whether Donnelly believes the allegations or to reveal the source of the allegations. Representative Bill Johnson, an Ohio Republican who chairs the oversight and investigations subcommittee, said he is "aware of the allegations." "There is already an ongoing investigation and we will take the appropriate measures, but at this time, I cannot provide further details," Johnson said in an e-mail.

VA officials are aware of the concerns and reviewing the allegations, Jo Schuda, an agency spokeswoman, said in an e-mail. "VA takes this issue very seriously and respects the Congressman's concerns," Schuda said. "We are examining the situation and will respond to the Congressman once that process is complete." McKesson Corp. (MCK) has been the VA's sole medicine supplier for veterans' hospitals and the department's mail-order pharmacies since 2004. Donnelly's letter doesn't mention McKesson or accuse it of wrongdoing, though it seeks

documents and information related to the agency's "Pharmacy Prime Vendor." The letter sought information about whether supplies in addition to pharmaceuticals were purchased without a contract. It didn't elaborate on the types of supplies.

McKesson's contract expires in May, and the San Francisco-based medical supplier is competing with at least two other companies, Cardinal Health (CAH) Inc. and AmerisourceBergen Corp. (ABC), to keep the business. Kris Fortner, a McKesson spokesman, issued a one-sentence statement on 13 DEC saying "McKesson is in compliance with our contract with the VA." The VA paid McKesson \$3.8 billion for goods and services during the fiscal year that ended 30 SEP, according to data compiled by Bloomberg Government. The new contract, which the VA plans to award by January, will determine whether McKesson keeps all or part of the work, valued at about 2 percent to 4 percent of McKesson's current earnings, according to a 19 SEP report by Lisa Gill, a New York-based analyst with J.P. Morgan Securities LLC. It might not be difficult for VA staff at certain facilities to make unauthorized purchases because there are 21 separate regions that make their own medical purchases for facilities within their region, said Allen, the procurement consultant. "It's a big government," Allen said. "There are people out there who look at what is right in front of them but not from side-to-side, it doesn't necessarily mean they are acting with malicious intent." [Source: Bloomberg News Kathleen Miller article 14 Dec 2011 ++]

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**VA Contractor Use Update 05:** Acquisition oversight reforms begun two years ago at the Veterans Health Administration have not been effective, according to a new report from the Office of Inspector General. The VHA has 21 networks that oversee purchasing for 150 health care facilities. In 2009, the agency created a new Integrated Oversight Process to monitor those contracting activities. The new process was to replace the traditional technical and legal reviews. When the new process reviews were conducted, they generally resulted in fewer deficiencies in the contracts. However, the integrated oversight reviews were only performed 32 percent of the time, Belinda Finn, assistant inspector general for audits and evaluations, wrote in the 1 DEC report. "The 2009 changes were not effective because VA did not follow the new review processes consistently and VA and VHA acquisition management did not provide adequate guidance and oversight on IOP implementation," Finn wrote in the report. Auditors estimated that the reviews were not performed for about 3,000 contracts valued at \$1.6 billion between June 2009 and May 2010. Procurement practices have been a major concern at the Veterans Affairs Department for more than a decade. The inspector general recommended that VA and VHA acquisition management improve oversight of Veterans Information Management Service contracts and develop effective tools to manage those contracts. The agencies agreed with the recommendation. [Source: Federal Computer Week Alice Lipowicz article 13 Dec 2011 ++]

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**911 Fraud:** A retired Navy officer was sentenced to more than three years in federal prison 12 DEC for stealing \$151,000 from a victims' compensation fund by exaggerating injuries he claimed to have suffered in the 2001 terrorist attack on the Pentagon. Charles E. Coughlin's sentencing capped a three-year legal journey that included three trials and an appeals court ruling. The last of the trials ended in his conviction in August on charges of filing a false claim and theft of government property. In sentencing the 52-year-old to three years and five months in prison, Chief U.S. District Judge Royce C. Lamberth called the crime a "serious offense" and ordered the retired Navy commander to pay restitution of \$151,034 to the federal government. "You have damaged your life and career," the judge told Coughlin. Lamberth stayed Coughlin's sentencing pending the outcome of his appeals. Coughlin, a Naval Academy graduate, said little during the hearing but told Lamberth that he took "responsibility for the errors and mistakes I made." Federal prosecutors alleged that Coughlin filed a false claim in December 2003 with the September 11th Victim Compensation Fund for a neck injury he said he suffered when the Pentagon was hit

by a hijacked jetliner on Sept. 11, 2001. Coughlin claimed that he had been injured by falling debris and then smacked his head upon reentering the building to rescue others.

The injury for which he was awarded a purple heart cost him time at work, he claimed, and prevented him from performing household chores. After a hearing, he received awards of \$180,000 in noneconomic damages and \$151,000 in economic damages. (The third trial focused only on the award for economic damages.) Prosecutors alleged that Coughlin defrauded the fund because he greatly exaggerated or "flatly lied" about injuries he may have incurred in the attack. Even if he had been hit in the head during the attack, prosecutors said, Coughlin then lied when he claimed to have suffered a new neck injury. Before the attack, the Navy officer had a diagnosed degenerative disc problem that had been caused by "normal wear and tear and physical activity," prosecutors wrote in court papers. They also noted that the alleged neck injury did not slow Coughlin. Two months after the 2001 attack, he ran the New York City Marathon in three hours 43 minutes. Coughlin, who left the Navy in 2002, also continued to play lacrosse and basketball, prosecutors said. Though living on a military pension and a "substantial salary" as a government contractor, Coughlin "took advantage of the country's generosity" and stole money he didn't need, Assistant U.S. Attorney Susan Menzer wrote in court papers. [Source: Washington Post Del Quentin Wilber article 12 Dec 2011 ++]

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**VA Homeless Vets Update 26:** The Departments of Veterans Affairs and Housing and Urban Development today announced that a new national report shows that homelessness among Veterans has been reduced by nearly 12 percent between January 2010 and January 2011. The 12 percent decline keeps the Obama Administration on track to meet the goal of ending Veteran homelessness in 2015. "This new report is good news for the tens of thousands of Veterans we have helped find a home. Our progress in the fight against homelessness has been significant, but our work is not complete until no Veteran has to sleep on the street," said Secretary of Veterans Affairs Eric K. Shinseki. "We have been successful in achieving this milestone due to strong leadership from the President and hard work by countless community organizations and our federal, state, and local partners who are committed to helping Veterans and their families get back on their feet." HUD Secretary Shaun Donovan added, "We're absolutely headed in the right direction as we work to end homelessness amongst those who have served our nation. This significant decline tells us that the Obama Administration is on the right path, working together across agencies to target Federal resources to produce a sharp and measurable reduction in Veteran homelessness. As we put forth in the first Federal plan to prevent and end homelessness, there's plenty of work ahead to reach our goal, but these numbers validate the work done by both HUD and VA to reach our nation's homeless Veterans and get them into permanent housing."

According to the 2011 supplement to the Annual Homeless Assessment Report (AHAR) released today, 67,495 Veterans were homeless in the United States on a single night in January 2011 -- a significant reduction from last year's single night count of 76,329. Since 2009, working with over 4,000 community agencies, VA and HUD have successfully housed a total of 33,597 Veterans in permanent, supportive housing with dedicated case managers and access to high-quality VA health care. The complete 2011 Annual Homeless Assessment Report will be available in 2012. VA also announced it will make \$100 million in grants available to community agencies across the country to prevent nearly 42,000 Veterans and their families from falling into homelessness or to quickly return them to stable housing. The funds are offered for fiscal year 2012 through VA's Supportive Services for Veteran Families (SSVF) program, a homeless-prevention and rapid re-housing program. "The problems that lead to homelessness begin long before Veterans and their families are on the streets," said Secretary of Veterans Affairs Eric K. Shinseki. "By putting more resources into prevention services for those at risk of becoming homeless, we will continue to help more Veterans and their families turn their lives around."

Last year, VA provided \$60 million through the SSVF program to community providers, which will affect nearly 22,000 people through 85 non-profit community agencies in 40 states and the District of Columbia. The program provides community organizations with funding for counseling, training, education assistance, direct time-limited financial assistance, transportation, child care, rent, utilities, and other services aimed at preventing homelessness or providing homes for participating Veterans and family members. The available funds were announced in a message posted in the Federal Register and at VA's website, [www.va.gov/homeless/ssvf.asp](http://www.va.gov/homeless/ssvf.asp). Private non-profit organizations and consumer cooperatives interested in the grants have until February 15, 2012 to submit completed applications. In December 2011 and January 2012, VA will sponsor free workshops to review the grant application process. Community organizations interested in applying for funds under this program can use the website to find dates for workshops in Atlanta, Baltimore, Denver, San Francisco, and St. Louis. Community organizations seeking more information on the SSVF program can also contact VA at 1-877-737-0111 or at [SSVF@va.gov](mailto:SSVF@va.gov). [Source: Business Wire article 13 Dec 2011 ++]

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**Filipino Vet Inequities Update 23:** Philippine government officials in the United States have lobbied US officials anew in behalf of Filipino World War II veterans who were denied benefits. The Department of Foreign Affairs (DFA) said Philippine Ambassador to the U.S. Jose Cuisia met in DEC with officials of the US Congress, US Army and Department of Veteran Affairs (DVA). Cuisia made strong representations with Army Deputy Undersecretary Thomas Hawley for assistance in ensuring that no Filipino veteran was unjustly denied benefits, the DFA said. "He argued for veterans who had been denied benefits pursuant to the Filipino Veterans Equity Compensation (FVEC) wherein Filipino World War II veterans are given a one-time lump sum," the DFA said of Cuisia. US Army officials committed to look into particularly compelling cases that the US Embassy in Manila may wish to bring to their attention, the DFA said. It said the US Army also pledged to work closely with the DVA to ensure that no one would be denied their benefits because of an administrative error. "While the National Personnel Records Center in St. Louis, Missouri, is tasked to certify and validate the military service of Filipino veterans using two lists—a roster and a discharge list—instances of lapses in the NPRC certification process have been found," the DFA said. The US Embassy insisted that being on either list should serve as sufficient proof of service. US Army officials said the two lists were diligently prepared and were meant to complement each other. [Source: Philippine Daily Inquirer Tina G. Santos 14 Dec 2011 ++]

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**Credit Card Applications:** Sometimes, banks can get it wrong. Like when you have a high credit score and a strong payment history, but your application for a new credit card is still declined. Perhaps the card has a great sign-up bonus, or maybe it has an outstanding balance transfer offer. So being rejected really hurts. The most important thing is not to give up. You can call your bank, plead your case, and ask them to take another look. This process is called reconsideration, and if you have a good credit score, it can actually work. Here's what to do...

- **Speak to the right department.** Before you can make your case, you have to speak to someone with the power to approve your application. So you want to call the bank's number for new applications and ask to speak with someone about reconsideration. Here are reconsideration numbers for four of the largest credit card issuers:
  - American Express: 800-962-7227
  - Bank of America: 800-718-6072
  - Chase: 888-245-0625
  - Citi: 800-763-9795

- **Politely ask why you were denied.** Under the Fair Credit Reporting Act (FCRA), banks are required to offer an explanation when they deny your application based on information from your credit report. In fact, you probably found out about your denial through a letter called an adverse action notice. Nevertheless, casually ask the representative to explain the reasons for your denial. Don't challenge him or her, just express your surprise at being denied and inquire out of curiosity.
- **Present your case.** After you understand the reason the bank (actually, its computers) denied your application, you have the opportunity to present some information they may not have considered. Start by informing them of your high credit score and excellent payment record, then remind them of any other accounts you hold and how long they've been in good standing.
- **Explain why you want the card.** Keep in mind that banks don't want customers who use a card just for its initial bonus or benefit. Instead, mention you want to try some of the unique features of the card such as a card's extended warranty coverage, its lack of foreign transaction fees, or its excellent rewards program.
- **Offer suggestions to satisfy their concerns.** If you were rejected because you had too many open credit card accounts you can suggest that the bank close one that you don't use and transfer the credit line to the new account. If you were denied for having too much available credit, you can offer to have the bank reduce your credit line on another account. If you currently have a high balance on an existing account, offer to pay it down immediately.

[Source: MoneyTalksNews Jason Steele article 15 Dec 2011 ++]



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**Vet Jobs Update 48:** Nearly 29 percent of federal government hires in fiscal 2011 went to military veterans, marking a 20-year high, U.S. Office of Personnel Management Director John Berry said 13 DEC. Berry released what he called preliminary numbers from fiscal 2011 following a meeting of the President's Council on Veterans Employment, an Obama administration initiative he credited with the increases in veteran hiring. "President Obama created the Veterans Employment Initiative to help employ our veterans, transitioning service members and military spouses an integral part of keeping our sacred promise to America's veterans. It's working," Berry said. The council "pursued aggressive goals, and for our veterans, meeting those goals means jobs that serve the American people and help sustain the growth that supports the propriety and leadership in the world," he said. "I'm proud of the council's success in keeping these highly trained and experienced individuals working for our nation, particularly the over one million who served in Iraq. "Of the 24 federal departments and agencies included in the initiative, 22 hired more veterans last year than in fiscal 2009, and 23 hired more disabled veterans than in 2009,

Berry said. The government's hiring of veterans is up from 26 percent last year and 24 percent in fiscal 2009, he said. The council also approved a pilot program for employing formerly homeless veterans in the federal government. The goal of the President's Veterans Employment Initiative is to help federal agencies identify qualified veterans, clarify the hiring process for veterans seeking employment with the federal government, and help them adjust to the civilian work environment once they are hired. The council is co-chaired by Veterans Affairs Secretary Eric Shinseki and Labor Secretary Hilda Solis. [Source: AFPS article 13 Dec 2011 ++]

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**Vet License Plates IL:** Illinois Secretary of State Jesse White and representatives of various veterans' organizations have unveiled the new women's veteran specialty license plate.



The red, white and blue plate was on display during a press conference at the James R. Thompson Center. Members from the Secretary of State Veterans Advisory Council, American Legion, and National Women Veterans United were on hand for the unveiling. "With Veteran's Day approaching, we are reminded of the great sacrifice women and men in uniform have given for our freedom," said White. "The women's veteran license plate will honor women veterans past and present in the state of Illinois and across the country." To be eligible one must be a woman who is currently serving or has served in any branch of the military. A copy of an active duty military identification or discharge papers must be accompanied with the license plate application. The women's veteran license plate initiative was sponsored in the General Assembly by Representative John D'Amico (D-Chicago) and Senator Kimberly Lightford (D-Westchester). Supporting organizations include AMVETS, Disabled Veterans, Paralyzed Veterans, and Veterans of Foreign Wars (VFW). Female veterans can order random number, personalized or vanity license plates by visiting <http://www.cyberdriveillinois.com>. Appropriate documentation must be provided upon application. There are currently 28 veteran license plates available in Illinois. Fees, Pictures of each plate, and ordering information can be found a <https://www.ilsos.gov/PickAPlateWeb/index1.html> or in the attachment this Bulletins titled, "**Vet License Plates - IL**". [Source: Canton Daily Ledger article 11 Nov 2011 ++]

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**Veteran Support Organizations:** Though technology has helped make huge strides in military support, some old-fashioned methods are still bringing smiles. Care packages are a popular way for the public to show troops they are appreciated and to offer them some comfort. Operation Gratitude assembles and ships approximately 100,000 packages a year, providing opportunities for Americans across the country to donate time and resources. Each package is personally addressed to an individual, which Carolyn Blashek, the organization's founder, says has several benefits. "The recipient feels special; he or she is not just a number but an honored individual," she explains, adding that, "Receiving their own package in their own name lets them know they are not alone in the world." Other benefits include the ability to establish ongoing correspondence with the writers of letters included in the boxes and ensuring no one in a unit feels unloved or left out because everyone receives a personal package. Operation Gratitude also supports families through its Battalion Buddy program that provides stuffed animals to the children of deploying service members. For information on Operation Gratitude refer to <http://www.operationgratitude.com> or call (262) 674-7281. To request a package email <mailto:opgrat@aol.com> and to request a Battalion Buddy email <mailto:battalionbuddy@gmail.com>. For additional veteran assistance programs refer to:

- **Homes for Our Troops** - Builds specially adapted homes for wounded veterans. Call (866) 787-6677 or go to [www.homesforourtroops.org](http://www.homesforourtroops.org).
- **Blinded Veterans Association** - Promotes the welfare of blind veterans. Call (800) 669-7079, email <mailto:bva@bva.org>, or go to [www.bva.org](http://www.bva.org).
- **Cause** - Offers activities for members of the U.S. military recuperating physically and mentally from injuries received in Iraq and Afghanistan. Call (703) 750-6472 or go to [www.cause-usa.org](http://www.cause-usa.org).
- **Veterans Crisis Hotline** - Confidential support for veterans, troops and their loved ones. Call (800) 273-8255 or go to [www.veteranscrisisline.net](http://www.veteranscrisisline.net).
- **Pelican for Patriots** - Free protector cases for Iraq and Afghanistan veterans to carry prosthetics. Go to [www.pelican.com/PFP](http://www.pelican.com/PFP).

[Source: AFCRA Veterans Focus Rita Boland article Nov 2011 ++]

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**Saving Money:** Want to save 20 percent on groceries? Then stop buying them at the grocery store. Wholesale clubs like Costco and Sam's Club generally offer the best prices on groceries and household items, according to Consumers Union's ShopSmart magazine. For their December issue, ShopSmart compared the prices of 18 grocery items at wholesale clubs, supermarkets, big-box stores like Walmart and Target, and online retailers like Amazon. Fifteen of the items proved at least 20 percent cheaper – and as much as 63 percent cheaper – at wholesale clubs. Plus, wholesale clubs are good for more than just cheap groceries, especially this time of year. “Take advantage of club ‘extras’ like eyeglasses, gas, cell-phone service, and health screenings, and your membership will pay for itself even faster,” as ShopSmart found. “Same goes for holiday shopping. The clubs are full of great gift ideas, including books, movies, clothes, and electronics ....”

If you're ready to join a wholesale club or try a different one, a little homework will help you get the most out of your membership. If you have more than one club to pick from, consider which of the following factors are most important to you before you sign up...

- **Basic membership cost:** This expense doesn't vary much from club to club, but if you don't expect to take advantage of your membership often, consider Sam's Club, where it's \$10 to \$15 cheaper.
- **Locations:** Costco and Sam's Club are by far the most common, but you may have clubs in your area that you didn't realize were there. So be sure to take a minute to plug your ZIP code into all clubs' websites.
- **Hours:** If you're a night owl like me, consider BJ's, which is often open till 10 p.m. If you're an early bird, paying an extra \$60 a year for Sam's Club's Plus membership opens the doors at 7 a.m.
- **Coupon policy:** If you're a big couponer, you'll prefer BJ's. Costco and Sam's Club don't accept manufacturer coupons.
- **Return policy:** If you expect to return much, consider Costco or Sam's Club, which both have generous policies.

Here is a cheat sheet to assist you in making a decision:

### **BJ's**

- **Basic membership cost:** \$50/year (A free 60-day trial membership is also available till Dec. 31.)
- **Locations:** More than 180 stores in 15 states
- **Hours:** My BJ's is open till 10 p.m. Monday through Saturday, as are many other locations. (A few close at 9 p.m.) Almost every location opens at 9 a.m. daily.
- **Coupon policy:** In addition to the in-house coupons that BJ's posts online and mails to members, they also accept manufacturer coupons.

- Return policy: BJ's return window is 30 days (14 for computers). They do not allow online purchases to be returned to a store – and they won't pay to ship them back either. BJ's also has a relatively lengthy list of nonreturnable items.

### Costco

- Basic membership cost: \$55/year
- Locations: 433 stores in 40 states and Puerto Rico, 82 stores in Canada
- Hours: Most locations close by 8:30 p.m. on weekdays and 6 p.m. on weekends. Most locations do not open until 9:30 or 10 a.m.
- Coupon policy: Costco offers online-only coupons for online purchases but does not accept any non-Costco coupons.
- Return policy: Costco is known for having an accommodating return policy. Their return window is endless with the exception of certain electronics, which must be returned within 90 days. Costco also allows online purchases to be returned to a store or will pay to ship them back.

### Sam's Club

- Basic membership cost: \$40/year
- Locations: Sam's Club has 596 stores, according to their last annual report, but that includes stores located in Puerto Rico (9) and foreign countries (127).
- Hours: Most stores close at 8:30 p.m. on most days and open at 10 a.m. on most days. Business and Plus members can shop as early as 7 a.m.
- Coupon policy: They do not accept manufacturer coupons.
- Return policy: Sam's Club's return policy is essentially the same as Costco's with the exception of auction purchases, which must be returned within 30 days.

[Source: MoneyTalksNews Karla Bowsheer article 13 Dec 2011 ++]

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### Notes of Interest:

- **OIF.** On 15 DEC 2011 the Iraq War formally ended — 105 months, \$800 billion, 4,484 dead American troops and 32,000 servicemembers wounded since it began.
- **TV Commercials.** The FCC passed regulations this month requiring broadcasters and cable and satellite TV systems to maintain constant volume levels. The order goes into effect one year from now.
- **US Mint.** The United States Mint spent a lot of money trying to convince Americans to use dollar coins vice bills. It is now shutting down production. The decision came after the Federal Reserve told Congress earlier this year that it wanted to spend \$650,000 to build a storage facility at its bank in Dallas to store all of the surplus coins in one place and it planned to spend another \$3 million to transport all of the surplus coins to the new warehouse.



- **USO.** The USO was founded Feb. 4, 1941, and opened its first center in a small storefront in the middle of New York's Times Square. It grew to about 3,000 centers during World War II, and now is consolidated into about 160 centers.
- **Made in America.** If builders of American homes would use just 5% more American materials it would create 220,000 jobs. Take a look at this ABC News report at [http://cdnapi.kaltura.com/index.php/kwidget/wid/0\\_04vzdsr5/uiconf\\_id/5590821](http://cdnapi.kaltura.com/index.php/kwidget/wid/0_04vzdsr5/uiconf_id/5590821).
- **Gas Prices.** Americans have spent more money at the gas pump in 2011 than ever before. In fact, when all of the year's holiday travel is completed, the average American household will have spent a record \$4,155 on gasoline, or 8.4% of the average family's income according to the Oil Price Information Service. Of note as of MAR 2011 the per gallon cost of gasoline in Istanbul Turkey was \$9.58 per gal and in Caracas Venezuela it was 0.06¢.
- **Involuntary Discharge.** Any member of the Armed Forces involuntarily separated under other than adverse conditions from active duty through 31 DEC 2012 may continue to use commissary and exchange privileges for a two-year period beginning on the date of the member's involuntary separation.
- **Walgreens.** As of 29 DEC barring a last minute change, after 31 DEC Walgreens will no longer be part of TRICARE's pharmacy network.
- **Vet Population.** As of SEP 2010 there were 22.7 million vets. For a breakdown by war era and gender by state refer to [http://www.va.gov/vetdata/Veteran\\_Population.asp](http://www.va.gov/vetdata/Veteran_Population.asp).

[Source: Various 16-31Dec 2011 ++]

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## Medicare Fraud Update 82:



- **Houston TX** - Mansour Sanjar, 78, and Cyrus Sajadi, 64, both physician owners of Spectrum Care in West Houston were charged in the alleged phony treatment scheme that amounted to little more than patients "watching movies, playing bingo or engaging in other activities. The scheme involved kickbacks to the owner of an assisted living facility in exchange for finding and funneling patients to the clinic. Chandra Nunn, 33, the owner of the home, also was arrested 14 DEC. All three are charged with conspiracy to commit health care fraud and conspiracy to pay and receive illegal health care kickbacks. Since 2006, Center and Sajadi had been submitting bills to Medicare for supposed treatment at their "partial hospitalization program," known as a PHP. According to the indictment, the Spectrum Care owners submitted \$90.4 million in claims starting in 2006 even though the PHP services "were not medically necessary, and in some cases, never provided." Nunn's role was that of a patient broker, or what clinics call,

a "marketer." Sanjar is accused of paying Nunn with a \$10,000 check in September 2010 to refer patients their way. The indictment accused all three defendants of paying Medicare beneficiaries cash and cigarettes if they came to Spectrum. Attempts to reach the three were unsuccessful.

- **Washington DC** - The Justice Department secured more than \$3 billion in settlements and judgments in civil cases involving fraud against the government in the fiscal year ending Sept. 30, 2011. This is the second year in a row that the department has surpassed \$3 billion in recoveries under the False Claims Act, bringing the total since JAN 2009 to \$8.7 billion – the largest three-year total in the Justice Department’s history. The \$3 billion total for fiscal year 2011 includes a record \$2.8 billion in recoveries under the whistleblower provisions of the False Claims Act, which is the government’s primary civil remedy to redress false claims for federal money or property, such as Medicare benefits, payments on military contracts, and federal subsidies and loans. The department has recovered more than \$30 billion under the False Claims Act since the act was substantially amended in 1986. The 1986 amendments strengthened the act and increased the incentives for whistle blowers to file lawsuits on behalf of the government. That in turn led to an unprecedented number of investigations and greater recoveries.

Assistant Attorney General West noted that the \$3 billion recovered this year included \$2.4 billion in recoveries involving fraud committed against federal health care programs. Most of these recoveries are attributable to the Medicare and Medicaid programs administered by the Department of Health and Human Services (HHS). They also include the TRICARE program administered by Department of Defense (DoD), the Federal Employees Health Benefits program administered by the Office of Personnel Management and Veterans Administration health programs. On May 20, 2009, the Attorney General and HHS Secretary Kathleen Sebelius announced the creation of an interagency task force, the Health Care Fraud Prevention and Enforcement Action Team (HEAT), to increase coordination and optimize criminal and civil enforcement. Since JAN 2009 alone, the department has used the False Claims Act to recover more than \$6.6 billion in federal health care dollars. This is more recovered under the act than in any other three-year period. The historic \$2.8 billion recovered in whistle blower cases came from suits filed under the qui tam, or whistleblower, provisions of the False Claims Act. These provisions allow private citizens, known as relators, to file lawsuits on behalf of the government. In the 25 years since the False Claims Act was substantially amended, whistle blowers have filed more than 7,800 actions under the qui tam provisions. Qui tam suits hit a peak of 638 this past year, after hovering in the 300s and low 400s for much of the decade.

Enforcement actions involving the pharmaceutical industry were the source of the largest recoveries this year. In all, the department recovered nearly \$2.2 billion in civil claims against the pharmaceutical industry in fiscal year 2011, including \$1.76 billion in federal recoveries and \$421 million in state Medicaid recoveries. These cases included \$900 million from eight drug manufacturers to resolve allegations that they had engaged in unlawful pricing to increase their profits. Additionally, GlaxoSmithKline PLC paid \$750 million to resolve criminal and civil allegations that the company knowingly submitted, or caused to be submitted, false claims to government health care programs for adulterated drugs and for drugs that failed to conform with the strength, purity or quality specified by the Food and Drug Administration. Adding to its successes under the False Claims Act, the department obtained 21 criminal convictions and \$1.3 billion in criminal fines, forfeitures, restitution, and disgorgement under the Food, Drug and Cosmetic Act (FDCA). The FDCA’s criminal provisions are enforced by the Civil Division’s Consumer Protection Branch

- **Detroit MI** - James Wagel will be awarded millions for his role in filing a Medicare fraud lawsuit against Amersham Biosciences, a division of GE Healthcare. Wagel filed the lawsuit under the federal False Claims Act in 2006. The act allows private individuals with knowledge of fraud against the federal government to file lawsuits on the government’s behalf. The lawsuit alleged Amersham Biosciences

knowingly provided false or misleading information to the federal Medicare program from 2000 to 2003 in connection with the distribution of the radiopharmaceutical agent Myoview -- a drug used by health care providers in the cardiology field to perform nuclear stress tests. The company was accused of asking for reimbursements at an inflated rate and also diluting the Myoview in order to maximize the number of doses. GE Healthcare has settled the lawsuit for \$30 million. Under the law, Wagel is entitled to a percentage of the settlement, which turns out to be just over \$5 million for him.

- **Washington DC** - More than one-quarter of all durable medical equipment suppliers faced enforcement actions by the Centers for Medicare and Medicaid Services (CMS) during their first year of Medicare participation, according to a new report from the Office of the Inspector General (OIG) at the Department of Health and Human Services. The report underscores what previous government reports have found: fraud and billing errors are rampant in Medicare, and the durable medical equipment, prosthetics, orthotics, and supplies arena seems to be particularly ripe for fraud. Durable medical equipment suppliers have historically "presented significant program integrity problems for Medicare," including fraudulent billing, the report said. Durable medical equipment is covered under Medicare Part B and includes items such as oxygen supplies, wheelchairs, power scooters, knee braces, prosthetic limbs, and surgical dressings. Medicare pays for durable medical equipment only when ordered by a doctor or, in some cases, a non-physician practitioner. In 2010, Medicare reimbursed \$8.8 billion for durable medical equipment. A OIG report issued in March found that nearly 10% of all Medicare payments are fraudulent; in 2010, for example, the federal government lost \$48 billion on phony claims and other improper payments. In a congressional hearing discussing that report, a man who has been charged with Medicare fraud told the panel it was "incredibly easy" to scam Medicare and said the sky-high reimbursement rates for durable medical equipment make it an irresistible lure for criminals. In his testimony, the self-confessed fraudster said that, while a simple knee brace is sold to a durable medical equipment provider for about \$100, Medicare reimburses \$1,000. A wheelchair that costs \$1,000 will be reimbursed by Medicare at up to five times that price.
- **Pompano Beach FL** - An occupational therapist who used swimming to treat stroke victims and other patients has been arrested on a charge of falsely billing Medicare by \$586,000, federal court documents show. Theresa Pantanella, founder of Florida Aquatic Therapy Services, billed for more hours of therapy than she provided, for individual therapy when patients were in group sessions and for a therapist's time when lesser-trained employees were present, according to documents filed 27 DEC. Pantanella put patients in pools to help them recover lost physical abilities. She filed phony bills from 2008 through late 2010, the documents said. Pantanella could not be reached for comment and did not have an attorney of record

[Source: Fraud News Daily 16-31 Dec 2011 ++]

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## Medicad Fraud Update 54:

- **North Carolina** - Eighteen health care providers accused of defrauding taxpayers and the Medicaid system were arrested 15 DEC as the start of a major statewide sweep. The 18 individuals were arrested in 10 different counties for engaging in various schemes to defraud the North Carolina Medical Assistance Program (Medicaid). Criminal charges levied against these health care providers include Obtaining Property by False Pretenses and Medicaid Provider Fraud. The charges allege more than half a million dollars in fraudulent payments. Health care providers arrested include mental health workers, group home operators, personal care aides and agency heads, a speech therapist and a registered nurse. So far, law enforcement has carried out busts in Alleghany, Cumberland, Gaston, Guilford, Harnett, Hertford, Pitt,

Robeson, Union, and Wake counties with more arrests expected in the weeks and months ahead. Two more suspects were charged as part of the sweep and are expected to be arrested soon. The suspects are thought to be in Georgia and Iowa, and North Carolina's Medicaid Investigations Unit is working with law enforcement in those states to locate and arrest the suspects. One of the 18 suspects arrested has already pleaded guilty and paid restitution. The state is pursuing criminal convictions as well as restitution of money from the accused.

- **Massachusetts** - Merck & Co. has agreed to pay \$24 million to the state Medicaid program to settle long-running civil charges that it charged too much for some drugs, in the largest single-case Medicaid fraud settlement in Massachusetts history. The agreement closes out a 2003 lawsuit filed against 13 drug makers over inflated prices for medicines that were sold in pharmacies. The state previously recovered a total of \$23.4 million from the other 12 companies involved, but Merck, the nation's second-largest drug maker, appealed a US District Court ruling last year in favor of the state. Its decision to settle brings the entire case to a close. The state's eight-year-old complaint against the 13 companies accused them of knowingly submitting inflated prices to price-reporting services between 1995 and 2003. Initially, the suit named Warrick Pharmaceuticals Corp., a generic drug unit of the former Schering-Plough Corp.; it was bought by Merck for \$41 billion in 2009. Ron Rogers, a spokesman at Merck corporate headquarters, said the drug company did not admit liability or wrongdoing in the settlement. He said Merck agreed to resolve the claims to put the matter behind it.
- **Newark NJ** - Venkata Thottempudi, 44, was arrested 21 DEC at the One Stop Pharmacy along with Denise Roman-Cisse, 27, who worked there as a pharmacy technician. Both were charged with second-degree conspiracy, second-degree health care claims fraud and third-degree Medicaid fraud. An investigation determined that, between NOV 2010 and NOV 2011, Thottempudi, the majority owner and a pharmacy technician at One Stop Pharmacy, allegedly bought back prescription medications after they were dispensed to Medicaid beneficiaries. These medications were typically prescribed for HIV/AIDS treatment. It is alleged that Thottempudi billed Medicaid as if the beneficiaries had, in fact, received the medications. It is further alleged that Medicaid was billed significantly more than Thottempudi paid the beneficiaries for the medications. Roman-Cisse, a was allegedly the intermediary between the Medicaid beneficiaries and Thottempudi who facilitated the buying back of the dispensed medications. Because the charges are indictable offenses, the allegations must be presented to a state grand jury for potential indictment. Second-degree crimes carry a maximum sentence of 10 years in state prison and a criminal fine of \$150,000. Third-degree crimes carry a sentence of three to five years in state prison.



- **Houston TX** - Benjamin Essien, 34, the former owner of two Houston-based medical equipment companies was sentenced to 12 years in federal prison for defrauding the Texas Medicaid program; his father and sister await sentencing. Essien had pleaded guilty to conspiring to commit healthcare fraud, five counts of health-care fraud and two counts of aggravated identity theft. He also was ordered to pay back more than \$1.45 million to Medicaid. In April, Bassey Essien, 60, his father, was convicted of 19 counts of conspiracy, health-care fraud and aggravated identity theft, and Rose Essien, 31, his sister, was convicted of 11 counts of health-care fraud and five counts of aggravated identity theft. They are to be in January. Prosecutors said that through the Essiens' Logic World Medical and Roben Medical they received Medicaid beneficiaries' information - names, addresses and Medicaid numbers - which they used to file false claims with Medicaid. The Essiens routinely billed Medicaid for adult urinary incontinence supplies they did not deliver, which beneficiaries did not need and that physicians had not prescribed, or for delivering supplies in amounts significantly less than the amounts billed. The defendants continued to bill Medicaid for incontinence supplies even after their delivery staff and/or delivery contractors were told by the beneficiaries they did not need or want the supplies. They regularly billed Medicaid for the delivery of 300 diapers - the maximum allowed amount of incontinence supplies each month per beneficiary - and for extra large size diaper briefs - which have the highest Medicaid reimbursement rate - without consideration to the actual size needed by the beneficiary. They even billed Medicaid for delivering a quantity of extra large adult size diapers far in excess of the amount they purchased from wholesale suppliers. The evidence showed the defendants only purchased 6 percent of the amount of extra large diapers they claimed to have delivered." The Essiens billed Medicaid for claims of more than \$2.34 million and received more than \$1.45 million in payments.
  
- **Great Falls MT** - Shannon Lee Pitzer faces just over two years in prison and was ordered to pay over \$115,000 in restitution for fraud involving food stamps, housing assistance, Medicaid and disability benefits to which she wasn't entitled. The U.S. attorney's office says Pitzer was sentenced 29 DEC to 27 months in prison, followed by three years of supervised release. Prosecutors allege Pitzer received benefits from JAN 06 through JUN 2011 while claiming that her husband did not live with her. However, an investigation found he was living with her and was working for a local contractor or receiving unemployment benefits when he was out of work.

[Source: Fraud News Daily 16-31 Dec 2011 ++]

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

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

[Source: <http://www.military.com/benefits/content/veteran-state-benefits/south-dakota-state-veterans-benefits.html> Dec 2011 ++]

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**Military History:** At the Tehran Conference in November 1943, the Allied leaders devised an audacious new form of bombing strategy against Nazi Germany. American heavy bombers stationed in Britain and Italy would fly strike missions deep into the heart of Nazi territory or occupied Eastern Europe. Afterwards, they would land on secret American air bases (to be defended by the Soviets) actually located inside Soviet Russia, re-arm and re-fuel - and then attack a second target on the way home. The plan, referred to as Operation Frantic, reflected the Western Allies desire to assist Joseph Stalin's Soviet Union quickly and was a set of hastily planned and executed shuttle bombing missions between June 2 and Sept. 19, 1944. U.S. Army Air Forces bombers and fighters taking off from bases in the United Kingdom and Italy flew east conducting raids on vital Axis oil refineries and industrial plants in Germany, Romania, Hungary, Poland, and France. These shuttle missions relied on stops at three secret airfields in the Soviet Union after reaching their targets. U.S. planners hoped the missions would strengthen Soviet-American relations and demonstrate that Axis forces were also vulnerable from American air attacks on the German Eastern Front. During the four months of the operation, 24 targets in Nazi Germany and in German-held territory, some never before in effective range of the American strategic bomber forces, were attacked. This shuttle bombing technique complicated the defense of German targets. The operations were discontinued due to logistical difficulties in supporting the USAAF forces in the Soviet Union, and differences between the United States and the Soviet Union at political as well as military levels. The main difficulty encountered by the U.S. forces was inadequate air base protection by the Soviets. The Soviet high command (Stalin) refused U.S. requests for adequate artillery and night fighter support, etc., that the U.S. Military offered to provide to make the Soviet defense of the bases more effective. To read more about Operation Frantic and how the U.S. Army Air Forces attempted to overcome the logistics of the operation was able to attempted to deal with them refer to this Bulletin's attachment titled, **“Operation Frantic”**. [Source: [http://en.wikipedia.org/wiki/Operation\\_Frantic](http://en.wikipedia.org/wiki/Operation_Frantic) Dec 2011 ++]

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**Military History Anniversaries:** Significant January events in U.S. Military History are:

- Jan 01 1945 – WWII: In Operation Bodenplatte, German planes attack American forward air bases in Europe. This is the last major offensive of the Luftwaffe.
- Jan 02 1904 – Latin America Interventions: U.S. Marines are sent to Santo Domingo to aid the government against rebel forces.
- Jan 02 1942 – WWII: In the Philippines, the city of Manila and the U.S. Naval base at Cavite fall to Japanese forces.
- Jan 02 1966 – American forces move into the Mekong Delta for the first time (Vietnam War)
- Jan 03 1920 – WWI: The last of the U.S. troops depart France.
- Jan 03 1777 – American Revolution: American general George Washington defeats British general Charles Cornwallis at the Battle of Princeton.
- Jan 03 1944 – WWII: Top Ace Major Greg "Pappy" Boyington is shot down in his Corsair by Captain Masajiro Kawato flying a Zero.
- Jan 03 1945 – WWII: Admiral Chester W Nimitz is placed in command of all U.S. Naval forces in preparation for planned assaults against Iwo Jima, Okinawa and Japan.
- Jan 04 1944 – WWII: Operation Carpetbagger, involving the dropping of arms and supplies to resistance fighters in Europe, begins.
- Jan 04 1951 – Korea: Chinese communist forces recapture Seoul from United Nations troops
- Jan 05 1781 – American Revolution: Richmond, Virginia, is burned by British naval forces led by Benedict Arnold.
- Jan 05 1904 – American Marines arrive in Seoul, Korea, to guard the U.S. legation there.
- Jan 05 1942 – WWII: U.S. and Filipino troops complete their withdrawal to a new defensive line along the base of the Bataan peninsula.

- Jan 05 1951 – Korea: Inchon, South Korea, the sight of General Douglas MacArthur's amphibious flanking maneuver, is abandoned by U.N. force to the advancing Chinese Army.
- Jan 06 1941 – WWII: President Franklin D. Roosevelt asks Congress to support the Lend-lease Bill to help supply the Allies.
- Jan 06 1967 – Vietnam: Operation Cedar. Over 16,000 U.S. and 14,000 Vietnamese troops start their biggest attack on the Iron Triangle, northwest of Saigon.
- Jan 07 1944 – WWII: The U.S. Air Force announces the production of the first jet-fighter, Bell P-59 Airacomet.
- Jan 07 1975 – Vietnam: Vietnamese troops take Phuoc Binh in new full-scale offensive.
- Jan 08 1815 – War of 1812: Battle of New Orleans – A rag-tag army under Andrew Jackson defeats the British on the fields of Chalmette in the Battle of New Orleans.
- Jan 08 1863 – Civil War: Second Battle of Springfield ends with a Confederate withdrawal.
- Jan 08 1877 – Crazy Horse and his warriors fight their last battle with the United States Cavalry at Wolf Mountain (Montana Territory).
- Jan 09 1861 – Civil War: The "Star of the West" incident occurs near Charleston, South Carolina. It is considered by some historians to be the "First Shots of the War".
- Jan 09 1945 – WWII: U.S. troops land on Luzon, in the Philippines, 107 miles from Manila.
- Jan 10 1847 – Mexican War: General Stephen Kearny and Commodore Robert Stockton retake Los Angeles in the last California battle of the war.
- Jan 10 1923 – WWI: The United States withdraws its last troops from Germany.
- Jan 11 1863 – Civil War: The Battle of Fort Hindman Arkansas ends with a Union victory.
- Jan 11 1940 – Benjamin O. Davis, Sr., becomes the U.S. Army's first black general, his son would later become a general as well.
- Jan 11 1967 – Vietnam: Operation Deckhouse Five", a combined USMC and ARVN troop effort in the Mekong River delta ends in failure.
- Jan 12 1991 – Persian Gulf War: The U.S. Congress gives the green light to military action against Iraq in the Gulf Crisis.
- Jan 12 1846 – Mexican War: President James Polk dispatches General Zachary Taylor and 4,000 troops to the Texas Border as war with Mexico looms.
- Jan 13 1815 – War of 1812: British troops capture Fort Peter in St. Marys, Georgia, the only battle of the war to take place in the state.
- Jan 13 1847 – The Treaty of Cahuenga ends the Mexican-American War in California.
- Jan 13 1893 – U.S. Marines land in Honolulu from the U.S.S. Boston to prevent the queen from abrogating the Bayonet Constitution
- Jan 13 1968 – Vietnam: U.S. reports shifting most air targets from North Vietnam to Laos.
- Jan 14 1911 – The USS Arkansas, the largest U.S. battleship, is launched from the yards of the New York Shipbuilding Company.
- Jan 14 1943 – WWII: Operation Ke, the successful Japanese operation to evacuate their forces from Guadalcanal during the Guadalcanal campaign, begins.
- Jan 14 1943 – WWII: Franklin D. Roosevelt and Winston Churchill begin the Casablanca Conference to discuss strategy and study the next phase of the war.
- Jan 15 1865 – Civil War: Fort Fisher North Carolina falls to the Union, thus cutting off the last major seaport of the Confederacy.
- Jan 15 1944 – WWII: The U.S. Fifth Army successfully breaks the German Winter Line in Italy with the capture of Mount Trocchio.
- Jan 15 1973 – Vietnam: Citing progress in peace negotiations, President Richard Nixon announces the suspension of offensive action in North Vietnam.

[Source: Various Dec 2011 ++]

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**Military Trivia 42:** See if you can answer the following about wartime Christmases:

1. When the First World War broke out in the summer of 1914, most of the British Empire thought it would be over by Christmas. It wasn't, of course, and many men had to spend their Christmas at the front that year, instead of at home with families. They did get Christmas presents, though. Every soldier and sailor fighting on behalf of the British Empire received a Christmas postcard from the King, and a gift box from whom?

Princess Mary | Queen Mother | David Lloyd George | Woodrow Wilson

2. The tale of the 1914 Christmas 'Truce' on the front is a popular, somewhat idealized, heartwarming story of peace in a time of war. The story generally goes that the 'Truce' began with German soldiers singing which carol?

Stille Nacht | Jingle Bells | O Tannenbaum | Away in a Manger

3. How long did the 1914 Christmas 'Truce' last?

24 hours | It varied greatly at different parts of the front line | Two days | One week

4. At the beginning of the Pacific War in 1941, a Crown colony was attacked on 8 December. A small contingent of Canadian defenders held on for a little more than two weeks, but they eventually had to surrender. Which colony was surrendered to Japan on Christmas Day, 1941?

Singapore | New Zealand | Hong Kong | Newfoundland

5. For most Germans, Christmas has traditionally been a very important holiday of the year. That did not change during wartime. Christmas 1942, however, was one of the worst German soldiers would experience. The Sixth Army found themselves trapped but managed to celebrate Christmas anyway, shortly before they were all lost in the New Year. Where did this take place?

Tripoli | Paris | Stalingrad | Warsaw

6. Was WWII rationing in Britain lifted for the Christmas season?

Yes | No

7. During the Korean War, what were American troops noted for doing at Christmas time?

Getting drunk | Visiting orphanages | Carrying out large offensives | Deserting

8. Though nowadays it is often regarded as just another Christmas song played at the mall every year, John Lennon and Yoko Ono's "Happy Xmas (War is Over)" was meant to be a protest song; what were they protesting?

Bay of Pigs | Korea | Vietnam | Berlin Blockade

9. Who performed Christmas shows for the American troops in Vietnam, including two from 1970 and 1971 that were aired on television?

Clint Eastwood | Lee Majors | Bob Hope | Marlon Brando

10. The US Air Force spent the Christmas season of 1972 destroying North Vietnam from the air. What was the official name of the campaign known as the Christmas Bombings?

Operation Niagara | Operation Steel Tiger | Ho Chi Minh Campaign | Operation Linebacker II

## Answers

1. **Princess Mary** - The daughter of King George V, was just 17 years old in 1914. She thought it terribly sad that so many soldiers would be away from their families for the holiday and would not be receiving gifts, so she decided to pay, from her personal funds, for a small brass gift box to be given to every member of the British armed forces. Most of these boxes contained an ounce of tobacco, twenty cigarettes, a pipe, a lighter, and a photograph of Princess Mary. A different box was also given for non-smokers, and contained writing supplies (pencils, paper, envelopes) and/or extra rations or sweets. Different boxes were also made for those with dietary restrictions or different religious beliefs, especially the Indian troops.

2. **Stille Nacht** - According to the popular tale, the German began decorating their trenches as best they could with candles in trees and singing "Stille Nacht", or "Silent Night", an original German carol. In some places on the front line, the British soldiers responded with English carols, and eventually some soldiers from each side met in No Man's Land, to exchange season's greetings and small gifts (e.g. tobacco, sweets, etc.) and even to play soccer together. This the romanticized notion of the Christmas 'Truce' - the image of bitter enemies fraternizing in the midst of a war zone. While it is certainly true that this happened in some places, the so-called truce was really just an unofficial ceasefire and most soldiers kept to their own side of the line and passed a quiet Christmas.

3. **It varied greatly at different parts of the front line** - Because it was very unofficial (and in fact was strongly discouraged by military higher-ups), the 'Truce' had no specific end point. In some areas, it lasted just Christmas Eve, or until the evening of Christmas Day. In other places, it was a couple of days of quiet non-aggression, while in other places still, the unspoken ceasefire lasted until just after New Year's Day. It depended mostly on the orders that were coming from the High Command and whether or not the officers at the front chose to strictly follow those orders.

4. **Hong Kong** - At this time, the British did not think that Japanese aggression against Hong Kong was a great threat and thus had only a small garrison stationed there, along with two Canadian infantry battalions. The Pacific War exploded quickly, though, when several places in the Pacific were attacked on the same day (including Pearl Harbor, but because of the time difference between Hawaii and Asia, the Pearl Harbor attack is recorded as occurring on 7 December). The Battle for Hong Kong went on for 17 days, with the Canadian battalions trying desperately not to give up a Crown colony, at the cost of many lives. On the morning of Christmas Day, Japanese troops tortured and killed more than 60 people at a British field hospital. Later that day, the Governor of Hong Kong personally surrendered the colony at Japanese headquarters.

5. **Stalingrad** - While no Christmas was particularly easy or pleasant during the war, 1942 was probably the worst for Germany. The Sixth Army was trapped in the Stalingrad Pocket in the winter during the Battle of Stalingrad which had started the previous June. Winter in Russia is no picnic, but the Germans tried to have a Christmas anyway. They had the best meal they could come up with, held quiet worship sessions, recited the Christmas story

from the Bible, sang carols, and, most spectacularly, they lit up the sky over Stalingrad by firing off flares of different colors. The Sixth Army was surrounded by Soviet troops and cut off from supply lines. By February 1943, every member of the Sixth Army was captured as a POW, killed in battle, or had died from the cold or lack of food.

6. **No** - At the time of the first Christmas of the war, 1939, food rationing had not yet come into effect, and there were only a few restrictions on things such as lit Christmas trees in windows, and people were encouraged not to overspend. By Christmas 1940, the Blitz had begun and so had rationing, on several items. For Christmas that year, tea and sugar rations were increased, and there were lots of products (such as wine and spirits) that were not rationed, so Christmas on the home front was not too much of a hardship. Rationing had increased for the following Christmas, including further restrictions on food, and now restrictions on clothing and fuel as well. 1941 was really when Christmas really stopped being 'Christmas' in Britain - there were no geese, no wrapping paper, hardly any sweets or liquor, and store-bought Christmas gifts were extremely rare. Christmas continued as such until the end of the war, with almost no traditional supplies available, but also with a "let's make do" attitude.

7. **Visiting orphanages** - In 1950, Korea was another war in which many participants thought they'd be "home by Christmas". The first winter in Korea has been recorded as being particularly bitter and cold, with a lot of snow. By 1951, the tradition of visiting orphanages and bringing Christmas cheer to needy Korean children had started; some personal accounts available on the Internet suggest that the practice was started when some soldiers took pity on children who had nowhere to go home to, and gave them some of the extra rations they'd received for Christmas. This turned into bringing more food to more orphans, and over the next couple of years, American G.I.s were featured in the news for visiting orphans, bringing them Christmas presents, and even dressing up as Santa Claus.

8. **Vietnam** - John Lennon, Yoko Ono and the Plastic Ono Band recorded the song in 1971. It was based on a 1969 campaign that the peace activist couple had undertaken, in which they bought billboard and ad space in cities around the world and put up huge signs that read "WAR IS OVER (If you want it). Happy Christmas from John and Yoko". By 1971, the Vietnam war was extremely unpopular in the US and this protest song was meant to increase the displeasure that many Americans felt for their country's involvement in the conflict.

9. **Bob Hope** - Hope's USO shows were held regularly during America's involvement in the Vietnam war, and special Christmas shows were performed as well. The first Bob Hope Christmas special was held on 19 December 1966 at Dragon Mountain. The 1970 and 1971 specials are included on the list of Top 30 US Network Primetime Telecasts of All Time and were watched by more than 60% of Americans.

10. **Operation Linebacker II** - Towards the end of American involvement in Vietnam, from 8 December until 30 December, cities in North Vietnam, especially Hanoi and Haiphong, were bombed repeatedly in an "unprecedented air assault". The reason given for this bombing campaign was that Hanoi was refusing to enter into peace talks. However, it has been suggested that the real impediment to peace talks was the US's ally, Saigon. Operation Linebacker II was the continuation of Operation Linebacker, a series of air attacks that had taken place the previous summer and into the fall.

[Source: [http://www.funtrivia.com/quizzes/history/war\\_history.html](http://www.funtrivia.com/quizzes/history/war_history.html) Dec 2011 ++]

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**Tax Burden for Kansas 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 Kansas:

### **Sales Taxes**

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

**Gasoline Tax:** 25 cents/gallon

**Diesel Fuel Tax:** 27 cents/gallon

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

### **Personal Income Taxes**

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

**Income Brackets:** Three. Lowest - \$15,000; Highest - \$30,000. For joint returns, the taxes are twice the tax imposed on half the income.

**Personal Exemptions:** Single - \$2,250; Married - \$4,500;

Dependents - \$2,250

**Standard Deduction:** Single - \$3,000; Married filing jointly - \$6,000

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

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

**Federal Income Tax Deduction:** None

**Retirement Income Taxes:** Military, civil service, state/local government pensions are exempt. Out-of-state government pensions are fully taxed. Railroad retirement is fully exempt. Social Security is exempt for residents with a federal adjusted gross income of \$75,000 or less (2008) will be exempt from any state tax on their Social Security benefits.

**Retired Military Pay:** Not taxed.

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

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

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

### **Property Taxes**

Taxable property is assessed at its fair market value. Homeowners 55 and older who earn \$30,800 or less are eligible for a refund of up to \$700 under the Homestead Property Tax Refund Act. You must also meet one of the following requirements: Be 55 years of age or older, or be blind or disabled, or have a dependent child under 18 who lived with you all year whom you claim as a personal exemption. Additionally, 50 percent of Social Security benefits will be excluded from the definition of income for the purposes of qualifying for the program, resulting in additional property tax relief for seniors. A property tax refund is available for homeowners 65 or older with a household income of \$17,500 or less. The refund is 45% of the property taxes paid. Those who claim this refund cannot claim a Homestead refund.

The effective property tax burden for renters is 15 percent of total rent. A homeowner with a residence valued at more than \$350,000 or more is prohibited from participating in the program. Call 877-526-7738 or 785-296-2365 for property tax details or refer to <http://www.ksrevenue.org/pvd.html>.

### **Inheritance and Estate Taxes**

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

For further information, visit the Kansas Department of Revenue site <http://www.ksrevenue.org>. [Source: [www.retirementliving.com](http://www.retirementliving.com) Dec 2011 ++]

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**Veteran Legislation Status 29 DEC 2011:** For a listing of Congressional bills of interest to the veteran community introduced in the 112<sup>th</sup> 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](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?** To all of you approaching 60 or have reached 60 and past, this is especially for you.....

**SENIOR CITIZENS ARE THE NATION'S LEADING CARRIERS OF AIDS!**

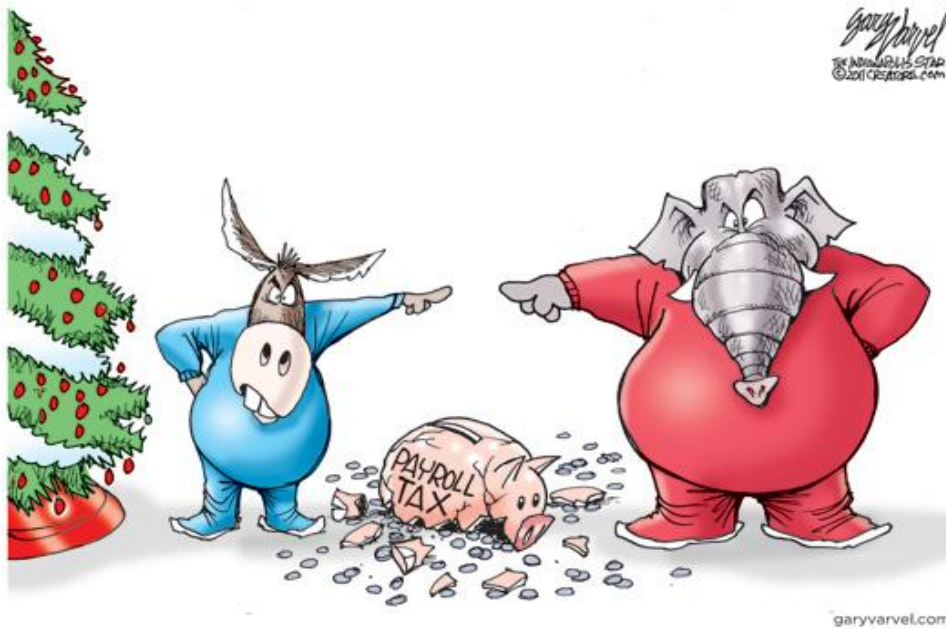
- Hearing Aids
- Band Aids
- Roll Aids
- Walking Aids
- Medical Aids
- Government Aids
- Most of all, monetary aid to their kids!
- Not forgetting HIV (Hair is Vanishing)

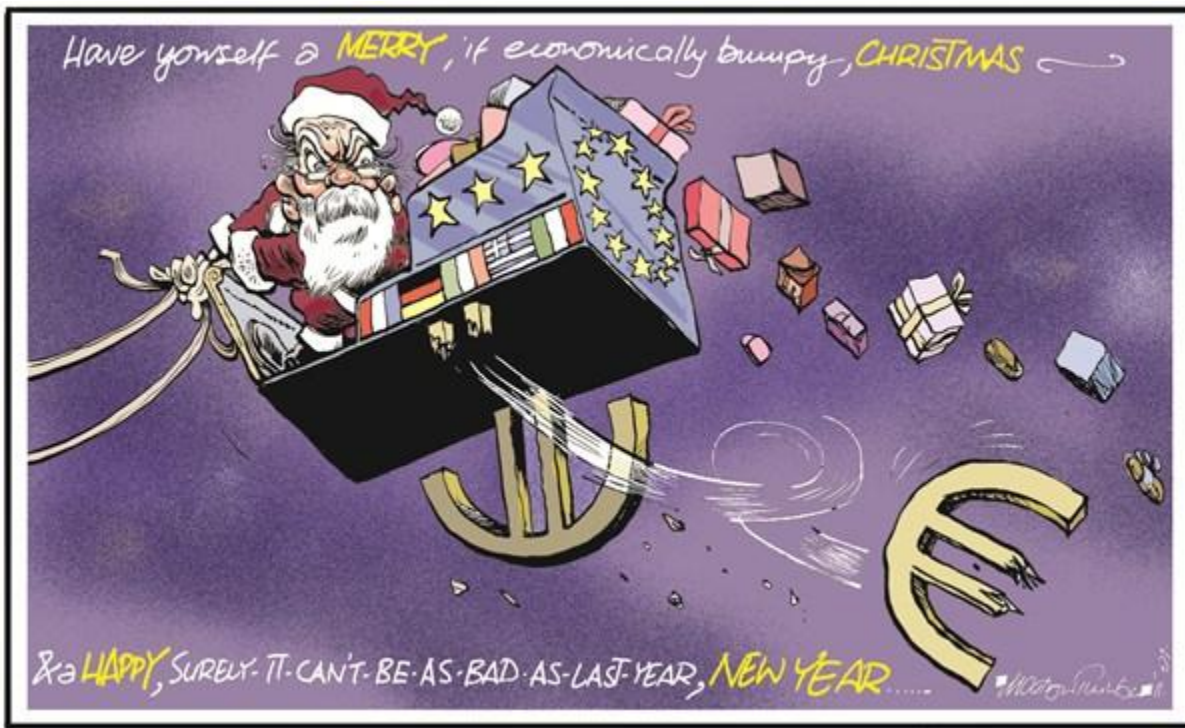
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America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves.

-- Abraham Lincoln (16th President of the United States | 1809 –1865)

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