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* DoD *
National Coast Guard Museum Update 03 ► USCG Authorization Act

Supporters of the first national museum honoring the U.S. Coast Guard hope newly passed federal legislation will provide a financial lift to the long-awaited project planned along Connecticut's waterfront. The Senate this month approved the Coast Guard Authorization Act, which includes language expanding the amount of support the Coast Guard can provide to develop and install museum exhibits and displays of the service's artifacts. The bill already cleared the House of Representatives and now awaits President Obama's signature. Sen. Richard Blumenthal has been working with Rep. Joe Courtney, a fellow Connecticut Democrat, to change current federal law, which greatly limits how much the Coast Guard can financially support the project planned for downtown New London. He said he's been concerned about whether enough funds will be eventually raised for the project and believes this change, if signed into law, will prompt more private donations. "I've been working with them to lend support and simply make more people aware how important it is to recognize the Coast Guard for its achievements," Blumenthal said.

Courtney said federal legislation provides a huge boost to "national efforts to create the long overdue museum, and sends a powerful signal that this effort has strong backing of the Congress, the federal government and the Coast Guard.” The capital campaign for the planned $100 million museum, a figure that includes a $20 million pedestrian bridge over railroad tracks and other Americans with Disabilities Act requirements, has been a three-pronged approach. It includes obtaining $20 million from the state, which already has been promised; up to $30 million from the federal government; and the remaining $50 million from private donations, said Wes Pulver, executive director of the museum and a retired captain of the Coast Guard Barque Eagle. He said donations have been coming in, but he agreed with Blumenthal and Courtney that the federal law change will likely encourage more because it shows that the federal government is supportive of the project. The museum has received private commitments worth $1.754 million from some of the 300 companies associated with the American Waterways Operators, a national advocate for the U.S. tugboat, towboat and barge industry. More money is expected.

Organizers have discussed possibly opening the museum as early as the summer of 2020. It would be the only national museum dedicated to the men and women of the Coast Guard. The effort to build such a museum has been a long one. The museum association was organized in 2001 to raise funds for the project and apply for federal and state grants. A 2004 act of Congress designated New London, home of the U.S. Coast Guard Academy, as the location for a museum. Exterior design work for the museum is underway, while a museum design firm is working on creating interior exhibits. Pulver said there won't be a problem in finding artifacts to fill those exhibits. Numerous pieces are in Coast Guard collections around the country, as well as in several storage areas in the Washington, D.C., area. Over the next two years, an advisory panel will decide how best to exhibit those objects. "We know what we have," Pulver said. "We just want to display it in a way that's best for the person who comes into the Coast Guard Museum." [Source: The Associated Press | Susan Haigh | December 27, 2015 ++]

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BRAC Update 45 ► $1.1 Trillion Bill Excludes Funding for 2016

The Defense Department has been pressing for years to close unneeded bases in the U.S., which would save billions and help gradually downsize and reconfigure the military. But that campaign has been mostly greeted with hostility on Capitol Hill. Last March, for example, Pentagon officials argued before a Senate panel that a new Base Realignment and Closure (BRAC) round would pay off handsomely, producing $2 billion a year in savings by shrinking the infrastructure by only five percent, according to the Military Times. But influential Republicans including Sen. Kelly Ayotte of New Hampshire, chair of the Armed Services readiness subcommittee, lashed back, noting that the last BRAC in 2005 cost the government $35 billion and yet produced little in the way of savings. “Now is not the time to
spend billions of up-front dollars on another BRAC round, especially as costs for the last one have dramatically exceeded expectations,” she said

Just in case the Defense Department and the White House didn’t get the message, the GOP-controlled Congress inserted unmistakable language in the $1.1 trillion omnibus spending bill for fiscal 2016 barring DOD from planning another massive shutdown of military bases. “None of the funds made available by this Act may be used to propose, plan for, or execute a new additional Base Realignment and Closure (BRAC) round,” states the legislation, which is awaiting final approval by the House and Senate. “Normally, Congress just tells an agency that they can’t spend money to do this or that,” said Steve Ellis, vice president of Taxpayers for Common Sense. “But telling the Pentagon that they can’t spend money to propose a BRAC is the legislative equivalent of ‘don’t even think about it.’ The Administration can’t even put it in their Fiscal Year 2017 budget request next year.”

It has been a full decade since Congress last authorized a major downsizing of the military’s U.S. footprint. More than 350 installations have been closed in five BRAC rounds dating back to 1988. In an effort to insulate the decision making from politics, Congress in the past has left the nitty gritty of deciding which bases to preserve and which to close to an independent commission, and then voted to approve or reject the overall recommendations. Given the steady decline in the number of troops and civilian workers, there is less and less of a need to maintain many sprawling and costly bases and military installations in the country. The Defense Department at one time estimated its excess or surplus infrastructure at between 18 percent and 30 percent, according to The Fiscal Times. The Pentagon’s vast real estate portfolio includes more than 562,000 buildings and structures on 523 bases, posts and centers.

At a time when Defense Secretary Ashton Carter and Gen. Joseph Dunford, the chair of the Joint Chiefs of Staff are pressing to streamline the military and reorganize combat commands, administration officials, defense budget analysts and others are dismayed by the staunch congressional resistance to downsizing the infrastructure. This is especially alarming when the Pentagon is being showered with so much money -- $572.6 billion alone in fiscal 2016 -- while little is being done to crack down on waste or adequately audit spending. However, lawmakers argue that the timing is wrong for another BRAC amid widespread public concern about defense and the threat of ISIS terrorists. And they say that the last downsizing during the administration of Republican President George W. Bush in 2005 provided a cautionary note about the limits to savings that can be achieved by closing bases.

Mostly, House and Senate members don’t like base-closures because they are politically divisive – pitting one state against another – and they can lead to the loss of jobs and economic opportunity in their states that could become an issue during an election. Ayotte, for example, is facing a tough challenge next year from Democratic Gov. Maggie Hassan and can’t afford to appear willing to risk a base closing in New Hampshire. “Congressmen don’t want bases closed in their districts, it’s as simple as that,” said Gordon Adams, a professor emeritus at American University and an authority on defense spending and strategy. “And that’s almost entirely what it is. The military brass would love to close bases; they would love to get the savings from consolidating infrastructure for things that they really want. They know they have too much infrastructure.”

However, the controversy isn’t cut and dried. When the last BRAC was considered and approved in 2005, the Pentagon estimated similar excess capacity to what it is claiming now, according to reports. Congress ultimately approved reducing military infrastructure by less than 3.5 percent, but at a cost of a startling $35 billion to achieve. The annual savings from that huge investment turned out to be roughly $4 billion. Ever since then, opponents of more base closures cite the Bush administration’s costly experiment. Yet Adams said that the 2005 BRAC was different from earlier efforts because “they did more realignment than they did closure.” “What that means is taking forces from point A and grouping with them with forces at point B, consolidating bombers, consolidating fighter aircraft,”
he said. “They didn’t close very many bases. But they had to do a lot of spending to reconfigure bases so that they could receive the incoming material and people.” “Members of Congress hide behind that cost to oppose any future base closure rounds,” he added. [Source: TheFiscalTimes | Eric Pianin | December 18, 2015 ++]

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Feres Doctrine Update 08  ►  Application to Birth Injuries

Jorge Ortiz had his daughter’s future in mind when he filed a medical malpractice suit against the government over her botched birth. But when the case was dismissed by a lower court and an appellate court, both citing the Feres doctrine, Ortiz petitioned the U.S. Supreme Court, hoping to change the legal rule that prevents his child from winning a birth injury suit solely because her mother is an active duty service member. “We’ve reached a point where people can see how unfair this is for children of military families,” Jorge Ortiz said in a phone interview from his San Antonio home. “Isabella is the voice of these families.”

Isabella was born March 16, 2009, to Ortiz and his wife, Air Force Capt. Heather Ortiz, at Evans Army Community Hospital, Fort Carson, Colorado. As her mother was prepped for a planned Cesarean section delivery, she was given a medication to which she had an allergy — one noted in her medical records. When she was given an antihistamine to counter the allergic reaction, her blood pressure plunged, depriving Isabella of oxygen in the womb. Isabella, now 6, suffered brain and nerve damage that requires her to get occupational and physical therapy each week. She wears leg braces and has special accommodations at school.

Isabella Ortiz, 6, was injured in the womb when her mother, Air Force Capt. Heather Ortiz, was given a medication to which she is allergic.

Anticipating Isabella’s lifetime medical needs, Jorge Ortiz filed suit against the Army hospital. But a district court dismissed the case, citing the Feres doctrine, which bars claims against the federal government by members of the armed forces and their families for injuries stemming from activity “incident to military service.” On appeal, the 10th Circuit Court of Appeals ruled that Isabella’s injuries were directly related to her mother’s injuries, and thus Feres was appropriately invoked. Jorge Ortiz believes this extension of the Feres doctrine to children who have never worn a uniform is wrong. He remains hopeful that the Supreme Court will consider Isabella’s petition, given that he believes the case reflects discrimination against military women. “It’s a great opportunity to add some clarity and understanding to the Feres doctrine,” Ortiz said.

That doctrine stems from a 1950 case, Feres v. United States, in which the Supreme Court ruled that active-duty troops are not covered by the Federal Tort Claims Act, which allows persons wronged by government employees to sue the government over their injuries. It has remained a controversial rule ever since, sparking complaints from patient advocacy groups, military service organizations and troops who feel they have no legal recourse when something goes awry at a military hospital or clinic. The Supreme Court has consistently refused to hear previous petitions against Feres, most recently in 2011 in the case of a Marine whose surgery for a routine appendectomy went awry, leaving him in a vegetative state and eventually leading to his death. Jorge Ortiz, an Air Force veteran, said that
when he joined the military, he was aware of the doctrine and understands restrictions are needed to ensure military leaders and personnel are not sued for decisions made in the line of duty or for injuries sustained in training or war. But he does not believe Feres should apply to egregious medical errors made in military hospitals. “I think a line should be drawn,” he said. The American Legion and National Veterans Legal Service Program urged the Supreme Court to consider the case because Feres often is applied unevenly across lower courts.

Attorneys for Isabella and her father, Jorge Ortiz, say dismissal of the family’s claim would be an overreach of the Feres doctrine, the exception to the Federal Tort Claims Act that bars active-duty troops from suing the U.S. government. “Lower courts’ erroneous denials of the Federal Tort Claims Act jurisdiction will continue and worsen until Feres is overturned,” wrote attorneys for the groups. Others backing the Ortiz claim include the National Organization for Women, the National Institute of Military Justice, and four members of Congress.

The family’s Supreme Court petition was filed 13 OCT. The federal government had until 18 DEC to file a response but requested, and was granted, a 30 day extension. Joe Bennett, a Colorado attorney who represents the family, said the court could decide in March whether to schedule oral arguments in the case. The Supreme Court receives at least 10,000 petitions each year and hears only between 75 and 80 cases. Ortiz said he knows the odds are slim that the justices will accept his daughter’s case, but remains optimistic. “I hope the Supreme Court can look at this and realize that … Feres is not just being applied to military members. Isabella’s case may be extreme, but there needs to be clarity,” he said. [Source: NavyTimes | Patricia Kime | December 28, 2015 ++]

DoD Fraud, Waste, and Abuse ➤ Reported 16 thru 31 Dec 2015

Afghanistan/Pentagon - Officials in the Pentagon, including many past Secretaries of Defense in administrations of both political parties, have complained about the high cost of military medical care, and specifically the cost of medical care for retirees. In fact, one former Secretary said it was eating the Pentagon’s budget alive. However, recently it was revealed that the Pentagon spent $43 million on a gas station in Afghanistan that was never used. The Special Inspector General for Afghan Reconstruction estimates that the gas station should have cost about $500,000, but somehow it ended up costing 86 times that amount. That story appeared last week in a Washington, D.C., newspaper, The Hill. The article was about Pentagon waste and it demonstrated what TREA has been saying for years. Specifically, there is so much waste in the Pentagon that if it was ever accounted for it would be in the billions of dollars. If that money were saved there would be no excuse for trying to force retirees to pay more for their health care.

According to the article, “The Pentagon employs at least 600,000 service contractors. But because it does such a poor job of tracking them, it can’t give an accurate figure of exactly how many of these contractors it employs, how much they cost relative to their civilian counterparts, or how much overlap there is in the tasks performed by contractors and civilian personnel. Better management of this work force could save untold billions that could be put to better use. Add to examples cited thus far the scores of other cases of overcharges, duplicate purchases, and just plain mismanagement that characterize Pentagon spending practices and the amounts wasted mount into the tens of billions of dollars. Unfortunately, these are not just ‘mistakes.’ They are the predictable outcome of the way the Pentagon does business.” You can read the entire article here: http://thehill.com/blogs/congress-blog/economy-budget/261894-pentagon-waste-machine-is-still-well-fueled.

Congress is already at work trying to come up with ways to the change military health care system. TREA is afraid that pushing more of the cost for medical care onto the backs of retirees is exactly what they’ll try to do and they will fight to stop any scheme that does that. [Source: TREA Washington DC | December 14, 2015 ++]
DFAS 1099-R Update 07  ►  2015 Is Available on myPay

On myPay at https://mypay.dfas.mil/mypay.aspx?flps=99R~RCPS annuitant and retiree electronic 1099R forms for 2015 are now available. The Defense Finance and Accounting Service (DFAS) implemented the myPay web-based system in March 2000. myPay delivers pay information and lets you process pay-related transactions timely, safely and securely. The web-based system protects against identity theft and is faster and more secure than regular mail by allowing members to access electronic 1099R, RAS and other financial information. myPay matches industry standards for the highest level of encryption and security to protect myPay users. If you do not have a Password for accessing myPay, you can obtain one by clicking on the Forgot or Need a Password? link on the myPay website at the web address shown above to receive a temporary Password. If you have any questions concerning myPay, call toll free at 1-888-DFAS411 or 1-888-332-7411, Commercial 216-522-5096, or DSN 580-5096, 8:00 a.m. - 5:00 p.m. Eastern Time. If you have any questions regarding the information on your 1099R, call 1-800-321-1080. [Source: DFAS-SmartDocs | December 16, 2015 ++]

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Marine Corps Pacific Realignment  ►  Moving Forward in 2016

The Corps’ Pacific realignment will move forward in 2016 amid recent dust-ups with key allies. The Pentagon in early December awarded $309 million for the first phase of a Guam construction project needed to move 5,000 Marines and 1,300 dependents from Okinawa. Congress has approved nearly $9 billion for the relocation, and Japan has already put up more than $1 billion. The move from Okinawa is scheduled to run from 2021 to 2023. The construction plan calls for Marine Corps facilities at the Navy Computer and Telecommunications Station at Finegayan, family housing at Andersen Air Force Base, and live-fire training ranges in the north. The December funds will go toward site and grade preparation; electrical, mechanical, and water and wastewater utilities upgrades; and construction of roadways and sidewalks leading to Finegayan.

MV-22 Ospreys and KC-130J Super Hercules fill the flight line at Marine Corps Air Station Futenma in Okinawa, Japan. U.S. and Japanese officials want to relocate the base to the less developed Henoko Bay area, but many residents, and the governor, oppose the plan.

Most Okinawans are happy to see a reduction in the number of Marines — 74 percent of U.S. forces in Japan are based on the island — but tensions remain high as Japanese and U.S. officials look to relocate Marine Corps Air Station Futenma from a heavily populated section of Okinawa to the less developed area of Henoko Bay. Many residents want the base moved off the island completely. This battle will play out in the courts in 2016, as Japan’s central government in early December filed a lawsuit against Okinawa Governor Takeshi Onaga to allow construction
to move forward. In the land down under, Darwin deployments have proven invaluable as the Pentagon looks to beef up regional security and response with an eye toward an expanding Chinese military. However, the late 2015 lease of Darwin Port to Chinese-owned company Landbridge Group has caused a stir in the Pentagon, according to Australian media reports, which described subsequent dialogue as “emergency talks.”

The Marines’ 2015 deployment marked the fourth rotation through Darwin, and the second time a full battalion landing team — about 1,170 Marines and sailors — has deployed to the Northern Territory. President Barack Obama said in 2013 that he hoped to send 2,500 Marines — a full Marine air-ground task force — to Australia during the 2016-2017 timeframe, though it is not clear whether that goal will be met. U.S. and Australian defense leaders are looking to rotate a three-ship amphibious readiness group through the region, and perhaps a carrier strike group. Darwin’s port would need to be expanded to host an amphibious assault ship and two dock landing ships. When the dust settles, the Corps plans to have MAGTFs or better in Australia, Guam, Hawaii and Okinawa. [Source: MarineCorpsTimes | Lance M. Bacon | December 27, 2015 ++]

POW/MIA Update 68 ► Total MIA’s as of Dec 2015 | 83,099

<table>
<thead>
<tr>
<th></th>
<th>WWII</th>
<th>Korean War</th>
<th>Vietnam War</th>
<th>Cold War</th>
<th>Iraq &amp; Other Conflicts</th>
<th>Total</th>
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<tr>
<td></td>
<td>73,315</td>
<td>7,828</td>
<td>1,624</td>
<td>126</td>
<td>6</td>
<td>83,099</td>
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* Reflects actual number still unaccounted-for. PMKOR database count is slightly higher due to several entries pending administrative review.

* Due to limited or conflicting data concerning location of loss for approximately 1% of WWII missing, the above map does not show a total number equal to the list of WWII missing by name elsewhere on this site. As the data from our predecessor organizations is merged and validated all publicly available information will be promptly updated.

POW/MIA Recoveries ► Reported 16 thru 31 Dec 2015

"Keeping the Promise", "Fulfill their Trust" and "No one left behind" are several of many mottos that refer to the efforts of the Department of Defense to recover those who became missing while serving our nation. The number of Americans who remain missing from conflicts in this century are: World War II (73,515) Korean War (7,841), Cold War (126), Vietnam War (1,627), 1991 Gulf War (5), and Libya (1). Over 600 Defense Department men and women...
both military and civilian -- work in organizations around the world as part of DoD’s personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home. For a listing of all personnel accounted for since 2007 refer to http://www.dpaa.mil/ and click on ‘Our Missing’. If you wish to provide information about an American missing in action from any conflict or have an inquiry about MIAs, contact:

- Call: Phone: (703) 699-1420

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

**Vietnam**

The Department of Defense POW/MIA Accounting Agency (DPAA) announced 4 DEC that the remains of a U.S. serviceman, missing from the Korean War, have been identified and will be returned to his family for burial with full military honors. Army Sgt. Robert C. Dakin.

**Korea**

The Department of Defense POW/MIA Accounting Agency (DPAA) announced 4 DEC that the remains of a U.S. serviceman, missing from the Korean War, have been identified and will be returned to his family for burial with full military honors. Army Sgt. Robert C. Dakin.

**World War II**


The Defense POW/MIA Accounting Agency announced 8 DEC the identification of the remains of Army Pfc. James M. Smith, 19, of Wilcox County, Ga., who was lost fighting in South Korea on Feb. 12, 1951. He was assigned to Company K, 38th Infantry Regiment, 2nd Infantry Division.

The Department of Defense POW/MIA Accounting Agency (DPAA) announced 4 DEC that the remains of Marine Cpl. James D. Otto, unaccounted for since World War II, have been identified and are being returned to his family for burial with full military honors.

The Department of Defense POW/MIA Accounting Agency (DPAA) announced the identification of the remains of Army Air Forces 1st Lt. Leonard R. Farron, of Pierce County, Wash., who was piloting a P-39 Airacobra that failed to return to base after a strafing mission over Guadalcanal on Oct. 15, 1942. He was assigned to the 67th Fighter Squadron, 347th Fighter Group, 13th Air Force.

[Source: http://www.dpaa.mil | December 31, 2015 ++]
VA Death Verification System Update 01 ► New Policy

The federal government has acknowledged that it wrongly declared more than 100 veterans dead and suspended their benefit payments, and says it is changing its policy of confirming deaths. Mike Rieker, a 69-year-old Vietnam War Navy veteran who was among those wrongly declared dead, said his situation turned serious when he realized he might go weeks or more without a benefits check while the situation was ironed out. "I spent five minutes arguing on the phone with a lady about me being dead," he said with a wry smile at a news conference 22 DEC. Eventually, "I started looking around the house for things to sell," he added.

Republican U.S. Rep. David Jolly of Florida brought the issue to the Department of Veterans Affairs' attention in a November letter. In response, the VA acknowledged that it had erroneously stopped benefits to 115 people from July 7, 2014, to April 1, 2015, because officials believed they were dead. Now, the department is "updating its process to request further confirmation of the beneficiary's death before it terminates payments," VA spokesman Randal Noller said in a statement to The Associated Press. When officials think a veteran is dead, the department will send a letter to his or her address and request confirmation of the death from a surviving family member, according to a 10 DEC letter from the VA to Jolly's office. If the VA doesn't hear from the family — or from a veteran erroneously believed dead — only then will the department terminate payments, according to the letter.

Jolly said that he's grateful the department took action and that VA blamed the problems on computer and human error. The VA verifies its beneficiaries' entitlement through an automated match with the Social Security Administration's Death Master File, Noller said. "Although these types of errors are a small percentage, we sincerely regret the inconvenience caused by such errors," Noller said in his statement. In Rieker's case, under the new rules he would have had a 30-day period to present evidence that he was alive and well, Jolly said. [Source: Associated Press | Tamara Lush | December 22, 2015 ++]

VA Health Care Access Update 27 ► Justice Dept Drops 46 of 55 Cases

Justice Department officials have declined to pursue dozens of criminal investigations into employees at the Department of Veterans Affairs who allegedly participated in a national effort to cover up long delays in care by creating fake patient waiting lists. As of 3 DEC the Justice Department has refused to pursue any charges in 46 of 55 cases referred by the VA's own inspector general. Nine cases are still pending, according to a letter from Rep. Jeff Miller, chairman of the House Veterans Affairs Committee, to Attorney General Loretta Lynch that was obtained by the Washington Examiner. Despite the widespread attention VA officials have received for manipulating patient wait times, the Justice Department has acknowledged opening just one criminal investigation into a practice that took place at 110 VA facilities across the country.

FBI Director James Comey told Congress last year that the law enforcement agency's Phoenix office had opened a criminal probe of allegations made against officials at the Phoenix VA hospital. However, during a House Judiciary Committee hearing last month, Lynch could not answer questions from Rep. Mimi Walters (R-CA) about the status
of that investigation or whether any others had been opened. Lynch vowed during that hearing to have her staff provide Walters with information about the investigation. A month later, Justice Department staff did respond to Walters' questions. The officials requested Walters accept an "informal phone call" rather than a formal response, then refused to answer any questions about the scope of the agency's work with the VA. "I am at a loss as to why [the Justice Department] required a month to determine that it was unable to provide any answers to these questions," Walters wrote in a Dec. 17 letter to Lynch. "It is my concern that [the Justice Department] intentionally induced my office to participate in an informal discussion for the sole purpose of obstructing legitimate congressional oversight beyond the public's purview," she added.

The Justice Department did not respond to a request for comment about why it could not answer Walters' questions and whether it had ever pursued criminal charges against any VA officials involved in the wait-time scandal. [Source: Washington Examiner | Sarah Westwood | December 30, 2015++]

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**VA Insurance Dividends in 2016** ► $88.1 million to ~430,000 Vets

This year, VA will pay $88.1 million in annual dividends to approximately 430,000 Veterans who served before 1956 and hold qualifying life insurance policies. The dividends come from the earnings of trust funds that Veterans have paid insurance premiums into over the years, and are linked to returns on investments in U.S. government securities. VA will pay the following dividends:

- **$53.5 million** – Anticipated total amount of dividends to qualifying Veterans of World War II holding National Service Life Insurance policies that begin with the letter “V”.
- **$2.3 million** – Anticipated total amount of dividends to be paid to qualifying World War II-era Veterans holding Veterans Reopened Insurance policies that begin with the letters “J,” “JR” or “JS”.
- **$32.2 million** – Anticipated total amount of dividends to be paid to qualifying Korean Conflict-era Veterans holding Veterans Special Life Insurance policies that begin with the letters “RS” or “W”.
- **$105,000** – Anticipated total amount of dividends to be paid to qualifying Veterans who served after World War I until 1940 and hold U.S. Government Life Insurance policies that begin with the letter “K”.

No action is required on the part of the Veteran receiving dividends. VA will automatically pay the dividend on the anniversary date of the policy by sending it to the insured Veteran. The amounts will vary based on the age of the Veteran, the type of insurance and the length of time the Veteran has had the policy in force. Veterans eligible for the dividends must have had these VA life insurance policies in effect since they left the military and would have received annual notifications about their policies. VA operates one of the nation’s largest life insurance programs, providing more than $1.2 trillion in coverage to 6.3 million Servicemembers, Veterans, and family members. Veterans who have questions about their policies should contact the VA insurance toll-free number at 1-800-669-8477 or send an email to VAinsurance@va.gov. For more information on VA life insurance, see http://www.benefits.va.gov/insurance. [Source: VAntage Point | December 30, 2015 ++]
VA Claims Backlog Update 150 ➢ Lowest But Never Going Away

The Veterans Affairs Department’s backlog of disability claims will finish 2015 near its lowest level in six years, but still will not come close to the publicly promised goal of zero. VA officials this week said the backlog sits at just under 75,000 cases, down by nearly half from when the department began publicly tracking the figure in 2009, and down by 88 percent from its peak of nearly 612,000 cases in the spring of 2013. It’s a remarkable turnaround for an agency that in the early part of this decade routinely took ridicule from critics for the ever-growing backlog totals, and saw the overall number of claims spike as it worked to make internal improvements.

Since 2012, more than 940,000 new veterans have been added to VA’s compensation lists. But for years, White House and VA leaders have publicly targeted 2015 as the year they would eliminate the backlog, comprised of first-time claims pending for more than four months. And that goal may never be reached. In a statement this week, VA officials said some claims will always require more than 125 days to process, “for a number of complex reasons.” Those include shifting schedules for medical exams, additional entitlement issues, and discovery of new evidence during processing that can bolster a veteran’s case. “VA’s legal duty to assist veterans in fully developing their claims is an obligation we take seriously and will not rush,” the statement said. “VA employees are dedicated to getting veterans the benefits they have earned as quickly and accurately as possible.”

Veterans Benefits Administration officials have estimated that about 10 percent of new claims coming into the system may fall into those categories. With the current inventory, that translates into a rolling list of about 40,000 backlogged claims. The department has cleared more than 530,000 overdue claims from its caseload in about 2.5 years, thanks to a series of process updates, computer upgrades and years of mandatory overtime for claims workers. Those changes include moving VA from a largely paper-based processing system to a completely digital one, enabling faster sharing of medical records and military service information. That process wasn’t fully engaged until 2013, after the backlog had quadrupled from its fall 2009 totals. A combination of newly returning Iraq and Afghanistan war veterans and decisions to expand the number of Vietnam-era service-connected illnesses led to a dramatic spike in the caseload, and to frustration over the slow pace of change.

In response, VA leaders required its claims processors to work 20 hours of overtime each month nearly continuously since the start of 2013, and for isolated periods in the two years prior. The move added hundreds of days of extra processing time, but has worn on employees tasked with the work. Department leaders have said they hope to end the mandatory OT in the coming year. Progress on clearing the backlog has been largely stagnant since October, when the total dipped below 75,000 cases for the first time. But the processing numbers often stall near the end of the year as holiday breaks and unused vacation time stacks up, and in past years significant backlog reduction has resumed in late January. Outside critics also have expressed concern that the effort to clear the delayed first-time claims has led to an increase in the backlog of appeals on claims, where cases routinely languish for three years or more.

The appeals caseload has risen by about 75,000 since spring 2013, to just over 325,000 pending cases today. But VA officials insist the percentage of total claims that wind up in appeals has remained steady in recent years, and the recent rise is connected to the greater number of claims being filed by veterans, not problems with processing first-time cases. Department leaders have promised to address the appeals problems in coming years, while also remaining focused on the first-time claims delays. “While complete elimination of the backlog may not be achievable under our current processing systems and procedures, we know there is still more that we can do,” they said in their statement. [Source: MilitaryTimes | Leo Shane | December 29, 2015 ++]
VA Data Breach Update 58 ➤ Oregon DD-214 Compromise

The Oregon Department of Veterans’ Affairs (ODVA) mailed notification on 28 DEC, to 967 Oregon veterans whose personal information may have been compromised. Copies of their discharge and separation papers, commonly referred to as DD 214s, may have been in the possession of an unauthorized person. These documents typically include personal information such as social security number, date of birth, address and full name. "It is that primary document for a veteran. And that document is entrusted with us,” ODVA spokeswoman Nicole Hoeft said. "The fact that it was made available to a person outside this agency; we take it very seriously.” About 330,000 veterans reside in Oregon, and Hoeft said the ODVA is entrusted with about 100,000 of the DD 214 forms. When a veteran is being released from active duty, he or she can elect to have a copy of their DD 214 sent to their state department of veterans’ affairs.

Hoeft said the ODVA became aware of the breach about a week and a half to two weeks ago, but could not specify how it was discovered because of an ongoing external investigation. "This was not a technological breach,” Hoeft said. "Our main concern was to make sure veterans who are potentially impacted were aware and offered credit monitoring as quickly as possible. "We wanted to take total responsibility and make sure people are totally protected,” she said. The ODVA has no evidence at this time to suggest that there has been any attempt to misuse the information. All impacted veterans were mailed a notification and offered credit monitoring services for a full year at no charge. The notification includes a designated phone number for those who have questions or concerns. "Beyond the more immediate investigation and response for our veterans that are impacted, I have also asked our leadership team for a broader review of our policies and internal controls around veterans’ confidentiality and privacy,” ODVA Director Cameron Smith said. "The trust our veterans have in our ability to keep their personal information private goes to the core of our work.” [Source: Statesman Journal | Capi Lynn | December 28, 2015 ++]

Veterans Crisis Line Update 01 ➤ What Happens on the Other End

The Veterans Crisis Line is an anonymous call center designed to encourage Veterans and their families and friends to make the call. The professionals on the other end of the line are simply called “responders.” Yet they have a job that is unlike almost any other, anywhere. They are specially trained and experienced in helping Veterans of all ages and circumstances. Some of the responders are Veterans themselves and understand the challenges Veterans of all ages and service, their families and friends have been through. During their shifts (which can happen at any time, any day), responders immediately let the caller know that someone is on the other end who cares and will listen as long as needed. Responders stay on the line until they are either assured of the caller’s safety via a family member, or forward the situation to local emergency rescue coordinators who have the situation in hand. A recent HBO film about the Crisis Line features two sequences that vividly portray the understanding and compassion required on the job:

- In one, responders work with an Afghanistan war Veteran and father of five who is tormented by recurring nightmares that have become unbearable. The responder tells the man, who served his country with the Marines, “You’re their father. No one can replace you.”
- In another, responders and tech people are involved in a daylong search for an anonymous caller in distress. At last, through brilliant detective work, the young man is admitted to an Army medical facility. A Crisis Line supervisor comments, “This is a good ending to the day.” Success means keeping a caller engaged on the phone until they are out of danger.

If you are a Veteran in crisis, know someone who is, or are a concerned family member, please make the call. Receive confidential support 24 hours a day, 7 days a week, 365 days a year:

- Call 1-800-273-8255 and Press 1
- Chat online
VA Minority Veterans Panel Update 03 ▶ New Members

VA announced the appointment of four new members to the Advisory Committee on Minority Veterans on Dec. 21. The committee was chartered on Nov. 2, 1994, and advises the Secretary of Veterans Affairs on the needs of the nation’s 4.7 million minority Veterans on compensation, health care, rehabilitation, outreach and other benefits and programs administered by the VA. The committee assesses the needs of Veterans who are minority group members and recommends program improvements designed to meet their needs. The committee members are appointed to two or three-year terms. Minority Veterans comprise nearly 21 percent of the total Veteran population. The new committee members are:

**Melissa Castillo:** Navy Veteran of San Antonio, Texas. Served as the Assistant Regional Director for San Antonio Region, Veterans County Service Officer Association of Texas; Assistant Women Veterans Coordinator; Advisor to the US Army Survivor Outreach Services Program; and Advisor to the Alamo Community College District Veterans Affairs Committee. Currently serves as the Assistant Veterans Service Officer at the Bexar County Veterans Service Office in San Antonio, Texas, and is an accredited Veterans Service Officer.
**Benno Cleveland:** Army Veteran of Fairbanks, Alaska. Served two tours in Dong Tam, Vietnam where he earned a Purple Heart. He also served as Senior Vice Commander and Department Commander of the Military Order of the Purple Heart. In recognition of his distinguished military service, the Alaska Federation of Natives bestowed him with their “Veteran of the Year” honors in 2014 at their Annual Convention in Anchorage. Mr. Cleveland also founded the Alaska Native Veterans Association and is currently serving as President.

![Benno Cleveland](image)

**Ginger Miller:** Navy Veteran of Accokeek, Maryland, and former homeless disabled Veteran. Ms. Miller became Founder and CEO of two nonprofit organizations that serve Veterans and their families: John 14:2, Inc. and Women Veterans Interactive. She served as Chairwoman of the Prince George’s County Veterans Commission; Commissioner, Maryland Commission for Women; member of the Maryland Veterans Resilience Advisory Council; and a member of the Maryland Caregivers Support Coordinating Council. She is currently a member of Disabled American Veterans.

![Ginger Miller](image)

**Xiomara Sosa:** Army Veteran of Summerville, South Carolina. Ms. Sosa is the Founder and Principal of XAS Consulting, LLC, an integrative mental healthcare and holistic wellness consulting firm. She served on the Women Veteran Social Justice board of directors; Military Partners and Families Veteran Initiative; the Semper Fidelis Health and Wellness Advisory Board; and a current member of the Women in Military Service for America Memorial Foundation, Inc.

![Xiomara Sosa](image)

**The new members join current members:**
- Marvin Trujillo, Jr., Committee Chairman, Marine Corps Veteran
- Many-Bears Grinder, Col. (USA-Ret)
- Patricia Jackson-Kelley, Lt. Col. (USA-Ret)
- Librado Rivas, Command Sgt. Maj. (USA-Ret)
- Teresita Smith, Sgt. First Class (USA-Ret)
- Rebecca Stone, Staff Sgt. (USA-Ret)
- Cornell Wilson, Jr., Maj. Gen. (USMC-Ret)
- Anthony Woods, Army Veteran

VA Claims Assistance Update 06  ►  Veterans Law Blog ++

The Veterans Law Blog at http://www.veteranslawblog.org/tap-into-power-veterans-law-blog is written by a VA Accredited Attorney and focuses entirely on Title 38 Claims for Service Connected Disability. It provides close to 1,000 posts of information, teaching you:

- How to file VA claims
- How to introduce evidence into your VA claim
- How to argue your claim more persuasively.
- How to understand Court decisions
- How to fill out forms
- How to prepare for hearings
- And more.

Note: The above is provided as an information source only and should not be considered a RAO Bulletin endorsement for membership (either the free or paid option) to access the blog. However, it could be useful in answering questions you have regarding claim initiation, status, appeal, and/or why nothing is happening.

Some additional data sources that could assist in increasing knowledge of your condition and how to submit a VA claim for its treatment and/or disability compensation are:

- https://www.youtube.com/watch?v=dN7huF_NYGU 4 Things You Need to Know about VA Sleep Apnea Disability Claims
- https://www.youtube.com/watch?v=Hn76lRebzsS The straight honest truth about Sleep Apnea and CPAP
- https://www.youtube.com/watch?v=xF24xmJQK1k Sleep, Vitamins, and Heart Health (5 Part)
- https://www.youtube.com/watch?v=nWuoH2VUsYE VA Compensation Benefits Unemployability or IU
- https://www.youtube.com/watch?v=hYBKrENQHIo VA Disability Benefits and Secondary Service Connection
- https://www.youtube.com/watch?v=sfy64yTjYCO VA Disability Compensation and PTSD

[Source: Veterans Issues | Colonel Dan Cedusky | December 23, 2015 ++]

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VA Accountability Update 12  ►  Phoenix VA Officials

For months, officials at the Department of Veterans Affairs have claimed they were stymied in trying to hold top Phoenix VA officials accountable because of an ongoing criminal investigation. But an email this week from the department’s Inspector General’s Office says that excuse is bunk: The OIG and FBI criminal investigation of Phoenix officials was completed, referred to federal prosecutors and rejected over the summer. There is no pending case. The controversy centers on Lance Robinson, deputy director of the Phoenix VA Health Care System, and Brad Curry, chief of Administrative Services. Those senior executives were placed on administrative leave in May 2014 after inspectors verified delayed patient care, falsified wait-time data and whistleblower retaliation at the Carl T. Hayden VA Medical Center on Indian School Road. Hospital Director Sharon Helman, who also was suspended at the time, has since been fired.

The fact that Robinson and Curry remain on leave – collecting more than $400,000 in pay and benefits for more than 19 months – drew anger and criticism in the past week from key lawmakers, including Sen. John McCain (R-AZ) and Rep. Jeff Miller (R-FL), chairman of the House Committee on Veterans’ Affairs. During a Senate Committee on Veterans’ Affairs field hearing in Gilbert this week, Undersecretary David Shulkin repeated the claim that disciplinary efforts have been thwarted by "our inability to interview witnesses who have not been cleared by the U.S. Attorney's Office." That comment prompted the House committee staff to ask the VA Office of Inspector General for
verification. In an emailed response, OIG Congressional Relations Specialist Megan VanLandingham wrote that statements by Shulkin and other VA officials "are not accurate."

VanLandingham’s missive, obtained by The Arizona Republic, says the OIG notified the VA before July that the criminal investigation of Phoenix VA employees was completed and the U.S. Attorney's Office decided not to press charges. Cosme Lopez, a U.S. Attorney’s Office spokesman, declined to verify the case was rejected. Lopez said Arizona's top federal prosecutor, John Leonardo, does not divulge how an investigation has been resolved or any other information on criminal matters unless a conviction is secured. The email from VanLandingham notes that Helman was fired while the VA criminal investigation was underway last year. It says the VA twice interviewed Curry earlier this year, and took part in framing questions for Robinson's interview by inspectors. It also says the OIG provided the VA with all investigative materials, for potential use in the disciplinary probe. "Given these facts," the email says, "we don't understand VA's assertion that they have been unable to investigate and hold these employees accountable ..."

Earlier in the day, The Republic submitted a list of questions to VA headquarters seeking details of how the U.S. Attorney's Office prevented disciplinary proceedings. Jacobsen did not address those questions, but provided a VA statement that says "there has been no recommendation given or decision made that VAMC leaders (in) Phoenix should not be disciplined for whistleblower retaliation." The statement notes there have been lengthy criminal inquiries and said the VA is still "reviewing the voluminous evidence collected through those investigations and will impose appropriate discipline based on all substantiated misconduct, including but not limited to whistleblower retaliation."

VA Deputy Secretary Sloan Gibson was grilled about the delayed personnel actions last week during a hearing of the House Committee on Veterans' Affairs. He acknowledged the process had gone on too long, adding, "... we can’t let issues languish unresolved in protracted IG or Department of Justice investigations for months and years. Our past practice has been to wait for these investigations to be complete. We’re done waiting."

The congressional ire over accountability was exacerbated this week by revelations that internal VA probes long ago determined that several Phoenix administrators retaliated against whistleblowers who first exposed the department's crisis in care and management. One investigation found that Robinson had transferred hospital spokeswoman Paula Pedene to a basement after she reported administrative misconduct. Another concluded that Chief of Staff Darren Deering reassigned Dr. Katherine Mitchell, an emergency-room supervisor, after she raised concerns about patient safety and delayed care. Both employees filed complaints with the Office of Special Counsel and won settlements from the VA. Deering, a staunch defender of the hospital administration, had been scheduled to testify during a 14 DEC Senate committee hearing, but was canceled as a witness after the findings against him were revealed. He did not respond to a request for comment submitted via a hospital spokeswoman. [Source: The Republic | Dennis Wagner | December 16, 2015 ++]

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VA Accountability Update 13 ► Meaningful Discipline/Evidence Lacking

The Veterans Affairs Department does not plan to discipline any of the managers accused of egregious behavior by union officials in a controversial July report, according to a VA spokesperson. The department “found no outstanding allegation of wrongdoing warranting discipline against any of the identified managers,” the spokesperson said in response to questions about the report compiled by the American Federation of Government Employees Local 17, allegedly at VA Secretary Bob McDonald’s request. The 40-page “hit list,” so-called by advocates for senior executives and federal managers, detailed alleged incidents of harassment, discrimination, bullying and incompetence by “disruptive and ineffective” managers who work in VA’s Central Office.

The VA Office of Accountability Review investigated the allegations in the report and found that several of them “had already been raised and resolved through the Equal Employment Opportunity complaint process, and/or the labor management grievance or unfair labor practice complaint processes,” the spokesperson said. Other allegations were
more general criticisms of managers’ leadership abilities, communication skills and personality traits “rather than unlawful activity that might be actionable,” the spokesperson added. VA leadership created the Office of Accountability Review earlier this year to look into any alleged management or patient-related improprieties, whistleblower retaliation, and “related matters that impact public trust in VA,” according to a March fact sheet. The two OAR investigators, who produced a summary report of their findings in early December, are “both experienced labor relations/employee relations specialists,” the VA spokesperson said. They interviewed current and former employees, and reviewed relevant documents and complaints. While the accountability review concluded the allegations did not warrant discipline, investigators recommended more training for managers.

The July report compiled by AFGE Local 17 identified managers, but did not provide a list of witnesses or other information that could substantiate or refute the allegations. One senior executive, according to the list, allegedly directed subordinates to sign documents indicating that mid-year performance reviews had taken place even though they had not; another manager played favorites with employees who share his religious beliefs, according to the report. Another supervisor, who is described as a “disgrace” with a “disordered personality,” harasses female employees, the report claimed, while others have allegedly made disparaging remarks about a subordinate’s sexual orientation, forced employees to ask for permission to use the bathroom, yelled and cursed at subordinates, and ignored requests for reasonable accommodations and advance sick leave — some from disabled veterans.

Government Executive obtained a redacted version of the report in October through a Freedom of Information Act request. The House Veterans’ Affairs Committee requested the unredacted report in July. VA Deputy Secretary Sloan Gibson told VA Committee Chairman Jeff Miller (R-FL), during a 9 DEC hearing that the department would provide the panel with the report including the names of the accused managers. To date, the committee has not received the unredacted report. “This is more proof that no matter what type of investigation -- including those done by VA itself, the inspector general, Congress or unions representing VA workers -- finds misconduct on the part of VA employees, the end result is almost always the same: the department fails to institute meaningful discipline against those found to have done wrong,” Miller said in a statement.

Gibson has been emphatic about the importance of following due process and evidence in disciplinary actions against employees. During the Dec. 9 hearing before the House VA Committee, he defended his decision to demote and reassign rather than fire two senior executives whom the department's watchdog concluded used their positions of authority for personal gain. The evidence against Diana Rubens and Kimberly Graves did not warrant firing, or the IG’s criminal referral to the Justice Department, Gibson argued. “I’m not going to recommend, I’m not going to propose a disciplinary action that is based upon media coverage, or an opinion that is expressed in the IG report, if it is not supported by the evidence,” he said, adding that he knew his decision not to fire Rubens and Graves wasn’t going to "sit well, with virtually everybody." Human resources management, including the disciplinary and appeals process for employees, can be incredibly complex within VA, in part because it operates under different appointment authorities and regulations within two legal categories (Title 5 and Title 38).

The Senior Executives Association and Federal Managers Association sent a letter to McDonald in November asking what he planned to do with the AFGE Local 17 report. The groups said they had been contacted by several
managers named in the report. “While they corroborated the fact that complaints have been filed against them, complaints were often found to be unsubstantiated. Because these managers and supervisors had repeated, yet groundless, accusations against them, FMA and SEA worry that instead of thoughtfully examining constructive means to improve VA, Local 17 is personally targeting managers and supervisors and perpetuating labor-management hostility,” the letter stated. The groups also said that since the report surfaced, they had heard from “several VA managers and supervisors who have been verbally threatened and harassed by union representatives and members.”

SEA Interim President Tim Dirks on 22 DEC said the group was “pleased with the final outcomes of the agency investigation, and hopes that VA managers will now receive the supervisor training needed to improve their administrative skills and understanding of the VA’s complex and multi-faceted personnel system so that they may more productively conduct the public business.” Dirks urged the union (in this case, AFGE Local 17) to use “proper channels and seek fair and constructive solutions” instead of “simply slandering managers without sufficient evidence to bolster their accusations.” Miller said VA leaders have not proven they “are committed to holding corrupt and incompetent employees accountable” and that the department so far “has offered little more than rote talking points on the importance of accountability while the department’s rampant lack of discipline remains on perpetual display.”

[Source: GovExec.com | Kellie Lunney | December 23, 2015++]

VA Accountability Update 14 ► Jailable Offense or Management Mistake

Did a pair of senior Veterans Affairs Department executives get away with fraud, or were they libeled as part of a larger political spat? That’s the lingering question after Justice Department officials announced they will not charge the two women with any criminal activity, despite a scathing inspector general report that accuses the pair of abusing their power and stealing up to $400,000 in federal funds. Lawmakers have called that a fireable and jailable offense. VA leaders have called it a management mistake, and are working on a demotion and reassignment for the pair. For their part, the executives at the center of the department’s latest accountability scandal — Diana Rubens, Philadelphia regional office director, and Kimberly Graves, St. Paul, Minnesota, regional office director — have said little.

Diana Rubens, Philadelphia VA regional office director (left) and Kimberly Graves, VA St. Paul, Minn., regional office director (right)

Their attorneys have signaled they intend to appeal the demotions. Both women appeared before Congress in November but declined to answer questions, a constitutional right that critics blasted as proof of guilt. The inspector general report released in late September charged that Rubens and Graves “inappropriately used (their) position of authority for personal and financial benefit.” Both women were involved with reassigning their predecessors to other jobs within VA, then moving into the vacant positions themselves. Investigators said the moves carried with them fewer responsibilities but no salary reductions, plus generous relocation payouts. Graves, who makes nearly $174,000 a year, got more than $129,000 to move from Philadelphia to Minnesota. Rubens, who makes $181,000, received more than $288,000 to move from Washington, D.C., to Philadelphia. Most of that money was tied to home purchasing
programs available to relocated federal employees. Lawmakers labeled their actions as harmful to veterans, taxpayers and the department as a whole.

In response to the report, VA leaders suspended use of the relocation program, and are reviewing broader reimbursement policies. But they disagreed with investigators’ assessment of abuse and corruption within the department. In testimony before the House Veterans’ Affairs Committee earlier this month, Deputy Secretary Sloan Gibson lamented “the gulf between the rhetoric in the IG report and the actual evidence.” VA leaders opted for demotion rather than dismissal because “I did not find that the evidence supported unethical violation,” Gibson said. “I did find that evidence supported a failure in judgment.” Several lawmakers challenged Gibson’s decision not to fire the pair, citing the IG’s criminal referrals. But officials with the U.S. Attorney’s Office appear to have agreed with VA’s assessment, declining to pursue criminal prosecution. Instead, officials there “referred the matter to the VA for any administrative action that is deemed appropriate” and declined further comment. VA officials also have repeatedly noted that their investigation was conducted separately from the IG’s inquiry, and their findings did not show nearly the same inflammatory violations as the outside one.

In November, acting VA Under Secretary for Benefits Danny Pummill acknowledged that his agency should have been more careful in its oversight of the job transfers but told lawmakers he was still fine with the results. “If I could go back in time, I still would have made all of the moves,” he said. Despite that vote of confidence, Rubens and Graves are facing demotions and cross-country reassignments in response to the report. VA leaders have opted not to try to recoup any of the relocation expenses in question — and indicated the pair may be eligible for additional reimbursements if the pending moves proceed. That further incensed Congress. Legislation is pending to make it easier for bureaucrats to reclaim those kinds of expenses, even if VA officials have shown no interest in doing so.

Lawmakers have promised continued oversight of the Graves and Rubens cases, but so far have offered no reaction to the Justice Department announcement. For the past year, members of Congress have sparred with VA leaders over a lack of firings and accountability within the department, saying department officials seem more interested in protecting problem employees than improving operations. But this latest case prompted VA’s strongest pushback on those criticisms. Gibson challenged lawmakers during his December hearing, noting: “I've never encountered an organization where leadership was measured by how many people you fired ... you can't fire your way to excellence.” He promised employee dismissals when warranted, but also blamed outside critics for turning minor problems into national scandals. Whether VA’s proposed demotions for Graves and Rubens will be upheld remains to be seen. Paperwork mistakes by the VA have complicated the process, delaying the administrative action and leading to more jabs from lawmakers. A decision on whether the pair will be moved again or stay in their current posts should be finalized by mid-January. [Source: MilitaryTimes | Leo Shane | December 30, 2015 ++]

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**VA Accountability Update 15 ➤ FY 2016 | Extra $6B w/Strings**

The Department of Veterans Affairs is starting the new fiscal year with an extra $6 billion in discretionary spending, but that additional cash comes with strings. Out of the $1.1 trillion spending bill passed by Congress earlier this month, $71.4 billion has been earmarked for VA to improve (among other things) its electronic health records, reduce the backlog of disability claims and continue construction projects — provided the department loops in lawmakers. Either the VA Secretary or chief information officer must submit plans to both the House and Senate appropriations committees for projects related to “information technology systems development, modernization, and enhancement,” according to the spending bill’s text. And if a project’s cost goes up or down by more than $1 million, a request for a funding transfer must be made to those committees.

There’s nearly a dozen instructions VA must follow if it plans on using available funding to improve the Veterans Health Information Systems and Technology Architecture (VistA) electronic health record. Not more than 25 percent of the funding can be obligated or spent, according to the legislation, until a report is provided to both appropriations
committees detailing everything from changes in the “scope or functionality of projects within the VistA Evolution program” to a timeline of scheduled milestones to “any changes to the governance structure for the VistA Evolution program and its chain of decision-making authority.” Around $233 million was set aside to help the department with its electronic health records. VA’s electronic health records system was a focal point for Congress several years ago, when it ordered the VA and Defense Department to come up with a way to share outpatient data between their existing systems and move on to modern health IT standards. In mid-November DoD leaders said they had done that and more.

According to the spending bill, $2.7 billion — $173 million more than fiscal 2015 — was set aside for the Veterans Benefits Administration, with an emphasis on reducing the backlog of disability claims. In a November fact sheet provided by the White House, the backlog of disability claims that are older than 125 days currently stands at roughly 76,000 claims, an 88 percent drop from the March 2013 peak of 611,000 claims. The money in part will fund nearly 800 more staff members to handle the backlog and appeals. Within the spending bill is language directing the VA Secretary to submit a quarterly report to both appropriations committees that includes:

- The average time to complete a disability compensation claim
- The number of claims pending more than 125 days, disaggregated by initial and supplemental claims
- Error rates
- Any corrective action taken within the quarter to address poor performance
- Training programs undertaken
- The number and results of Quality Review Team audits

After mismanagement led to a more than billion-dollar budget overrun for a VA hospital in Denver, the spending bill dictates that for major Veterans Health Administration construction projects, the $649 million set aside for the work won’t be available until the VA uses an outside federal entity to serve as “the design and/or construction agent” for projects with a total cost of more than $100 million. That entity would also be “providing full project management services, including management of the project design, acquisition, construction, and contract changes.” The VA must also certify in writing “that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns” and provide a copy to Congress. Also of note, following a VA Office of Inspector General report that found senior officials using their authority for personal and financial gain, a notification must be made to the appropriations committees if a waiver is issued for funding to be used for the Home Marketing Incentive Program within VA. [Source: Federal News Radio | Meredith Somers | December 28, 2015 ++]

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VA Rural Access Update 23 ► Increased thru Choice Act

Great news for the uninsured population and Veterans living in rural communities with limited access to health care providers and services. If you are a Veteran enrolled in, or eligible for, U.S. Department of Veterans Affairs (VA) health care services, the Veterans Choice Act of 2014 and Choice Improvement Act of 2015 were created to offer you greater access to care in your community. If you are a Veteran who is not eligible for VA health care and do not have insurance, the Health Insurance Marketplace may be a great option for you. The Veterans Choice Act expands access to health care for enrolled Veterans, and the Choice Improvement Act expands this access to a larger number of Veterans. For example, eligible Veterans who live more than 40 miles from a VA medical facility or are unable to schedule an appointment within 30 days may be eligible to use their Choice Card to see a provider in their community. To find out if you are eligible, please call 1-866-606-8198 or visit http://www.va.gov/opa/choiceact.

Recent legislation (the Choice Improvement Act) amended the Veterans Choice Act to further expanded eligibility for Veterans to receive care in their communities. VA will implement these changes in several phases, with the first phase (waiver of the enrollment date) effective immediately. The legislation:
- Waives the enrollment date – now, all enrolled Veterans, regardless of when they enrolled, may be eligible
• Expands the 60-day episode for referral care – meaning, if an eligible Veteran is referred for care, they will have 60 days to complete the referral
• Allows for appointments less than 30 days when clinically indicated – soon, Veterans with an approved clinical need for an appointment can seek care in their community, even if it’s within 30 days
• Allows VA to expand it’s network – VA has now has authority to expand its Veterans Choice Program provider base
• Allows for Veterans Choice Program benefit where no VA full-time physician is present at the existing site of VA care

In addition, Veterans who receive hospital or medical services for a service-connected disability will be eligible to participate in a Health Savings Account effective December 31, 2015. VA wants to ensure that Veterans have options to access the health care they need, and that the care received also fully addresses their needs. Veterans who are uninsured or not eligible to enroll in VA health care can consider enrollment in state or federal Health Insurance Marketplaces for affordable health insurance. Most people can find health insurance plans available for $75 or less per month. Learn about options available in your area by visiting https://www.healthcare.gov or call 1-800-318-2596. If you are a Veteran who is either enrolled or not enrolled in VA health care and want more Veteran-specific information about the Health Insurance Marketplace, visit www.va.gov/aca. [Source: The Rural Connection | Office of Rural Health | Fall 2015 ++]

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VA Flu Shots Update 03  ►  VA Retail Immunization Program

Flu season is here, and getting your flu shot is the single best way to protect yourself, as well as your loved ones, against the flu virus. For Veterans, getting a flu shot has never been easier. More than 8,000 locations now offer free flu shots for eligible Veterans through a U.S. Department of Veterans Affairs (VA) partnership with Walgreens. Studies show that if you plan when and where to get your flu shot, you are more likely to get one. So what are the options? Veterans enrolled in the VA health care system may opt to get a free flu shot at a local VA health care facility or at a neighborhood Walgreens drug store. Veterans can receive a free flu shot at their VA health care facility during any scheduled appointment or at a convenient walk-in flu station. Alternatively, Veteran patients may visit their local Walgreens to get a flu shot where an appointment is not required. Participation is strictly voluntary, and while there is no cost, Veterans should show their Veteran Identification Card and another form of ID.

The record of the flu shot from Walgreens will be included in the Veteran’s VA electronic health record immunization record. Veterans who choose the Walgreens’ option should use Group Code # 5933XBAYV or download the flu form (http://www.ehealth.va.gov/campaign/rccp/2015_VA_RCCP_W_Flu_RegForm_100815.pdf). Wherever you choose to get vaccinated, the best choice for your health is to get a flu shot.
Note: Reference to non-VA pharmacies, including Walgreens, does not constitute or imply endorsement of these organizations, their services or products. If your local pharmacy is not currently participating in the VA Retail Immunization Program, they may participate in the future as the program expands. Vaccine is subject to availability. State and health-related restrictions may apply. If you do not have insurance coverage, there may be a charge for a flu shot after March 31, 2016.

[Source: The Rural Connection | Fall 2015 ++]

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VA Budget 2016 Update 04 ► $163B Approved | H.R.2029 Synopsis

On December 18, Congress passed and the President signed into law H.R. 2029, the Consolidated Appropriations Act of 2016. This legislation provides the FY 2016 funding for the Department of Veterans Affairs (VA), and includes advance appropriations for FY 2017 for most VA health care and mandatory spending programs. The bill includes almost $163 billion in total discretionary and mandatory funding for VA for fiscal year 2016. This includes $91 billion in mandatory funding and $71 billion in discretionary funding. The bill also includes $63 billion ($3 billion less than recommended by the Independent Budget (IB)) in fiscal year 2017 advance funding for VA medical care and $103 billion in fiscal year 2017 advance funding for VA's mandatory programs for compensation and pension.

Medical Programs for FY 2016: The Veterans Health Administration, including its research programs, is funded at $62 billion ($2 billion less than recommended by the IB), $1 billion more than the Administration's requested level and $5 billion more than fiscal year 2015. Medical Care Highlights:

- Hepatitis C Treatments. $1.5 billion for new Hepatitis C treatments.
- Women Veterans.-$5 billion in total health care for women veterans who use the VA health system. This includes $446 million for gender-specific health care.
- Caregivers. For the family caregivers program, $605 million ($50 million more than requested by the Administration).
- Vet Centers. $258 million to fund readjustment counseling.
- Homeless Programs. $1.4 billion.
- Mental Health. $7.5 billion, including $381 million for Post-Traumatic Stress Disorder, $612 million for substance abuse treatment and $144 million for suicide prevention outreach.
- Rural Health. $270 million for programs of the Office of Rural Health.
- Iraq and Afghanistan War Veterans.-The bill includes funding of $4.9 billion to treat almost 845,000 Iraq and Afghanistan war veterans.
- Traumatic Brain Injury. $232 million in care for veterans suffering traumatic brain injury or other polytraumatic injuries.
- Long-Term Care. $7.5 billion for institutional and non-institutional long-term services.
- Medical and Prosthetic Research. The bill includes almost $631 million, $42 million more than fiscal year 2015 and $9 million more than requested by the Administration.

Other:

- Claims Processing: The bill includes $2.7 billion ($89 million less than recommended by the IB) for claims processing, $173 million more than last year's level of $2.53 billion and $10 million more than the request.
- Construction: Major Construction, $1.24 billion ($686 million less than recommended by the IB) for major construction projects; for minor construction, $406 million ($169 million less than recommended by the IB).
- Grants for the Construction of State Veterans Homes: $120 million ($80 million less than recommended by the IB).
- Information Technology (IT): The bill provides $4.1 billion ($158 million more than recommended by the IB) to modernize and sustain VA's information technology systems.

In some respects (especially when compared to the IB), this appropriation is lacking in terms of known and projected needs. However, the overall rate of increase in funding for veterans' programs is welcome. The entire DAV family sends good wishes to you and yours for a safe and happy Holiday Season and we look forward to continuing their advocacy with your assistance in 2016. [Source: DAV & DAV AUX | National Legislative Staff | December 23, 2015 ++]

Fisher House Expansion Update 11 ▶ Dayton Ohio

VA Secretary Robert McDonald has endorsed the future construction of a privately financed, up to $6 million Fisher House on the sprawling campus of the Dayton VA Medical Center, according to the VA and project officials. McDonald’s backing was a key step to build the 16-bedroom house at the historic campus, officials said. Organizers have targeted September 2017 to open the new lodging house to coincide with the 150th anniversary of the Dayton VA. The Fisher House lets family members of hospital patients stay while a veteran receives medical treatment. “They’re going to stay in the house for free,” said Chris Stanley, area executive director of Fisher/Nightingale Houses Inc. “It’s not going to cost them anything. … Having a family close helps with the recovery.”

The proposed site for the house is along Maryland Avenue near Building 408, an office building. The preferred construction locale lies between the main patient tower and a community living center and a hospice care unit, Dayton VA spokesman Jon LaDue said 18 DEC. The State Historic Preservation Office has been asked to OK the tear down of two old buildings to clear the site for the new home, officials said. Building 221, constructed in 1876, was a 4,900-square-foot residence and is now vacant. The other, Building 220, was built in 1885, and was a 7,350-square-foot hospitality house that’s now closed, according to the VA. Two alternative sites are potentially available, Stanley said.

Randy and Vicki Gunlock of Springboro donated $1.075 million through the Greener Pastures Foundation with a challenge to raise another $500,000 from more contributors for the Dayton VA Fisher House. The Fisher House Foundation would finance the rest of the cost. That donation put the house on a fast-track priority list for both the VA and the Fisher House Foundation, organizers have said. Randy Gunlock is a former president of RG Properties and the developer of Austin Landing, a 142-acre retail and office complex in Miami Twp. Much like a home, a Fisher House would have a shared kitchen, living and dining rooms and a library, among other features. Two similar homes exist at Wright-Patterson Air Force Base. [Source: Dayton Daily News | Barrie Barber | 20 December 2015 ++]

VA PTSD Claim Support Update 02 ▶ Independent Medical Opinions

It is hard to say how much each different type of letter is weighed or how much it helps in determining a rating. It is commonly accepted that (doctors and/or co-workers) have the strongest authentication when it comes to providing support statements, but arguably spouses or family members that have lived with and/or witnessed the Veteran’s daily life after service has the best knowledge of how a condition or conditions have worsened over time and affected the overall quality of a Veterans daily living.

If you applied for service-connected disability compensation for post-traumatic stress disorder (PTSD) utilizing VA FORM 21-078 STATEMENT IN SUPPORT OF CLAIM FOR SERVICE CONNECTION FOR POST-TRAUMATIC STRESS DISORDER (PTSD), AUG 2014 (http://www.vba.va.gov/pubs/forms/VBA-21-0781-ARE.pdf) and were denied benefits, an opinion from a private medical doctor could help increase your chances of
being successful on appeal. The VA calls these opinions "Independent Medical Opinions," or IMOs. They are also sometimes called nexus opinions, since their purpose is often to link an incident in service to your current disability. Your primary care doctor who works for the Veterans Health Administration, and disability compensation decisions are made by a separate branch of the VA, the Veterans Benefits Administration. If your doctor makes a statement about whether you should be awarded benefits for PTSD, there is no guarantee that they are correct. Even when VA doctors are willing to write a letter in support of your claim (many are not), their words do not have the force of law. The Veterans Benefits Administration will review your claim for benefits without speaking with your primary care physician or any specialists that you see.

The only time a VA doctor can write a medical opinion about your claim is when they are required to, after what's called a Compensation and Pension Exam. Often, after you apply for benefits, the VA will send you for a compensation and pension examination by a VA doctor. Chances are you will not know the doctor you are sent to. The VA will schedule a compensation and pension exam for you if the agency needs more information about your PTSD to make a decision about your application for disability compensation. A private medical opinion can help you to get your disability compensation claim approved earlier in the process, including after your first application. Or, it can help you to get benefits quicker on appeal. In some complex cases, you may not be successful at all on appeal without a private medical opinion. It is best to have an experienced disability lawyer who can advise you on whether you need a private opinion.

Just remember your letters need to state factual information concerning the health and wellbeing over a period of time where the condition of his problems has gotten worse. These statements need to be of hard truth and not merely opinions or conclusions you or others may have come to. Being particular about dates of incidents and providing any documentation of record (maybe you kept a log?) will assist in authenticating your (PTSD claim). If you have no documentation record, that is still ok. Your (personal and supporting) statements will be more general in stating the facts, but none-the-less; you will still be able to provide insight into the patient’s life.

How to Obtain a Private Medical Opinion

Sometimes a private psychiatrist or other doctor that you have been seeing you for some time will voluntarily support your application for benefits, or your appeal, by writing a letter for you. If you receive all of your health care at the VA, it can be harder to get a private medical opinion. In these cases, you will have to pay a doctor to review the VA records and write a letter. If your disability compensation will be your primary or only source of income and you have limited assets, such as your house and car, it may not be advisable to pay a doctor for an opinion. Perhaps your Veterans Service Officer will know of a doctor who can help pro bono. If you have a lawyer for an appeal, your lawyer can help you evaluate your options. If you have a doctor who will be writing a medical opinion for you, you will want to give the doctor:

- Your military medical records, including your enlistment examination report.
- Medical records from the VA or other treatment providers.
- A copy of your VA claims file, and
- Any other records the doctor requests or that you feel are relevant to your claim.

The psychiatrist or doctor should open the letter by talking about how long he or she has known you and the type of treatment he or she has provided to you. Doctors should also discuss their qualifications and credentials. A doctor who specializes in the type of disability you suffer from (such as a psychiatrist) can have more influence on the VA than a doctor who is unfamiliar with your type of condition.

The doctor should talk about any tests you've been given and what the test results have been and what type of treatment you have received. It is important that the doctor list the medical records used to develop the opinion so that the VA will give the opinion more weight. The doctor should note when your condition began, what your symptoms are, how severe your condition is, and your prognosis (meaning, whether your condition can be expected to improve).
The doctor should discuss any events or incidents that occurred while you were in service that may have caused or worsened your current disability. The main point of the letter will be for the doctor to explain if they believe your current disability was caused by your military service. It helps if the doctor can use legal language such as "as likely as not" or "more likely than not." For example, your doctor could say "it is more likely than not that the veteran's combat experiences caused her current condition of post-traumatic stress disorder." But any statement supporting a linkage between an incident in your military service and your current condition will be helpful.

Doctors should also mention that they have reviewed your VA claims file so that their opinion will be given more weight. For doctors writing the opinion that do not specialize in your type of disability, ask them to include part of their curriculum vitae (that's a fancy word for resume) that demonstrates their expertise with your type of disability. This is important because the VA will give more weight to a doctor's opinion if they are familiar with your type of disability.

[Source: NOLO Law for All | Margaret Wadsworth | Dec 2016 ++]

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**VA Robotic Legs ➤ ReWalk | DVA Has Agreed to Pay for Vets**

The Department of Veterans Affairs has agreed to pay for robotic legs that could allow scores of paralyzed veterans with spinal cord injuries to walk again. Veterans have been petitioning the VA to do this because many cannot afford the $77,000 needed to pay for the powered exoskeleton called the ReWalk. The device was approved by the U.S. Food and Drug Administration in 2014 for individuals to use at home. VA officials told The Associated Press that that the agency sent a memorandum 10 DEC outlining its plans to train staff to be able to provide the ReWalk. "The research support and effort to provide eligible veterans with paralysis an exoskeleton for home use is a historic move on the part of the VA because it represents a paradigm shift in the approach to rehabilitation for persons with paralysis," said Dr. Ann Spungen, who led VA research on the system.

The company, ReWalk Robotics, said it has evaluated 45 paralyzed veterans who meet the height and weight requirements for the technology — which consists of leg braces with motion sensors and motorized joints that respond to subtle changes in upper-body movement and shifts in balance. Gene Laureano, 53, is praying his application for robotic legs will go through soon. The former Army corporal remembers the day he first tried the ReWalk at New York's James J. Peters VA Medical Center in the Bronx two years ago. "The tears came down," said Laureano, who was left paralyzed five years ago after falling off a ladder. "I hadn't spoken to somebody standing up in so long." "I just kept remembering the doctor told me it was impossible for me to walk, and then I crossed that threshold from the impossible to the possible," he added. When the study ended, however, so did his ability to walk. He’s been waiting to get the robotic legs ever since. Paralyzed veterans fired off letters to VA Secretary Robert McDonald this summer. "I guess people who have been watching the research were very anxious and had expectations this would suddenly happen once FDA approval came out, but we were still building the infrastructure to support this great device," VA spokesman Jim Connell said.
The ReWalk was invented by Israeli entrepreneur Amit Goffer, who was paralyzed in an accident in 1997. Several competing products that use similar technology — nicknamed "electronic legs" — are also being tested in U.S. rehab hospitals. None, including the ReWalk, are fast enough or can be worn long enough to replace wheelchairs. It now has a top walking speed of 2.6 km/h (1.6 mph). According to the company, this is faster than that of any other exoskeleton. VA pilot studies found paraplegics who used the exoskeleton as little as four hours a week for three to five months experienced better bowel and bladder function, reduced back pain, improved sleep and less fatigue. About 42,000 veterans are paralyzed. Of them, a fraction would meet the requirement for an exoskeleton. The apparatus requires specific height and weight requirements and works for paraplegics but not for quadriplegics. A supportive belt around the patient's waist keeps the suit in place, and a backpack holds the computer and rechargeable battery. Crutches are used for stability, and the FDA requires an assistant be nearby.

ReWalk Robotics CEO Larry Jasinski said a dozen VA centers are expected to start training staff to provide the system. The program will likely be expanded in the future. Former Army Sgt. Terry Hannigan, a 62-year-old paralyzed Vietnam veteran, was the first veteran to get the robotic legs as part of a test of the system. She uses them to walk through the mall and shop at the grocery store. "It definitely is a show stopper, especially in the mall with kids. Some say things like 'Wow, look at Robocop!'"" They ask a lot of questions, but I don't mind," Hannigan said. When she was confined to a wheelchair she said she had to ask people to pass her things out of her reach. "To be able to hear the conversation, not miss half of what's being said because it's over your head, that in itself is a big plus," she said. "Now I can walk up, shake someone's hand. I can hug, kiss them. That might be a small thing, but the only other time I would get body contact was when a family member or caregiver would pick me up and put me in bed." [Source: Associated Press | Julie Watson | December 17, 2015 ++]

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VA Data Breach Update 57 ► November PHI Incidents

The Department of Veterans Affairs (VA) experienced approximately a 36 percent increase in protected health information (PHI) data breach incidents during the month of November, according to the agency's most recent report to Congress. Although the VA saw an increase in PHI-related incidents, the difference in the total number of healthcare data breaches was negligible, with 648 reported in October and 693 reported in November. Between October and November, the number of lost or stolen devices and lost PIV cards remained almost exactly the same. In October, there were 49 lost or stolen devices and 47 in November. Similarly, there were 158 lost or stolen PIV cards in October and 156 in November. There was a slight decrease in the number of mishandled incidents in November, going down from 81 incidents in October to 64 incidents in November. Likewise, there was a slight decrease in mis-mailing incidents this month, with 123 incidents in October and 114 incidents in November.

The VA also includes a few examples of healthcare security cases that occurred this past month. For example, one mis-mailing incident involved two packages being labeled incorrectly. After one veteran received another veteran’s package, and vice versa, the incidents were reported and new, corrected packages were sent to both veterans. The VA also sent both veterans HIPAA data breach notification letters due to their PHI being disclosed. The report also details a mishandled incident during which a clinic list was left in a public restroom in a high-traffic location. The VA determined that the list was an 11-page clinic list that encompassed the entire month of October, and included patient names, full Social Security numbers, and procedure details for a total of 285 veterans. Although the VA reports that the list was printed on November 4 and recovered on November 5, the agency does not believe that it was left in the restroom overnight due to the restroom’s regular maintenance performed by the housekeeping staff. To remedy the issue, the VA conducted re-education protocol and issued letters offering credit monitoring services to the potentially affected individuals.
The VA also describes one of the 47 incidents of lost or stolen devices for the month of November, detailing one case where a VA Contractor reported a personal laptop stolen. The VA Contractor used this laptop for part of his or her professional duties, thus storing some patient information on it. Initially, the employee claimed no PHI was included on the laptop. However, because the VA could not confirm the validity of that claim, it labeled this as a data breach. Upon further investigation, the VA determined that no Social Security numbers were included on the laptop, but that some patient names or diagnostic information could have been on it. Ultimately, the VA found that the potentially disclosed information includes patient names and some medical information for 84 patients. The VA states that it will issue data breach notification letters to those 84 patients.

The VA has been dealing with some other healthcare data security issues within recent months. Back in September, the Office of the Inspector General investigated allegations that the VA Palo Alto Health Care System (PAHCS) had entered into an illegal agreement with tech company Kyron. OIG found that although it could not confirm the allegations of an agreement between the two entities, employees at Kyron were able to view patient information inappropriately. “Based on our interviews, review of available documentation and relevant criteria, and our judgment, we determined the Chief of Informatics, who was also the local program manager for the pilot program, failed to ensure Kyron personnel met the appropriate background investigation requirements before granting access to VA patient information,” the report explained. “The Chief of Informatics also failed to ensure Kyron personnel completed VA’s security and privacy awareness training.” This lack of training was a major issue, according to OIG, because it violated several aspects of the VA patient privacy handbook. Because unauthorized software accessed patient information, health data security and patient privacy were put at significant risk. [Source: Health IT Security | Sara Heath | December 15, 2015 ++]

VA Fraud, Waste & Abuse ▶ Reported 15 thru 31 DEC 2015

Miami FL – A former Department of Veterans Affairs employee pled guilty 10 DEC to destroying, altering and falsifying records and committing computer fraud. Enrique Martinez, 37, of Miami, pled guilty before United States Magistrate Judge Jonathan Goodman to destruction, alteration, and falsification of records, in violation of Title 18, United States Code, Section 1519, and computer fraud, in violation of Title 18, United States Code, Section 1030. Martinez faces a statutory maximum penalty of up to 20 years in prison. According to court records and information presented in court, Martinez, a former nurse at the Veterans’ Affairs (VA) Medical Center in Miami, obstructed a federal investigation and caused damage to the computer system of the U. S. Department of Veterans’ Affairs. Martinez falsified the medical records of a 76-year old veteran who was being treated at the medical center and was directly under Martinez’s responsibility. The veteran-patient died while hospitalized at the medical center. Martinez made these changes and alterations in an attempt to avoid responsibility for the poor quality of care he had provided the veteran-patient. Mr. Ferrer commended the investigative efforts of the VA-OIG’s Office of Investigations and the VA-OIG’s Office of Healthcare Inspections. Martinez is set for sentencing before United States District Judge Jose E. Martinez on February 19, 2016. [Source: DOJ News Release | U.S. Attorney’s Office Southern District of Florida | December 10, 2015 ++]

Prairieville LA – U.S. Attorney Walt Green reported 15 DEC of a 45-year-old woman who pleaded guilty 15 DEC to the theft of more than $77,000 Veterans’ Affairs benefits that were intended for her mother, who died four years ago. Michelle Akridge admitted to U.S. District Judge James J. Brady that she stole the Veterans’ Affairs Dependency and Indemnity Compensation. Green said that Akridge failed to report her mother’s death and illegally collected the benefit checks for four years. “This kind of criminal conduct is an affront to all those who have served honorably in this country’s armed services,” Green said in a release. This investigation is being conducted by the Department of
District of Columbia – Federal prosecutors have decided not to press criminal charges against two former executives at the Department of Veterans Affairs who were accused of manipulating the agency’s hiring system for their own gain. The U.S. Attorney’s Office for the District of Columbia said on 24 DEC it has declined a referral from the VA inspector general for criminal prosecution of Diana Rubens and Kimberly Graves. The inspector general said in a report this fall that Rubens and Graves forced lower-ranking regional managers to accept job transfers against their will. Rubens and Graves then stepped into the vacant positions themselves, keeping their pay while reducing their responsibilities.

Rubens had been earning $181,497 as director of the Philadelphia regional office for the Veterans Benefits Administration, while Graves earned $173,949 as leader of the St. Paul, Minnesota, regional office. Before taking the regional jobs, Rubens was a deputy undersecretary at the VA’s Washington headquarters, while Graves was director of VBA’s 14-state North Atlantic Region. Rubens and Graves were accused of obtaining more than $400,000 in questionable moving expenses through a relocation program for VA executives, the inspector general’s report said. The U.S. Attorney’s office said it has “referred the matter to the VA for any administrative action that is deemed appropriate.” Rubens and Graves were demoted in November, but their demotions were rescinded this month after a paperwork mix-up. The VA has said it will reissue the demotions after the problem is resolved. [Source: Washington AP | December 28, 2015 ++]
from blocking state policies that are more permissive. Twenty-three states, the District of Columbia and Guam have approved medical marijuana programs, and four states and D.C. have approved recreational use. A Gallup poll recently found that 58 percent of Americans support legalizing marijuana. Medical marijuana use receives even more support. But resistance remains. Drug Enforcement Administration Director Chuck Rosenberg recently said that medical marijuana was “a joke,” prompting calls for his resignation. Rep. Jim McDermott (D-WA) who is also a physician, told the White House in a letter signed by six other lawmakers that the director’s comment was a “throwback ideology rooted in the failed war on drugs.”

On Capitol Hill, four amendments would legislate the federal government’s hands-off approach on state marijuana policies. One would give physicians at the U.S. Department of Veterans Affairs in states with pot programs the ability to make medical marijuana referrals for people like Porras and another Vietnam vet, Jerrel Thompson. Current VA policy follows the federal prohibition on all medical marijuana treatment, even in states with approved programs. Thompson, 69, of Moses Lake, Washington, has been using medical marijuana mainly to help with the post-traumatic stress disorder that he developed after serving in Vietnam. It has helped, and his VA doctors know he relies on it. But they can do little more than just prescribe more pills. “Veterans shouldn’t have to leave the VA for any services,” said Michael Krawitz, executive director for Veterans for Medical Cannabis Access.

Another congressional measure would provide legal protection for banks that work with businesses participating in marijuana programs. “We have had three accounts closed on us because we have cannabis in the name,” said Leslie Bocskor, an investment banker and founding chairman of the Nevada Cannabis Industry Association, a trade group. “The biggest challenges are obviously working at undoing many decades of propaganda.” Other measures would continue to allow states to create their own policies on recreational and medical marijuana use, and protect industrial hemp research. “The big picture goal is to make the federal activities work in harmony with the efforts of the states to address marijuana,” said Sen. Jeff Merkley, D-Ore., who introduced three of the marijuana provisions to the Senate Appropriations Committee. “It reflects that we are essentially at this point where prohibition for marijuana is at an end.”

But state and national laws continue to conflict. One problem is that marijuana is classified as a Schedule I drug and considered to be dangerous and of no reputable medical use, according to the DEA. That makes it difficult for marijuana-related businesses to operate legitimately. “I have a bank I’ve banked with for years,” said Alan Schreiber, an agricultural researcher from Franklin County, Washington, who began growing marijuana on his Yakima County farm to help his work. “They’ve said they would call in my loan if I put any of the proceeds from cannabis in my bank. What do you do with the money?” One of the focuses of his research company, for instance, is best practices for cannabis growers, because he found a huge information gap on things like irrigation, fertilizer and weed control. Bocskor said that giving these businesses legitimacy is important as marijuana grows possibly into a $200 billion industry within the next decade or so. “It’s a global phenomenon,” he said.

The Journal of the American Medical Association reported in June that marijuana can help patients with chronic pain, neuropathic pain and spasticity due to multiple sclerosis. Certain cannabinoids, the active chemicals in cannabis, have demonstrated abilities to manage side effects of cancer and cancer therapies, such as nausea, loss of appetite, anxiety and sleep trouble, according to The National Cancer Institute. Marijuana opponents discredit the research. “A lot of people don’t know what they are really inhaling or eating,” said Rick Miller, a commissioner in Franklin County, Washington, a state where marijuana production, distribution and possession for people 21 and older became legal in 2014. “I do not think the research is very strong.”

Paul Armentano, deputy director of National Organization for the Reform of Marijuana Laws, known as NORML, said the steps by Congress reveal “that there is a belief that when such programs are well regulated by the state they can be enacted safely and effectively.” Congress denied the Justice Department funds last year to prevent states from implementing their own laws on “distribution, possession, or cultivation of medical marijuana.” That vote was cited in October in a victory for a California medical marijuana group. A federal judge ruled that because the organization was in compliance with state law that permitted the use of marijuana, the Justice Department could not interfere.
Porras, meanwhile, continues his daily regimen: a topical marijuana-based cream, a couple of hits from a pen vaporizer and occasionally some pot in an edible form. He went outside the VA system to access medical marijuana treatment, partly because he wants comprehensive care from his doctor. But it’s not as if medical marijuana has eliminated his pain. It’s just made it bearable. “To deny veterans the opportunity to consider whether or not this makes sense to them, using their primary care doctor who knows them the best, seems really ludicrous,” said Rep. Earl Blumenauer (D-OR) who helped introduce the VA provision about medical marijuana. Changing the rules governing medical marijuana, he said, “will help drag the VA into the 21st century. [Source: Miami Herald | Grace Toohey | December 15, 2015 ++]

VISN 16 ► Newly Assigned Director Skye McDougall

South Central VA Health Care Network (VISN 16) is one of 21 Veterans Service Networks (VISNs) of the Department of Veterans Affairs (VA). VISN 16 covers a vast area of 170,000 square miles, serving Veterans in Oklahoma, Arkansas, Louisiana, Mississippi, and parts of Texas, Missouri, Alabama and Florida. More than 445,000 Veterans annually seek care from VISN 16’s ten medical centers and 40 community based outpatient clinics. The medical centers are located in the following cities.

- Alexandria, Louisiana
- Biloxi, Mississippi
- Fayetteville, Arkansas
- Houston, Texas
- Jackson, Mississippi
- Little Rock, Arkansas
- Muskogee, Oklahoma
- New Orleans, Louisiana
- Oklahoma City, Oklahoma
- Shreveport, Louisiana

In DEC Mississippi’s congressional delegation told Veterans Administration Secretary Robert McDonald that the new VA network head, Skye McDougall, belongs somewhere else. “Mississippi veterans deserve more,” U.S. Sens. Thad Cochran and Roger Wicker and U.S. Reps. Bennie Thompson, Gregg Harper, Steven Palazzo and Trent Kelly wrote in a joint letter to McDonald. McDougall, accused of giving false testimony to Congress, is slated to be the new head of the South Central VA Health Care Network, which includes Mississippi. In March, McDougall, as director of the Desert Pacific Health Care Network covering Southern California, testified before the House Committee on Veterans’ Affairs that Los Angeles veterans were waiting just four days for doctor appointments. CNN responded in a report that the actual wait was 10 times longer. The report said internal VA documents showed more than 12,700 patients seeking specialist consults had to wait at least three months for appointments, and the average delay for a first-time primary-care appointment was 48 days. McDougall also told the House committee that mental-health patients on average were able to get appointments in four days, but records obtained by CNN showed an average wait of 36 days.

Skye McDougall
Mississippi’s congressional delegation complained that McDougall had “misled” Congress about wait times and “has proven to be, at the very least, untrustworthy as it relates to the vitally important task of providing for the health care needs of our veterans.” Dr. Carolyn Clancy, acting underssecretary with the Veterans Health Administration, has defended McDougall’s testimony. According to Clancy, the VA uses two methods to calculate wait times, with dramatically different results. She contended the documents obtained by CNN reflected long waits for appointments, but an alternative data set showing rapid service is “the best indicator of the veteran’s actual wait time experience.” The VA originally named McDougall to take over as director of the Southwest Health Care Network, but after U.S. Sen. John McCain objected to her overseeing the network that included the troubled VA hospital in Phoenix, she announced she wouldn’t take that job after all, choosing to work in the network that oversees Jackson VA, which has seen its share of woes.

Mississippi’s congressional delegation said the Department of Veterans Affairs has been “hopscotching” McDougall “around the country — from Southern California to New Mexico and from Arizona to Mississippi — searching for a soft landing for her. We are determined to see to it that her soft landing is not in Mississippi.” The letter pointed out that “Mississippi veterans have suffered due to mismanagement in the VA system including, but not limited to, understaffing of essential care stations, problems in meeting established health care standards, and prevalent medical errors leading to serious harm to our veterans and, in some cases, death. The VA system in Mississippi is making progress in addressing recent problems but we believe the appointment of Dr. McDougall would only impede this progress and exacerbate existing issues.” Given her track record “and the VA’s ongoing effort to earn back the trust of veterans in Mississippi and across the country, we strongly urge you to rescind this selection and, instead, appoint a senior leader who will work to provide the best possible service for our veterans.”

McDougall, who has 24 years of VA experience, wrote in an email to The Arizona Republic, that the controversy played no role in her change of heart about taking over the Southwest Health Care network. “After careful consideration of the position and the needs of my family, I decided to pursue other opportunities and look forward to leading VISN 16 (South Central VA Health Care Network).” Cochran said 15 DEC that he has been concerned about recent staffing decisions in Washington that “could negatively affect our veterans. While I have been assured that steps are being made to improve VA health care and operations in Mississippi, I think relocating Dr. McDougall to our state is a mistake that could impede this progress.” [Source: The Clarion-Ledger | Jerry Mitchell | December 15, 2015 ++]

VAMC Tomah WI Update 14 ➤ Restoring Trust 100-Day Plan

A “100-day plan” to regain the trust of veterans at the severely troubled Tomah, Wisconsin, Department of Veterans Affairs hospital calls for praising its employees more, increasing employee diversity and establishing an Employee Wellness Center. Veterans do not figure prominently in the plan, which primarily consists of favors for employees and their union. The hospital has been forced to “rebuild trust” with veterans after years of its staff doping patients into zombies rather than treating them. The blueprint adds monthly “listening sessions” to air employee gripes, but only twice-a-year town halls for veterans to give feedback on the quality of care they received and to make suggestions. It says nothing about what VA officials believe caused veterans’ lack of trust in the facility. The lack of understanding of the problem seems to ensure the fix will fail, observers said.

Under the heading “restoring trust,” the bulk of the plan is devoted to doing more “union partnering.” It will give employees more “praise” and create a “diversity committee.” The four-page plan then adds a shorter section on restoring trust by “improving the veteran experience.” In addition to the twice-a-year veterans meetings — which are also open to non-veteran “stakeholders,” and unlike the employee meetings are not termed “listening” sessions — VA officials will “continue to develop informational and educational articles for Veterans,” and three other minor points.
The most significant patient-centered action involves exploring “expansion of operating hours,” which would also create more hours for staff.

Tomah VA spokesman Matthew Gowan pointed to investigations and media stories — not the underlying conduct discovered or vets’ first-hand experience — as a primary source of veterans’ mistrust. “Tomah VA realizes that recent investigations and media stories covering high profile incidents over the past year have contributed to a lack of trust within the medical center and the community,” he told The Daily Caller News Foundation. “This is a visible effort to move forward in a positive manner for the betterment of patient care and employee satisfaction,” he said, adding that happier employees is expected to lead to happier vets. “Each strategy has a purpose and has been requested by the hospital stakeholders,” he said. The plan was written by hospital leadership following “more than 40 Listening Sessions with employees in the past six months.” He did not say how many sessions with veterans had been held, but said that in addition to the semi-annual veteran town halls in the plan, the hospital has weekly office hours for vets to meet with its director.

Multiple congressional investigations, inspector general reports and media exposes from across the ideological spectrum have shown that lack of praise for Tomah employees isn’t the cause of the facility’s problems. Dangerous combinations of downer drugs were shoved down the throats of veterans so that they were sedated, rather than enabled to work through their problems with physical and mental therapy. Drugs were routinely prescribed to known addicts, and drugs sold on the street in Wisconsin could often be traced back to the VA. Career low-level bureaucrats at the VA looked the other way, while a few brand new employees who were shocked at the way the hospital ran were pushed out when they raised objections. The 100-day vision doesn’t mention opiates.

Even after the plan’s roll-out, the facility has demonstrated that apathy by low-level employees, misleading official spin by image-cultivating spokesmen, union rules blocking discipline, and gross mismanagement continue to plague Tomah, not a lack of money or clout for employees. In November, a Tomah nurse’s aide allegedly pushed a patient repeatedly, while another nurse’s aide watched and did nothing to stop it, the LaCrosse Tribune reported. Police confirmed the incident occurred and was severe enough that the employee was charged with disorderly conduct. Yet weeks later, the department had been unable to establish the facts, saying there was a “follow-up investigation by administration and union officials,” the Tribune reported December 1. Gowan initially said “it would obviously be disingenuous of me to say nothing happened,” but the VA declined to say when asked by TheDCNF if the employee had been fired or otherwise disciplined.

Investigations have also documented that Tomah’s problems stem from poor hiring choices, putting employee convenience over veteran health, and covering up for and refusing to discipline bad workers at all levels. One of the most recently hired doctors – brought on around the time the plan was being drafted – is Eileen Gavin, who only months prior was found by the state medical examining board to have engaged in unprofessional conduct related to patient health records, and to have improperly funneled pain medication to a friend. Those are the same issues the VA is trying to put behind it, the former nationally and the latter at Tomah specifically. Former Tomah Chief of Staff David Houlihan, reportedly known to veterans as the “Candy Man” because of his penchant for throwing opiates at every problem, came to Wisconsin after being reprimanded by Iowa’s board of medical examiners. Rather than firing the hospital director during the scandals, the board entered into a secret settlement with him.

VA Deputy Secretary Sloan Gibson told the Associated Press that veterans had lost “trust” in Tomah because of bad treatment by its staff, and that a second crisis was other employees’ failure to stop bad apples. “Clearly, particularly as it relates to the first crisis, there is eroded trust in the VA facility here in Tomah,” Gibson told AP. “I don’t expect anybody to give that trust back. I expect that we’re going to have to earn it back.” Employees already have time dedicated to their own morale. Video shows Tomah employees, mostly middle-aged women, spending October 30 crawling on the floor pretending to be hippopotamuses. Vets have been clear about why they don’t trust the Tomah VA, even paying to erect a billboard nearby saying “VA is lying, veterans are dying.” The VA, they said, “is currently operated for the profit and luxury of VA employees.”
The VA employee union — its numbers boosted by the fact VA has more civil servants than any other federal civilian agency — has been a primary driver in making employees a more powerful constituency within the VA. On 17 DEC, the union sent an email to members saying “EMERGENCY: VA Reprimand and Bonus Recoupment Bill Moving to Senate Floor,” asking them to pressure Congress to make sure that under no circumstances could discretionary bonuses for exemplary service be diminished. The union also encouraged its members to push Congress to change the law so that employees with marks on their records indicating that they may pose a danger to patients should have them automatically removed from their file after a time. It has not publicly described the mismanagement of Tomah and the veterans exposed to opiate and benzo toxicity there as an “emergency.” Neither of Wisconsin’s senators, Republican Sen. Ron Johnson and Democrat Sen. Tammy Baldwin, responded to requests from TheDCNF for comment on the plan. [Source: The Daily Caller | Luke Rosiak | December 18, 2015 ++]

An inspector general’s report found an eye care clinic at Dwight D. Eisenhower VA Medical Center in Leavenworth used unauthorized wait lists, but inspectors couldn’t substantiate claims the lists were used to falsify wait times for veterans. The Veterans Affairs Inspector General’s Office investigated claims of falsified wait lists following a complaint Sept. 18, 2014. Federal inspectors visited VA medical centers in Topeka and Leavenworth three times in late 2014 and released their report 22 DEC. At the time of the complaint in September 2014, the wait time for cataract surgery was six months. By Nov. 19, 2014, when inspectors arrived, eye clinic staff had been told to reduce the wait time to 90 days, which they did by sending veterans to non-VA clinics. In Leavenworth, inspectors found eye clinic scheduling staff used wait lists that hadn’t been approved by the VA, raising concerns about transparency. Furthermore, staff members at Leavenworth weren’t trained to use the VA-approved electronic wait lists. Wait lists at VA medical centers across the country have been placed under a microscope following reports last year of veterans dying while awaiting care at a VA center in Phoenix. The ensuing outrage ended in the resignation of VA secretary Eric Shinseki.

The Veterans Health Administration, a component of the VA, doesn’t track wait times for cataract surgery. As a result, inspectors concluded the Leavenworth facility didn’t use unapproved lists to distort its wait times, as a complaint had claimed. Phone calls to the VA Eastern Kansas Health Care System weren’t answered Tuesday. In a written response to the inspector general’s report, VA Heartland Network director William Patterson said the list of cataract surgery patients was a checklist, not a wait list. Rudy Klopfer, director of the VA Eastern Kansas Health Care System, said the checklist was used by his staff because the VHA didn’t provide a comparable tracking mechanism for cataract surgeries. “Please note this was not a wait list,” he wrote.

The inspector general’s report recommended Klopfer instruct his staff to use only approved wait lists for scheduling cataract surgeries. Though he maintained eye clinic staff used a checklist, not a wait list, Klopfer concurred with the recommendation and said his staff has implemented the change. Some issues at the eye care clinics can be traced to a lack of leadership, investigators found. Several employees had asked to be relocated because of conflicts and several employees who worked alongside each other hadn’t spoken in years. The position of director over the two clinics had

VAMC Leavenworth KS ► Eye Clinic Wait Times

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been vacant since 2009. “Several staff we interviewed were unable to name their direct supervisor and were unclear regarding the chain of command,” the report found. Though investigators criticized the local VA centers for “less than expected” productivity from their ophthalmologists, they largely dismissed the most serious allegations. For example, a complainant told inspectors the clinics were performing unnecessary cataract surgeries. The inspectors “found no concerns about the quality or appropriateness of cataract surgeries,” according to the report. A complainant also alleged patients were harmed by the lengthy wait time for surgeries. Because the surgeries were by choice, and not emergencies, inspectors found the allegation was unsubstantiated.

U.S. Rep. Lynn Jenkins, who represents Leavenworth and Topeka in Congress, said her staff had received numerous complaints about wait times for eye care at the two VA medical centers. “While recent progress appears to be occurring within our local VA’s culture, it is very disturbing to see that these problems continue to occur and are affecting our VAMCs back home,” Jenkins said. In a statement Tuesday, U.S. Rep. Tim Huelskamp placed the blame on President Barack Obama. “The ongoing use of secret, unauthorized waiting lists, more than a year after top VA leadership promised otherwise, further prove the lack of accountability and leadership failures in Obama’s VA system,” Huelskamp said. Huelskamp, who is a member of the House Veterans Affairs Committee, said the report is evidence of leadership problems within the VA. “I will continue to demand the VA hold accountable those responsible,” he said. “Manipulating data to give the appearance of productivity is unacceptable, and I'm committed to ending the leadership crisis in Obama’s VA.” [Source: Topeka-Capitol Journal | Justin Wingerter | December 22, 2015 ++]

The Phoenix VA remains mired in problems, a whistleblower told Congress on 14 DEC, more than a year after she ignited a national scandal by revealing that some 40 veterans died while stuck on secret waitlists at the health care facility. Dr. Katherine Mitchell, a former emergency room physician, said she would not seek care at her former hospital, which she said still fails to adequately train triage nurses to determine which patients need to be seen immediately. And while the clinic is no longer supposed to maintain secret waitlists, wait times at the hospital are still a major problem, Nicole Morris told a field hearing of the Senate Committee on Veterans’ Affairs in Gilbert, Arizona. Ms. Morris went to the VA’s emergency room early one morning and sat there until late at night, then had to go home and return the next day. She said staff did not check in on her or give her updates about her wait time. “At the end of that experience, I did not want to go back to VA,” the Navy veteran said. “I’m a single mother and a student. I don’t have any other insurance. It was very disheartening and very stressful to get an appointment.”

A top Veterans Affairs official said the department is a victim of its own success. Dr. David Shulkin, VA’s undersecretary for health, said the agency has improved care in the wake of the scandal, but that means more veterans are opting to use the VA rather than pay for their own private sector care, which means wait times at the VA will have to grow. Emergency room staff also have an ethical obligation to give priority to patients with serious conditions,
which would inevitably lead to wait times for patients who feel very ill but are a lower priority. Dr. Mitchell said the nurses who make those decisions need better training to recognize symptoms of dangerous conditions. She said the current training on what’s known as the Emergency Severity Index is not adequate. “There’s no standardized triage training, and it’s the luck of the draw if you have a triage nurse who knows what they’re doing,” Dr. Mitchell said. “The nurses who impeded the care I did, who retaliated against me, they’re still here, and I don’t trust them not to impede my care.” Dr. Mitchell also said the hospital continues to face a culture of retaliation against anyone who brings problems to the attention of the hospital. She said a memo from VA leaders outlined harsh penalties for anyone who retaliates against employees who report problems, and also said establishing an independent board to conduct performance reviews would help solve the issue.

Former Phoenix VA Health Care System worker Dr. Katherine Mitchell talks with Vietnam veteran Chuck Byers before the two testify about the current state of the VAMC in Phoenix during a Senate Veterans' Affairs Committee field hearing Dec. 14, 2015, in Gilbert, Ariz.

Sen. John McCain, Arizona Republican, said he was frustrated that only one administrative employee at the Phoenix hospital had been fired for the waitlist scandal and whistleblower retaliation. Dr. Shulkin said that VA leaders “hear that frustration loud and clear” and are trying to speed up decisions without waiting for outside investigations to be complete. But he also said the VA will not be pressured by news reports. “It’s very important to understand that if people aren’t following our values, they don’t belong in the VA,” he told the committee. After the hearing, Mr. McCain and his fellow Arizona Sen. Jeff Flake continued to push for more accountability in a letter to VA Secretary Robert McDonald, calling on him to fire a senior manager at the Phoenix hospital for whistleblower retaliation. Despite an Office of Accountability Review investigation, the senior manager remains in his position, Mr. McCain and Mr. Flake wrote. “Retaliation against whistleblowers undermines confidence in VA employees, veterans, and their families that change has occurred at the VA,” the two senators wrote. “Such actions run counter to the VA’s mission to care for our veterans.” [Source: The Washington Times | Anjali Shastry | December 15, 2015 ++]

* Vets *

Cambodia Life for Vets ➤ Lots of Opportunity.

The scent of burning marijuana mixes with the pungent odors from food push carts and garbage piles. Scantily clad women lure tourists to bars that offer ice-cold beer to stave off the steamy heat. Cambodia has come a long way since the brutal Khmer Rouge massacred more than 1 million people in the infamous “killing fields” in the 1970s. Yet it
also remains a nation rooted in the past, a land of friendly locals and immense cultural beauty with darkness and debauchery lurking beneath the surface. Phnom Penh, its capital, is a place where the business of survival never sleeps — panhandlers carrying babies meander in a seemingly endless parade, motorized rickshaw drivers offer cheap rides at all hours, fast-talking children peddle homemade wares, and nearly every price is dirt cheap — and negotiable. In many ways, it’s frozen in time, reminiscent of Saigon at the height of the Vietnam War.

For a handful of American Vietnam veterans who left a little piece of themselves behind during the ferocious jungle war and say they were vilified when they went back to the states, Phnom Penh has become home. “The war was the worst thing that ever happened to me,” Andy Richards, 65, said as he sat in a bar booth, swirling wine in a glass. “I’ve had three open-heart surgeries. Richards, a bar manager with a handlebar mustache and sunbaked skin, generally attributes his heart problems to the war. He is warm, friendly and easygoing. “I like Cambodia,” said Richards, who arrived in 2002. “I like the lack of rules. There’s more personal freedoms here than anywhere else. It’s inexpensive. The people are very nice.”

The Madison, Wis., native joined the Army in 1968 at 18 because he expected to be drafted. He spent a short time in the storied 82nd Airborne Division but disliked it because it was “too spit-shined.” He transferred to the 101st Airborne and headed for Vietnam’s jungles. Richards went from a paratrooper to a bandana-wearing grunt, like something out of the 1986 film “Platoon.” He and his fellow soldiers spent time in the most northern part of South Vietnam, the region with the highest concentration of North Vietnamese Army forces. They operated near Khe Sanh, in the highlands, and made forays into the demilitarized zone. Richards left the Army and Vietnam behind in April 1971 and earned a journalism degree from the University of Wisconsin. He worked at small local newspapers but battled the bottle and his anger for years. “They considered us whiners,” Richards said of his return stateside. “We were a pariah.”

In 1999, at the prodding of a friend, he went back to Vietnam to “release the ghosts.” “I was scared,” Richards said. “I was apprehensive. But after my first day in Saigon, I was talking with ex-NVA, telling war stories. I got that monkey off my back. It was the best thing for me.” In southern Vietnam, Richards got the thanks he never received at home. They were kind to him; they shook his hand and thanked him for trying to help them. He then traveled to Thailand and Laos. After briefly returning to the U.S., Richards went back to Southeast Asia for good in November 1999, living first in Thailand, then Vietnam and Cambodia, where he decided to put down roots. After years of searching, he had found a home.

John Muller, 66, from Seattle, told a similar tale. He joined the Army in 1969 and spent the next year in Vietnam. “I wish I’d never gone,” he said. “It was a real waste of lives and a huge expense.” After the war, he returned to the States and, like Richards, went to school, earning a political science degree. He, too, felt that he and his fellow veterans were treated like criminals, and, after several jobs, he decided to leave for good as well. Muller had visited Southeast Asia several times beginning in 1976 and returned there to live 10 years later. “I wanted to come back and do something good,” he said. “That’s my whole motive for why I’m out here.” Muller, who runs a private security company, said his legacy has been working with the Cambodian government to regulate the industry, taking guns off the streets and providing jobs to ex-troops. “It’s easy to work here,” Muller said. “There is a lot of opportunity. It’s easy for me to get around and do business.”

For legendary and eccentric photographer Al Rockoff — portrayed by John Malkovich in the Academy Award-winning film “The Killing Fields,” which he derides — his continued work in Cambodia is the next chapter in a love affair that began when he was an Army combat photographer in Vietnam. Rockoff was known to go to extreme lengths to get his iconic images that today adorn the walls of the U.S. Embassy and the Foreign Correspondents’ Club in Phnom Penh. He said he once died on the table after a piece of shrapnel pierced his heart while taking pictures at the front as the Khmer Rouge advanced through the countryside. A Swedish surgeon saved him. He splits his time between Florida and his adopted country, and can still be seen riding around Phnom Penh on the back of a moped, camera in hand, snapping pictures of the colorful people he encounters. “This country has opportunity like Thailand did 20 to
30 years after World War II,” he said. “It has a good nightlife … The police deal with people all right. I’m getting back to where I left off in the Army. I want to show people what’s going on.”

Richards, Muller and Rockoff belong to a small club. While Thailand has many Air Force and Army veterans living there, and Vietnam has a growing number, Cambodia still has few. Richards said Phnom Penh draws him partially because it is a big city with a small-city feel, and has become almost “cosmopolitan” in recent years. Rockoff likened its charm to Monaco. Yet, despite all the growth and development, which was inevitable as Cambodia came out of the dark Khmer Rouge period in the early ‘90s, the men say their adopted country will never lose its luster. “I will stay here,” Richards said. “I wouldn’t live anywhere else. This is the end of the road, dude.” [Source: Stars & Stripes | Matthew M. Burke | December 20, 2015 ++]

Vet Fertility Treatments ► Insurance Coverage Lost Upon Discharge

In the 2½ years Kevin Jaye was recovering at Walter Reed National Military Medical Center from injuries he suffered after stepping on an improvised explosive device in Afghanistan in 2012, starting a family was not the first thing on his mind. If Army Sgt. Jaye had been thinking about a family, and had been married then, his military insurance would have covered the cost of the fertility procedures he needs for him and his new wife, Lauren, to make a baby. He lost a leg and a testicle because of the explosion, and now requires sperm extraction and in vitro fertilization to impregnate his wife. In January, he finally went home from the hospital to Hagerstown, and he and Lauren married in August. Waiting until he left the Army to start a family, however, meant losing insurance benefits that pay for the fertility treatments he needs, each round of which can cost $8,000 to $10,000. Insurance covers those costs for active-duty service members whose fertility was compromised by a combat injury. Those benefits do not extend to veterans after they leave active duty.

Nancy Huen, left, the in vitro fertilization lab supervisor, and embryologist Salu Ribeiro check storage records at the Reproductive Science Center in San Ramon, Calif.

The American Society for Reproductive Medicine, the Society for Assisted Reproductive Technology and the Jayes are lobbying Congress to change the law that affects the insurance coverage. “I think it’s definitely ... an oversight,” Kevin Jaye said. The societies and the Jayes aim to see the fertility benefits extended to non-active-duty veterans by the end of the 2016 congressional session. In November, the Society for Reproductive Medicine announced that many of its members would discount the price of fertility services to injured veterans who do not have insurance to pay for the treatments.

“This is what we’ve tried to do to solve this problem until Congress will legislate a solution,” said Dr. Jason Bromer, a reproductive endocrinologist at Shady Grove Fertility Center in Frederick. “As a member of the society, I am interested and involved in making this program successful.” Bromer has had the Jayes as patients as they planned their family. The Jayes have been able to pay Bromer for their in vitro treatments because Lauren has insurance through her job as a public school teacher in Washington County. Her insurance, however, has a $30,000 lifetime cap on
fertility treatments. The Department of Veterans Affairs is willing and eager to provide in vitro benefits to wounded combat veterans when IVF would be their only means of conception, Bromer said. But “there is an old law that bans in vitro benefits to veterans,” he said. In part, the matter is caught up in abortion politics, because the fertility treatments may involve fertilizing more than one egg and creating excess embryos. Discarding unused embryos has drawn criticism from anti-abortion advocates.

The bill to change the insurance has come up and stalled several times in Congress, but the Jayes are publicizing the situation to get the law changed. Meanwhile, Kevin Jaye has started studying computer technology at Hagerstown Community College. Kevin and Lauren used nearly half of her $30,000 coverage on their first round of IVF, which was unsuccessful. “It’s not going to last very long,” Kevin Jaye said of their remaining benefits. But he and Lauren got an early holiday present this year. They learned Dec. 21 that a second round of IVF has been successful, and she is pregnant.

An estimated 1,800 to 2,300 veterans have lost reproductive abilities related to combat injuries, Bromer said. The ASRM has 103 fertility centers agreeing to provide “deeply discounted IVF treatments to wounded combat veterans ... in partnership with pharmacies who will provide drugs,” Bromer said. “Hopefully, with what we’ve been doing, that can light a fire under Congress,” Kevin Jaye said. “I don’t think they realize, basically, the necessity [of IVF for] ... wounded veterans like myself,” Jaye said. “They want us to reproduce. Our kids are going to have all the values and everything that you want the next generation to have.” [Source: The Frederick News-Post, Md. | Patti Borda Mullins | December 30, 2015 ++]

SBP DIC Offset Update 43 ► Under Review by House Committee

In a hopeful sign for 60,000 military widows and widowers who lost spouses to service-connected illnesses or injuries, a key House subcommittee is taking a fresh look at how Congress might allow a further easing the “SBP-DIC offset” to provide heartier and fairer survivor benefit packages. Rep. Joe Heck (R-NV), chairman of the House armed services subcommittee on military personnel, isn’t promising yet specific relief from the offset, which surviving spouses prefer to call the military widows’ tax. But Heck and colleagues did gather anew complaints about the offset during a special December hearing, and vowed to look for ways to end it, or at least to continue to dull its effect on the widows’ financial health. Heck understands, as do organizations advocating for the widows, that partial offset relief through a Special Survivor Indemnity Allowance (SSIA) is set to expire in fall of 2017. So unless Congress acts by then to end the offset, or more likely to continue or even to bolster the SSIA, then surviving spouses again would feel the full brunt of the SBP-DIC offset.

The Department of Veterans Affairs pays Dependency and Indemnity Compensation (DIC) to surviving spouses of members who die of service-connected causes. This includes deaths while on active duty, or in retirement if due to injuries suffered or diseases contracted during active service. The Department of Defense separately provides a government subsidized Survivor Benefit Plan. SBP coverage now is automatic for deaths on active duty. Retiring members must opt in, agreeing to pay a premium of 6.5 percent of retired pay to ensure surviving spouses get an annuity upon the member’s death equal to 55 percent of covered retired pay. Under the SBP offset law, which has existed for four decades, surviving spouses cannot receive both DIC and full SBP. Survivor annuities must be reduced dollar for dollar by DIC. With basic DIC now set at $1254.19 a month, it usually will wipe out or vastly reduce any SBP annuity.

Widows do get a refund of premiums their spouses paid, perhaps over many years, for that annuity coverage, but the government adds no interest to the refunds no matter how long ago it received the premium payments. More importantly, argue widows and long-time advocates for SBP reform like Edith Smith of Springfield, Va., their spouses paid for that annuity protection as if they bought an insurance policy, expecting that it would be paid. It should not be reduced by compensation for a service-related death. “These are two different survivor programs and paid for two...
very different purposes,” explained Vivianne Cisneros Wersel in written testimony for the subcommittee. Her late husband, a Marine Corps lieutenant colonel, died in February 2005, a week after returning from a second tour in Iraq.

The creaky logic behind the offset is that widows, though rightly compensated for loss of a spouse from service-related injury or ailment, shouldn’t also get a government-subsidized annuity. That logic collapsed a decade ago when Congress ended a similar ban on “concurrent receipt” for military retirees who qualify both for longevity retirement and VA compensation for serious service-connected disabilities or combat-related injuries or ailments. Previously, military retired pay always was reduced, dollar for dollar, by VA disability pay. In fact the ban on concurrent receipt still holds for retirees with non-combat disabilities below 50 percent. Widows argue they should be allowed concurrent receipt of SBP and DIC. Most members of Congress agree but so far leaders refuse to remove the offset, citing costs. Ending the offset would add $7 billion to U.S. annuity obligations over the first decade, the Congressional Budget Office estimates. Congress effectively acknowledged that the widow’s offset is unfair when it began to soften its impact by creating SSIA in 2008. The allowance began as $50 extra a month and climbed steadily on a schedule set in law. It reached $275 last October and will rise to $310 next October, which would be enough to replace about a quarter of SBP lost to the DIC offset.

**SSIA is set to end Oct. 1, 2017.**

Current budget rules, said Rep. Susan Davis of California, ranking Democrat on the subcommittee, require cuts to other mandatory spending accounts to free up the right kind of dollars to allow more SBP offset relief. “Unfortunately the mandatory offsets required to address this issue have become extremely difficult to find now, especially in the amounts required. And of course, we look to you to help us do that,” Davis told association representatives who testified at the December hearing. Steve Strobridge, director of government relations for Military Officers Association of America, took an immediate step in that direction. Ideally Congress should eliminate the offset, he said. At a minimum it needs to extend SSIA so that widows aren’t “made to forfeit the $310 monthly allowance this committee worked so hard to win for them.”

But on the mandatory spending issue that Davis raised, Strobridge noted that twice before the armed services committee was able to convince House and Senate leaders to use outside budget offsets to fund the SSIA. “And when leadership recently managed to find far larger offsets to provide Medicare premium relief to millions of wealthier beneficiaries, it’s hard to explain to SBP-DIC widows who suffered five-digit annual losses for decades, why their situation should have a lower priority,” Strobridge said. Other representatives piled on the arguments for offset relief.

- “How many people in this country could live on $1254 a month, and for our military widows to [have to] survive on that is horrible, just horrible,” said Chris Kinnard, representing Gold Star Wives of America.
- DIC is survivor compensation for when “a member’s service caused his or her premature death,” said Jon Ostrowski with Non-Commissioned Officers Association. It “should be added to the SBP annuity…not substituted for it.”
- The offset “exists only to save the government money,” said Joe Davis, public affairs director for Veterans of Foreign Wars, “which is perhaps the ultimate insult our government can inflict on” surviving spouses.

Given the funding challenge, no lawmaker that day could promise offset relief. But at the panel’s invitation, a coalition of associations are now studying alternatives to reduce the offset, and will share those ideas with the committee early in 2016. [Source: Stars & Stripes | Tom Philpott | December 30, 2015 ++]

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**Vet Brain Trauma ➤ Undiagnosed Brain Injuries**

Scientists at Johns Hopkins University analyzed a cohort of American combat veterans returning from Iraq and Afghanistan. They uncovered tens of thousands of undiagnosed and untreated brain injuries amongst the participants...
which had been incurred during combat but had failed to be identified by military medical staff. The resulting physical pain and mental distress upon return to civilian life had a profound impact on the veterans, the scientists suggest. Higher risk of memory loss, cognitive struggles, mood disorders, migraine headaches, addiction, insomnia and suicide were amongst the risk factors associated with undiagnosed brain trauma. Researchers reported that the veterans subsequently responded by hiding the extent of their symptoms from their friends and family by both playing down their wounds and deciding to withdraw from close relationships.

The study noted a division between those who suffered injuries before 2010, and those who incurred them afterwards. The results reportedly indicated that the military had experienced a positive cultural shift around this time relating to the mental health and emotional wellbeing of their soldiers. Those who were injured after 2010 were much more likely to be diagnosed and treated. However, the researchers reported that progress was still needed and that many veterans said that they were passed between different branches of the military’s medical infrastructure without receiving appropriate treatment.

Researcher Rachel P. Chase told armed forces media outlet Military: “One of the vets in the study told us what it was like. You go to one clinic and they tell you, ‘Oh that’s TBI’ [Traumatic Brain Injury]. Then you go to another clinic and they say, ‘No, that’s PTSD’ [Post Traumatic Stress Disorder]. Back and forth and you’re still untreated.” She said that she hopes the research will help facilitate greater understanding and communication between veterans and medical workers, whilst involving families who might be confused about their relative’s altered behaviour: “For health providers, our study gives you a way to talk about the problem with the family, to show them that this isn’t unusual and that there is hope for the veterans.” According to the latest figures from the US census, there are currently 21.8 million veterans in the country. [Source: Independent | Siobhan Fenton | December 29, 2015 ++]

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**Legion of Honor**  ➤ Awardee Dr. Ed McAninch

There was a notable entry in Dr. Ed McAninch’s medical résumé before he even attended med school: It’s when he was a patient. To be more precise, McAninch was a casualty. He was wounded in the leg by a burst from a German mortar shell during World War II, and that actually played a role in McAninch becoming a doctor. After the war, McAninch took advantage of a law designed to provide rehabilitation for disabled vets. It was similar to the G.I. Bill that put millions of veterans through college, but the focus was on vocational training. “When I was wounded, I had a 35 percent service-connected disability,” he said. When he accessed the rehabilitation benefits, “I was able to stretch that through medical school.”

Those post-war benefits resulted in McAninch’s 40-year career as a family physician in Camas, Washington. McAninch retired from family practice almost 25 years ago. But earlier this month, there was another distant echo of his WWII service. McAninch became the most recent Clark County veteran to receive the Legion of Honor medal from France. It was presented in Portland by honorary consul Françoise Aylmer, the French government’s representative in Portland.
The medal is France’s way of thanking Americans who helped liberate Europe; its recipients now are Knights of the Legion of Honor. Seventy years ago, the soldiers of McAninch’s 398th Infantry Division earned an even more colorful title. Part of their push through Europe included taking the fortified town of Bitche. It anchored the south end of France’s Maginot Line, and was taken over by German defenders after the French capitulated. It was a formidable challenge for the men of the 398th. Taking the strong point earned them a Presidential Unit Citation, as well as a nickname. “We were the Sons of Bitche,” said McAninch, who was studying engineering at what now is Carnegie Mellon University in Pittsburgh when he was drafted in 1944.

Before he was wounded, McAninch helped another GI win our nation’s top military award: the Medal of Honor. On Nov. 23, 1944, Lt. Edward Silk led his weapons platoon up to a French farmhouse where a German sentry was standing guard. “We learned later it was a high-value target, a headquarters of some sort,” McAninch said. After the platoon traded machine-gun fire with Germans inside the house for several minutes, Lt. Silk figured it was time for a direct assault. “The lieutenant decided he would take a sackful of hand grenades,” McAninch said. “I was giving him covering fire with a .30-caliber light machine gun” as Silk sprinted up to low stone wall in front of the house. Dashing right up to the side of the house, he threw a grenade through a window, silencing one German machine gun. As McAninch and other men in the platoon maintained their fire, Silk moved to another position and killed another two-man gun crew with more grenades, according to the Medal of Honor citation. “They decided to surrender,” McAninch, 90, said.

McAninch was wounded a couple of weeks later. “We had just finished digging in for the night. It was an air burst. A mortar shell hit some trees and I was hit by a shell fragment.” It could have been worse, McAninch pointed out. “The usual drill is, you dive feet first into the hole. For some reason, I decided I’d better go in head first. So my legs were exposed instead of my head.”

Honor Flights Update 09 ▶ Spring WWII Flight Could be the Last

Matthew Burkett was still a teenager when he was drafted into the Army near the end of World War II. He served in the quartermaster corp in Europe, then re-enlisted and would go on to a 21-year military career. In May, Burkett, now 89, will go on a free Honor Flight to Washington to see the National World War II Memorial. Burkett is one of only three World War II veterans signed up for the 100-veteran flight, which may be the last for World War II veterans because so few members of the Greatest Generation are left. Sara, Matthews’ wife of 68 years, said at first he didn’t want to go on the flight first because of his age. But, he was convinced by his granddaughter, Kristy Gwyn, a teacher in the Lexington 2 school district in Cayce/West Columbia. “She just didn’t take no for an answer,” Sara said from the Burkett’s home in West Columbia. (Matthew is too hard of hearing to speak on the phone). “But I think he’s excited now. I know I’m excited for him.”

Since 2008, Honor Flight of South Carolina has carried more than 2,000 World War II veterans in 21 flights to see their memorial. That’s the equivalent of a large U.S. Army regiment. Other chapters have carried vets from the Upstate, Myrtle Beach and Charleston. But now, finding those veterans is proving difficult. Even a 16-year-old boy who joined the Navy with his parents’ permission at the end of the war in 1945 would be 86 today. Most still living are in their 90s. But Columbia restauranteur Bill Dukes hasn’t given up. He’s the chairman of Honor Flight of South Carolina who started the organization after a trip to the memorial with his father, William, an infantryman in the Pacific during
the war. The trip was so emotional and cathartic for his father that Dukes vowed to host as many of the old warriors as he could.

Former state Sen. John Drummond (left), a World War II pilot, arrives from an Honor flight. Drummond received a surprise welcome from Lt. Gov. Glenn McConnell and Senator Nikki Setzler. Frank Meliti (right) joins fellow Honor Flight Veterans as they are welcomed at the Columbia Metropolitan Airport after returning from a day-long trip to Washington D.C.

The other two World War II vets set for the May flight are from Myrtle Beach. And Dukes is also reaching out to the Greenville Honor Flight organization to try to find veterans from the Upstate. “I know there are more out there,” Dukes said from a corner table of his Blue Marlin restaurant in Columbia, the walls filled with photographs of previous Honor Flights and the veterans who were on them. “We’re really trying to stir the pot,” he said. “The reality is, this might be our final opportunity.” The Honor Flight is free to veterans and includes meals and snacks throughout the day. Guardians accompany each veteran on the flight; there is a $500 fee per guardian for the honor. Medical personnel are also part of the travel group. The veterans are treated to a patriotic send-off in Columbia, and they receive an equally enthusiastic welcome in Washington.

In the nation’s capital, the veterans tour the World War II Memorial, the Korean War Memorial, Vietnam Memorial, Lincoln Memorial and the Iwo Jima Memorial. In the afternoon, they are special guests at Arlington National Cemetery as they observe the Changing of the Guard ceremony at the Tomb of The Unknown Soldier. The veterans return to Columbia in the evening after the one-day trip, where they are treated to yet another hero’s welcome. The public is encouraged to welcome the veterans home. But it is often the camaraderie and sharing of old stories – often previously untold – that makes the trip for the veterans. “Ninety-eight percent come back fatigued, but so happy and pleased they went,” said Vernon Brantley, 91, a veteran of the Battle of the Bulge from Forest Acres who went on an Honor Flight in April 2012. “It takes a burden off of them.” “For about 50 years most of us just tried to shut things out,” he said. “I didn’t like Christmas trees for a long time because they smelled like the trees around us (at the Battle of the Bulge) that were shattered by artillery shells. But we go on these flights with the other veterans and talk about the happy things. It helps.”

Honor Flight was formed to honor World War II veterans. But with the Greatest Generation fading, Honor Flight of South Carolina also is reaching out to the veterans of the Korean War – men and women of the same generation, now in their 80s, who sacrificed just as much as their comrades in World War II, but have rarely been thanked for their service. “But they are about the same age as the World War II veterans,” Dukes said. “So they are becoming harder to find, too.” And if any World War II veteran capable of traveling is located after the May flight, “I’ll find transportation for them myself,” he said. “Every one of them should be able to see their memorial just once.” For Matthew Burkett, that is planned for May. And his granddaughter Kristy will be going along with him. “I’m excited because I get to do something with him,” she said. “I know he will enjoy it. And I just want to share in that excitement.”

[Source: The State | Jeff Wilkinson | December 28, 2015++]

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Vet Funerals ➤ 21 Gun Salutes

An announcement that the 15th Wing at Joint Base Pearl Harbor-Hickam in Hawaii is discontinuing 21-gun salutes at veterans’ funerals brought online anger last week. But it turns out the policy is a change that was authorized Air Force-
wide in 2013. Local Honolulu television station Khon 2 reported that the 15th Wing had decided to reduce the number of honor guards assigned to a funeral detail from seven to two airmen. That would mean veteran burials would no longer receive the three-volley firing often referred to as a 21-gun salute. In 2013, the Air Force implemented a policy allowing bases to cut funeral details for veterans from seven airmen to two. The change was due to sequestration and budget cuts. An American flag is still to be folded and given to the family, and “Taps” is still to be played, but the saluting volley of gun fire is no longer required.

Air Force Honor Guard members from Shaw Air Force Base prepare to perform a 21-gun salute during a Memorial Day ceremony at Buford Mabry Park, Sumter, S.C.

Airmen who die while on active duty are still entitled to a 20-person detail of six pall bearers, eight-person firing party, a bugler, four-person color guard and a detail officer or noncommissioned officer in charge. “Historically, we always went a step further, providing a seven-member detail for [veteran] funeral honors,” said Capt. Brooke Brzozowske, a spokeswoman for Air Force Headquarters. “While a seven minimum team is desired, a two minimum is required.” Pacific Air Forces referred inquiries to the 15th Wing, but noted that the unit was in compliance with Pentagon directives. Indeed, when the Air Force changed funerary honors in 2013, it left the decision up to unit commanders on whether they could still support a full funeral detail. The 15th Wing was able to provide a seven-person detail longer than some other units until, it appears, the money ran out.

In 2013, then-Capt. Erika Yepsen told Air Force Times that tight budgets were at the heart of the decision. “The Air Force will save more than $1 million in material and travel expenses [because of this decision] alone,” Yepsen said. “Although we don’t have an exact calculation for what we will be saving on military personnel expenses, we will realize a substantial savings.” Base commanders can still field a seven-person team for retirees if the honor guard members are available. If not, commanders may contact members from Veteran Service Organizations, other retirees or Reserve Officer Training Corps units, provided they are willing to “pay a statutory stipend” according to Air Force regulations. Military veterans also may contact a VSO, other retirees or ROTC units to request an upgrade to a seven-member team. [Source: AirForceTimes | Phillip Swarts and Oriana Pawlyk | December 21, 2015 ++]

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Vet Deportations Update 04 ➤ Immigrant Defense Project

Hector Barajas came to the United States from Mexico when he was 7 years old and became a green card-carrying resident, meaning he could legally live and work in the U.S., but was still subject to deportation. Deciding that he wanted to give back to his adopted country, he enlisted in the Army at 18. Barajas served in the 82nd Airborne from 1995–2001 when he left the service with an honorable discharge. After the military, Barajas made a string of bad decisions that landed him in prison for a year and a half for discharging a firearm, but because of his immigrant status,
he was deported to Mexico in 2004. When he was deported, Barajas was banned from the U.S. for 20 years, a ban he broke when he illegally re-entered the country to be with his daughter. He was exiled in 2010 and was once again sent back over the border to a place he didn’t grow up in and had few ties to.

And Barajas isn’t alone. There’s also Howard Bailey, a Navy veteran of the Gulf War and father of two, who was deported to Jamaica six years ago where he struggles to make a living as a pig farmer. After serving 15 months in a state work camp for drug possession, Bailey turned his life around, but was picked up by immigration officers years later when he filed for U.S. citizenship. Mauricio Hernandez, an Army combat veteran from the war in Afghanistan, was deported to Mexico after receiving convictions for drug possession and the possession of an illegal firearm. He works as a martial arts trainer for troubled youth in Tijuana, Mexico. Barajas, Bailey, and Hernandez are three of the veterans that will be profiled in Mike Seely’s upcoming documentary, “Exiled: America’s Deported Veterans.” Barajas and Bailey received honorable discharges and Hernandez received a general discharge under honorable conditions. All three were legal green card holders, but were deported for committing a crime. Their deportation occurred after they’d already paid their dues to society, sometimes in the form of jail time or a prison sentence, Seely told Task & Purpose.

(Left to right) Deported U.S. military veterans Hector Barajas, Howard Bailey, and Mauricio Hernandez.

When veterans are deported, many return to countries they haven’t seen since they were children. They often have few familial ties there and little support. Seely said he didn’t realize that veterans could even be deported, adding that he became aware of the issue when his wife returned from a vacation in Tijuana, Mexico, with a pamphlet given to her by a deported U.S. veteran. When deported veterans are forced leave their families, as both Bailey and Barajas were forced to do, their lives are completely disrupted. In addition, veterans who are receiving treatment from the Department of Veteran Affairs for service-connected disabilities find themselves suddenly cut off, which means that in addition to facing cultural and financial barriers, some may face significant health challenges, Seely explained. While military service can be a fast track for citizenship, it is not guaranteed. In addition, a military veteran still needs to apply to be a citizen, said Seely, adding that many of the veterans he spoke with never got around to filing for citizenship, were uninformed of the process, or chose not to because they were legal residents.

Seely said that he’s focusing on deported veterans because he doesn’t feel that the punishment fits the crime. “I think it’s a slap in the face to a veteran to deport them,” said Seely. “Even if they have committed a crime. If you’re willing to put your life on the line for your country that says a lot and they should be afforded that respect.” Immigrant veterans face deportation because they’ve violated immigration laws, however, it shouldn’t be an extension of criminal punishment, said Seely. “Especially after these guys have served their time for things they’ve done.”

Alisa Wellek is the executive director for the Immigrant Defense Project where she has worked for eight years helping those facing deportation by ensuring they have access to proper legal representation. Welleck has been working with Bailey to try to overturn his deportation ruling for the last two years. It wasn’t always the case that people were subject to mandatory detention and deportation, Welleck told Task & Purpose. In 1996, the laws changed to include something called aggravated felonies, which can result in immediate deportation. Welleck explained that “a crime doesn’t have to be aggravated or a felony” to be considered an aggravated felony and can include minor offenses like drug possession. Additionally, in aggravated felony cases, judges have little discretion to weigh the merits of a veteran’s service.

It’s unclear how many U.S. veterans have been deported since the law was changed in 1996 — the government doesn’t track those statistics, explained Gillian Christensen, a press secretary for U.S. Customs Immigration
Enforcement in an email to Task & Purpose. What is clear is the significant toll it takes on individual veterans who have been deported. “It upsets me that our government is doing these kinds of things,” said 38-year-old Barajas in a phone interview with Task & Purpose. “These politicians will easily send you to another war, or draft these guys, but they won’t step up to the plate and support the troops like everybody talks about.”

Hector Barajas sits at his computer desk at the Deported Veterans Support House in Tijuana, Mexico.

After he was permanently deported, Barajas struggled with homelessness and substance abuse before getting a second start when he founded the Deported Veterans Support House in Tijuana, Mexico, in October 2012. The support house, dubbed The Bunker, offers room and board to deported veterans, free of charge and has housed 20 veterans since it was founded. There are currently two veterans staying at the house and Barajas is in contact with more than 100 military veterans from more than 30 countries. “If you come to the bunker you’re going to see there’s more than 30 American flags,” said Barajas. “We’re as American as apple pie, just different cultures.” However, he still holds out hope even though he faces a lifetime ban from the country he served and where his 10-year-old daughter lives, growing up without him. “One of the things I like about the United States, is if there’s something that needs to be changed and it’s a worthy cause, it’ll happen, said Barajas. “A piece of paper shouldn’t define whether or not you’re an American. It’s what you believe.” You can learn more about the Immigrant Defense Project and their support of deported veterans at their website http://immigrantdefenseproject.org. [Source: Task & Purpose | James Clark | December 17, 2015 ++]

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Vet Toxic Exposure~Lejeune Update 57 ➤ VA Will Cover 8 Conditions

Veterans who contracted crippling diseases after drinking, cooking with and bathing in the tainted water at a North Carolina Marine Corps base were finally granted disability status from the Department of Veterans Affairs 17 DEC, despite the fact that the government has known about contaminants there for decades. The Veterans Affairs Department has determined that eight medical conditions are linked to service at Camp Lejeune, N.C. from 1953 to 1987, and veterans with these diseases who were stationed at the sprawling Marine Corps base are eligible for disability compensation. VA officials said the eight diseases that have been determined to be service-connected to consuming contaminated drinking water at the base: kidney cancer, liver cancer, non-Hodgkin lymphoma, leukemia, multiple myeloma, scleroderma, Parkinson's disease and aplastic anemia or other myelodysplastic syndromes.
VA Secretary Robert McDonald said research by health experts at the Veterans Health Administration and the Agency for Toxic Substances and Disease Registry, an arm of the Centers for Disease Control and Prevention, indicated that the risk of developing these illnesses is elevated by exposure to contaminants found in the water, including perchloroethylene, trichloroethylene, benzene and other volatile organic compounds. "The water at Camp Lejeune was a hidden hazard, and it is only years later that we know how dangerous it was," McDonald said. "We thank ATSDR for the thorough review that provided much of the evidence we needed to fully compensate veterans who develop one of the conditions known to be related to exposure to the compounds in the drinking water."

Nearly a million people, including troops, family members and civilian employees working at Camp Lejeune from the 1950s through the 1980s were exposed to these chemicals and other cancer-causing agents in the base's drinking water, supplied by two water treatment facilities polluted by dry cleaning compounds, leaking underground storage tanks, industrial spills and poor disposal practices. The VA has provided health care or reimbursement for medical costs for veterans who served at Camp Lejeune at least 30 days during the affected period or family members with 15 illnesses related to exposure to water contaminated by solvents and fuels, but it had not awarded "presumptive status" to any condition until now. The changes will take effect after VA publishes regulations regarding these presumptions, and will apply to new disability claims. Veterans who have previously been denied on such claims may seek to be reevaluated. Also, any pending claims that might be denied under current regulations will be placed on hold until the VA issues its final rules, according to a department press release.

The bedrock eligibility rules will be that veterans must have one of the eight specified conditions and must have served at Camp Lejeune between Aug. 1, 1953, and Dec. 31, 1987. The new rules also will expand eligibility to reserve and National Guard members who served at Camp Lejeune for any length of time during that period. A VA spokeswoman said compensation awarded as a result of the proposed regulations, if adopted, will "be effective no earlier than the date the final rule is published." Veterans have expressed frustration over the low rate of claims approvals for illnesses related to the Camp Lejeune water. Hundreds of veterans attended a meeting of the Camp Lejeune Community Assistance Panel on 5 DEC in Tampa to express frustration with the VA's handling of claims and plead with VA officials to improve the process. Paul Maslow, a veteran who walks with a cane and said he has inoperable tumors on his spine and elsewhere, said he and thousands of former troops need assistance. "You are not helping us, you are hurting us," Maslow told VA officials attending the meeting. "And the more you delay, the more of us ... are going to die."

Two senators who pressed VA to change its policies regarding benefits for Camp Lejeune veterans said 17 DEC they applaud the VA's decision, calling it a "victory for those who have suffered." "The VA has conceded that it will no longer deny disability benefits to Camp Lejeune victims based on ridiculous scientific claims," Sen. Richard Burr, R-N.C., said. "VA is finally granting some justice to veterans who were exposed to contaminated drinking water while assigned to Camp Lejeune," said Sen. Thom Tillis, R-N.C. "The victims of this tragedy have waited far too long to receive disability benefits."

VA is working on regulations that would establish these presumptions, making it easier for affected Veterans to receive VA disability compensation for these conditions. While VA cannot grant any benefit claims based on the proposed presumption of service connection for these conditions until it issues its final regulations, it encourages Veterans who have a record of service at Camp Lejeune between August 1, 1953, and December 31, 1987, and develop a condition that they believe is related to exposure to the drinking water at the base, to file a disability compensation claim with VA. VA will continue to grant claims for disabilities claimed to be associated with exposure to the contaminants that can be granted under current regulations and review of the evidence in each case. If a claim for service connection for one of the proposed presumptive conditions would be denied under current regulations, the denial will be stayed until VA issues its final regulations. VA will announce when the regulations are final and presumptive benefits can begin to be awarded. For more information on applying for these benefits, visit: http://benefits.va.gov/compensation/claims-postservice-exposures-camp_lejeune_water.asp.
Veterans who served at Camp Lejeune for 30 days or more between August 1, 1953, and December 31, 1987, are already eligible to receive VA healthcare for up to 15 health conditions. More information, including a full list of covered conditions, can be found online at: http://www.publichealth.va.gov/PUBLICHEALTH/exposures/camp-lejeune/index.asp. Veterans can establish eligibility for healthcare benefits by submitting VA Form 10-10EZ online at www.1010ez.med.va.gov, downloading it at www.va.gov/vaforms/medical/pdf/1010EZ-fillable.pdf and returning it to any VA Medical Center or Clinic, or by calling 1-877-222-VETS (8387), Monday through Friday, between the hours of 8:00 AM and 8:00 PM (Eastern Time). VA is reimbursing certain veterans’ family members for eligible out-of-pocket medical expenses related to the 15 covered conditions. More information can be found at: https://www.clfamilymembers.fsc.va.gov. [Source: MilitaryTimes & VA News Release | Patricia Kime | December 17, 2015 ++]

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K9’s for Veterans ► Expanded Role of Service Dogs

Veterans from recent conflicts have expanded the role of service dogs. While many Americans still identify “service dogs” as “guide dogs” for the visually impaired, “service” now extends into many other dimensions. A 2009 Wall Street Journal article (http://www.wsj.com/articles/SB124727385749826169) traces the recent evolution of service dogs to becoming “seeing eye dogs for the mind” in aiding the emotional transition to civilian life. This past August, the VA officially amended its policy to allow all certified service dogs to accompany Veterans to appointments. CNN (http://www.cnn.com/2015/12/21/us/gif-shariduval/index.html) recently highlighted one of the Veterans service dog programs: K9s for Warriors. After realizing that her son could benefit from a service dog companion, Shari Duval established a non-profit to ensure matching and training. Her son Brett Simon Duval, who worked with explosive-tracking dogs in Iraq, now serves as the organization’s Director of K9 Operations.

An indication of the effectiveness of the program is a letter of gratitude, written by “Linda,” a female veteran to JJ, her service dog. In it she says, “I stand taller today…because you stand alongside me, ready to hear my cries, or hear my laughter.” This bond, of course, between humans and dogs is not new. But the careful selection of the right dog for the right Veteran marks an innovative approach to enabling a successful emotional transition. I can vouch for the importance of this innovation as can my Labradoodle (name), who even helps me keep balanced work hours by reminding me when it’s time to go home. For more information, visit the K9s for Warriors website www.k9sforwarriors.org or search Veterans service dogs in your favorite search engine. [Source: VAntage Point | December 17, 2015 ++]

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Obit: Elizabeth Laird  ▶  24 DEC 2015

She was known simply as the "hug lady" and for a generation of soldiers deployed from Fort Hood to Iraq and Afghanistan, the diminutive grandmother was a steadying presence over the past 12 years. Elizabeth Laird doled out hundreds of thousands of hugs, embracing soldiers as they shipped off and then greeting them in kind when they arrived back home. She made her hugs available at all hours of the day, regardless of the weather, becoming a military legend along the way. "This is my way of thanking them for what they do for our country," Laird told FoxNews.com last month. "I wasn't hugging in 2003. I used to just shake their hands. But one day, a soldier hugged me, and that's the way it started." For much of that time Laird was quietly waging a battle of her own against breast cancer, as The Washington Post's Colby Itkowitz reported after Laird was hospitalized in early November. On 24 DEC, Laird succumbed to her illness, passing away at Metroplex Hospital in Killeen, Tex., according to Fox News. She was 83.


Col. Christopher C. Garver, a military spokesman, released the following statement on Laird's passing: "On behalf of the Soldiers, Airmen, Civilians, and Families of III Corps and Fort Hood, I want to extend our sincere condolences to the family of Mrs. Elizabeth Laird, known throughout Central Texas as "The Hug Lady." She has long been associated with Fort Hood for her dedication, support, and genuine care for our Soldiers, Families and Civilian employees. For more than a decade, she has been personally saying farewell to our troops as they deploy and greeting them as they return. It is with heavy hearts that we express our gratitude for Elizabeth, not only for her service with the U.S. Air Force, but also in recognition of her tireless efforts to show her appreciation for our Soldiers and her recognition of their many sacrifices. Our thoughts and prayers are with her family and loved ones; she will be deeply missed.

In a 2011 profile of Laird, the Fort Hood Sentinel referred to her as "a bit of a celebrity to the soldiers." She told the paper that she considered the military her extended family and recounted being invited to a Thanksgiving meal at a Fort Hood dining facility: "I looked around at all the soldiers sitting there, and I told Ray, you know, this is my family," Laird told the Sentinel. "They are so wonderful, and I just feel like a part of them belongs to me, and I hope I belong to them." Laird's hospitalization didn't cut her off from the soldiers she loved. Her son, Richard Dewees, told The Post that dozens of soldiers visited his mother during her hospital stay to offer their encouragement. Her legacy lives on in a GoFundMe page set up by Dewees to help pay for Laird's medical bills. The page raised almost $95,000 from more than 3,000 people over the past month, or about $85,000 more than family members originally asked for.

In the page's description, Dewees estimates that his mother hugged close to 500,000 troops. The fundraising site is full of posts from soldiers who donated money to Laird and shared memories of brief, but memorable encounters with her.

- "You were there when I left in 2008 for Iraq and then again when I returned in 2009," Michael Singleton wrote. "I was nervous because I had never been outside of the country and just lost my Grandmother that one hug made a huge difference that year, because it reminded me how my grandmother was."
"I love her," Claudia Vaneza Mohead wrote. "I deployed teary eyed and scared, (secretly) worried my almost two year old daughter would forget me (sic) she whispered in my ear that everything would be ok (and) meant the world to me. I wish I had millions to give her."

"My husband had the blessing of being hugged 4 times in and out of Fort Hood and myself and our kiddos once," Amy Schaefer wrote. "She is an amazingly beautiful lady, inside and out. Her spirit made me smile and her sense of humor awesome! She will be in our thoughts and prayers!"

Asked by the Sentinel what prompted her to start offering hugs, her answer was straightforward: "I volunteered," she said. The paper noted that Laird had volunteered before, joining the Air Force when she was 18. "I grew up in World War II, and I wanted to do something for my country," she told the Sentinel. "It was a different time back then," she added. "Your movie stars went to war and they were out on the front lines. It was a very different atmosphere."

Retiree Appreciation Days ➤ As of 29 DEC 2015

Retiree Appreciation Days (RADs) are designed with you in mind. They're a great source of the latest information for retirees and Family members in your area. RADs vary from installation to installation, but, in general, they provide an opportunity to renew acquaintances, listen to guest speakers, renew ID Cards, get medical checkups, and various other services. Some RADs include special events such as dinners or golf tournaments. Due to budget constraints, some RADs may be cancelled or rescheduled. Also, scheduled appearances of DFAS representatives may not be possible. If you plan to travel long distances to attend a RAD, before traveling, you should call the sponsoring RSO to ensure the RAD will held as scheduled and, if applicable, whether or not DFAS reps will be available. The current schedule is provided in the attachment to this Bulletin titled, "Retiree Activity\Appreciation Days (RAD) Schedule". Note that this schedule has been expanded to include dates for retiree/veterans related events such as town hall meetings, resource fairs, stand downs, etc. For more information call the phone numbers of the Retirement Services Officer (RSO) sponsoring the RAD as indicated in the attachment. An up-to-date list of Retiree Appreciation Days can always be accessed online at:

- HTML: http://www.hostmtb.org/RADs_and_Other_Retiree-Veterans_Events.html
- PDF: http://www.hostmtb.org/RADs_and_Other_Retiree-Veterans_Events.pdf
- Word: http://www.hostmtb.org/RADs_and_Other_Retiree-Veterans_Events.doc

Vet Hiring Fairs ➤ 1 JAN thru 29 Feb 2016

The U.S. Chamber of Commerce’s (USCC) Hiring Our Heroes program employment workshops are available in conjunction with hundreds of their hiring fairs. These workshops are designed to help veterans and military spouses and include resume writing, interview skills, and one-on-one mentoring. For details of each you should click on the city next to the date in the below list. To participate, sign up for the workshop in addition to registering (if indicated) for the hiring fairs which are shown below for the next month. For more information about the USCC Hiring Our Heroes Program, Military Spouse Program, Transition Assistance, GE Employment Workshops, Resume Engine, etc. visit the U.S. Chamber of Commerce’s website at http://www.hiringourheroes.org/hiringourheroes/events.

Washington, DC - 2016 Hiring Our Heroes DC NBC4 Health and Fitness Expo Details Register
January 8 - 8:30 am to 1:00 pm
Fort Campbell, KY - Fort Campbell Military Spouse 2-Day Event  Details  Register
January 20 - 6:00 pm to January 21 - 1:00 pm

Cleveland, OH - Cleveland Hiring Expo with Cleveland Cavaliers  Details  Register
January 25 - 9:00 am to 2:00 pm

Fort Stewart, GA - Fort Stewart Transition Summit  Details  Register
January 26 - 2:30 pm to January 27 - 4:00 pm

Austin, TX - Austin Hiring Fair  Details  Register
January 27 - 8:30 am to 1:30 pm

San Antonio, TX - San Antonio Military Spouse Networking Reception  Details  Register
February 2 - 7:00 pm to 9:00 pm

San Antonio, TX - San Antonio Hiring Expo with San Antonio Spurs  Details  Register
February 3 - 9:30 am to 2:00 pm

St. Paul, MN - Minneapolis/St. Paul Hiring Expo with Minnesota Wild  Details  Register
February 9 - 9:30 am to 2:00 pm

McChord AFB, WA - Joint Base Lewis-McChord Military Spouse 2-Day Event  Details  Register
February 9 - 7:00 pm to February 10 - 1:00 pm

Camp Pendleton, CA - Camp Pendleton Military Spouse 2-Day Event  Details  Register
February 17 - 7:00 pm to February 18 - 1:00 pm

Denver, CO - Denver Hiring Expo with Denver Nuggets  Details  Register
February 29 - 9:30 am to 2:00 pm

[Source: U.S. Chamber of Commerce Assn December 30, 2015 ++]

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**WWII Vets 97**  ►  Owens~Bud

Bud Owens, a brave young man from Pittsburgh, died in 1943 in the snowy Pyrenees Mountains at the end of a desperate trek to escape occupied France into Spain after being shot down over Normandy. The B-17 gunner’s remains are buried in the Ardennes American Cemetery in Belgium under a white cross, one among thousands marking the graves of Americans who helped liberate Europe from Hitler’s war machine. His is another of the millions of sad war stories from that time, but he has not been forgotten — in France or in America.

Owens was one of 10 children growing up on Calvin Street in Lawrenceville, graduating from Schenley High School and enlisting in the Army after Pearl Harbor. By May 1943, he was in England as a B-17 gunner with the 381st Bomb Group. He quickly distinguished himself with an act of courage in June. As his unit was preparing for a bombing run to France, a bomb being loaded on a plane blew up, leading to a cascade of explosions. Sgt. Owens, who had been cleaning the machine guns on his own plane, risked his life to pull an injured man to safety. Twenty-three others died.

He flew several missions as a waist gunner, and on July 4, 1943, his unit attacked an aircraft engine factory in Le Mans, France. As the formation approached the target, an anti-aircraft shell burst below his plane’s radio room, killing
three of the 10 crew members and cutting the oxygen lines to the back of the ship. The pilot descended to 21,000 feet and headed back to England, but German fighters shot up the plane and Lt. Olaf Ballinger gave the order to bail. Sgt. Owens, realizing that no one had heard from the radio operator, John Lane, made his way to the radio room, found Sgt. Lane unconscious, revived him with oxygen, helped him into a parachute and held the door while he jumped. Then Sgt. Owens bailed, too. The plane crashed near the village of La Coulonche in Normandy. Sgt. Owens and four others parachuted into the French countryside, where they were taken in by the French resistance and sheltered in barns and farmhouses.

Sgt. Owens landed in a field, where a farmer took him to a local teacher, who in turn took him to another home where he met up with Lt. Ballinger. From there, they walked 4 miles to Saint-Opportune, where they were taken in by Andre Geslin and housed in a stone barn. They remained there for three months, hiding from German patrols and only coming out at night. After three months in the barn, the resistance members, orchestrated by Mr. Rougeyron, moved Sgt. Owens and Lt. Ballinger to a post office in Champsecret, and from there to a series of safe houses in Paris, where they met with other downed airmen and French officers trying to get to neutral Spain. Food was in short supply, and clothing a constant problem. Sgt. Owens was 6 feet 3 inches, huge by French standards, and Lt. Ballinger was big too. Old photos show Sgt. Owens in an ill-fitting French jacket.

From Paris, the resistance put the men on the night train to Toulouse and then to Giron, and from there they walked to the town of Suc, where they would begin their ascent into the Pyrenees. One airman, Harold Bailey, became sick and collapsed after taking too many Benzedrine tablets in an attempt to generate enough energy to make the climb. Sgt. Owens and another airman, William Plasket, had to drag him through the snow. Their attempt to save him probably sealed their fate. “Owens and Plasket had been dragging Bailey for approximately eight hours, and were themselves almost completely exhausted,” a 1950 Army report says. “At this point the party was at an altitude of approximately 1,800 meters. The snow was about three feet in depth. The garments of the men were thin, and they had no underwear or overcoats. Due to an insufficient food supply over a period of weeks, their physical condition was very poor.”

The party had been hiking for 30 hours, but as they neared Arinsal in Andorra, Sgt. Owens, Sgt. Plasket and Lt. Bailey could not go on. The four other members of the party couldn’t help them. The French guides tried to get the three to move because it was getting dark and there was no shelter, to no avail. One of the French guides, Emile Delpy, drew his gun and said he’d shoot them if they didn’t get up. They didn't respond and he fired a shot into the snow, but they still didn't move. The party left them behind and moved on. No one knows for sure, but the three men likely died of exposure in late October. The bodies, devoid of any identification, were discovered the following spring by an Andorran mountain patrol and buried in a local cemetery. An Army mortuary unit tracked the missing airmen to the cemetery in 1950. At the request of his family, Sgt. Owens’ remains were removed and interred at the Ardennes cemetery on Oct. 1, 1951. [Source: Pittsburgh Post-Gazette | Torsten Ove | July 27, 2015 ++]

Memorabilia and the gravesite of Francis "Bud" Owens in Ardennes American Cemetery, Belgium.

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**State Veteran's Benefits & Discounts** ➤ Missouri | 2015

The state of Missouri provides several benefits to veterans as indicated below. To obtain information on these, refer to the attachment to this Bulletin titled, “Veteran State Benefits –MO” for an overview of the below benefits. Benefits are available to veterans who are residents of the state. For a more detailed explanation of each refer to http://mvc.dps.mo.gov & http://militaryandveteransdiscounts.com/location/missouri.html:

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


* Vet Legislation *

**Vet Bills Submitted to 114th Congress** ➤ 151216 thru 151231

Refer to this Bulletin’s “House & Senate Veteran Legislation” attachment for a listing of Congressional bills of interest to the veteran community introduced in the 114th Congress. The list contains the bill’s number and name, what it is intended to do, it’s sponsor, any related bills, and the committees it has been assigned to. Support of these bills through cosponsorship by other legislators is critical if they are ever going to move through the legislative process for a floor vote to become law. A good indication of that likelihood is the number of cosponsors who have signed onto the bill. Any number of members may cosponsor a bill in the House or Senate. At https://beta.congress.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 by entering the bill number in the site’s search engine. To determine what bills, amendments your representative/senator has sponsored, cosponsored, or dropped sponsorship on go to: https://beta.congress.gov/search?q=%7B%22source%22%3A%22%22%22%22legislation%22%5D%7D. Select the ‘Sponsor’ tab, and click on your congress person’s name. You can also go to http://thomas.loc.gov/home/thomas.php.

Grassroots lobbying is the most effective way to let your Congressional representatives know your wants and dislikes. If you are not sure who is your Congressman go to https://beta.congress.gov/members. Members of Congress are receptive and open to suggestions from their constituents. The key to increasing cosponsorship support on veteran related bills and subsequent passage into law is letting legislators know of veteran’s feelings on issues. You can reach their Washington office via the Capital Operator direct at (866) 272-6622, (800) 828-0498, or (866) 340-9281 to express your views. Otherwise, you can locate their phone number, mailing address, or email/website to communicate with a message or letter of your own making at either http://www.house.gov/representatives or http://www.senate.gov/general/contact_information/senators_cfm.cfm
FOLLOWING IS A SUMMARY OF VETERAN RELATED LEGISLATION INTRODUCED IN THE HOUSE SINCE THE LAST BULLETIN WAS PUBLISHED

- H.R.4161: **SCRA Rights Protection Act of 2015.** A bill to amend the Servicemembers Civil Relief Act to require the consent of parties to contracts for the use of arbitration to resolve controversies arising under the contracts and subject to provisions of such Act and to preserve the rights of servicemembers to bring class actions under such Act, and for other purposes.
- H.R.4252: **Foreclosure Relief and Extension for Servicemembers Act of 2015.** A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.
- H.R.4260: **Servicemember Higher Education Protection Act.** A bill to protect servicemembers in higher education, and for other purposes.
- H.R.4279: **To direct the Secretary of Veterans Affairs to disclose certain information to State controlled substance monitoring programs.** A bill to direct the Secretary of Veterans Affairs to disclose certain information to State controlled substance monitoring programs.
- H.R.4298: **Vietnam Helicopter Crew Memorial Act.** A bill to direct the Secretary of the Army to place in Arlington National Cemetery a memorial honoring the helicopter pilots and crew members of the Vietnam era, and for other purposes.
- H.R.4306: **Advisory Committee on Minority Veterans Act of 2015.** A bill to make permanent the Advisory Committee on Minority Veterans.

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

- S.2357: **Foreclosure Relief and Extension for Servicemembers Act of 2015.** A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.


* Military *

Military Smoking Ban ► Hawaii Based Troops Under 21

It will soon be illegal for troops under the age of 21 to purchase or use cigarettes or other tobacco products in Hawaii. On Jan. 1, Hawaii will become the first state to ban tobacco sales and use for anyone under the age of 21. The law will apply to everyone in Hawaii, including service members, their families and guests on U.S. military installations, according to Navy and Marine Corps messages. Navy and Marine Corps Exchanges will stop selling tobacco products
— including smokeless tobacco and E cigarettes — to anyone under 21, the messages say, because military installations in Hawaii "are subject to concurrent jurisdiction."

Under the new law, anyone younger than 21 who is caught buying, using or possessing tobacco products can be fined between $10 and $50 and be sentenced to between 48 and 72 hours of community service, according to Marine administrative message 649/15. Anyone who sells or provides tobacco products to someone younger than 21 faces fines between $500 and $2,000. "Local commanders will enforce compliance of the law and disseminate the details of this rapidly approaching change to state law to military personnel and their families to ensure their knowledge and understanding of the law and its implications," Lt. Gen. Mark Brilakis, deputy commandant for Manpower and Reserve Affairs, wrote in the message.

There is an exception to the law for some troops in Hawaii though. The new age restrictions won't apply to service members aboard naval vessels, even if they are docked in Hawaii, because all U.S. ships are subject exclusively to federal law and Defense Department policy, according to Navy officials. That means ships' stores aboard Navy ships could still sell tobacco products to those under 21. "State law is not applied aboard naval vessels of the United States on the basis of sovereign immunity, and therefore state laws do not regulate stores operated aboard such vessels," a Navy official said. However, Navy Department property in Hawaii is subject to both federal and state laws, the official added. That means state and local police have the authority to enforce state laws at both Joint Base Pearl Harbor-Hickam on Oahu and Pacific Missile Range Facility on Kauai.

The commander of Navy Region Hawaii and Naval Surface Group Middle Pacific is urging sailors to see the Hawaii law as an opportunity to quit smoking. "Some sailors spend 10 dollars a day on their nicotine habit," Rear Adm. John Fuller wrote in a Nov. 19 commentary. "That leads to nearly $4,000 a year and close to $40,000 in 10 years." But the physical consequences of smoking are far more damaging, Fuller wrote. A Defense Department official noted in a memorandum last year that smoking can shorten one's life by 10 years. "The new smoking age law in Hawaii makes good sense and supports the good health of our service members and their families," Fuller wrote. "It's really hard to make a logical argument against improved health and readiness and cost savings to both individuals and the government – I'm just saying."

For the Marine Corps, enforcing compliance with the new law may be a challenge in a culture in which smoking is far more prevalent than it is in the general population. According to a 2011 DoD survey, nearly 31 percent of Marines smoke, the highest rate of all the Armed Forces. Only 17 percent of the total American population smokes, according to the Center for Disease Control. The same 2011 survey found that the Marine Corps also had the highest rates of smokeless tobacco use of all military branches at 21.3 percent. The survey did not break down Marines' smoking habits by age, but Marine Corps data shows that nearly 30 percent of all enlisted Marines are under age 21. For those who already smoke, Brilakis recommended tobacco cessation programs and counseling available from military treatment facilities and branch health clinics. He also directed troops to the Department of Defense Quit Tobacco program, which was launched in 2007.


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**Navy Fleet Size ➤ Set to Grow in 2016**

The fleet is set to grow in 2016, commissioning 11 new hulls and decommissioning just three — all Los Angeles-class attack boats. The ship count will be bolstered by six new littoral combat ships, including the Detroit, Montgomery, Gabrielle Giffords, Little Rock and Omaha. The fleet will also welcome two technological marvels to the waterfront, the destroyer Zumwalt and the carrier Gerald R. Ford, which is set to be commissioned by early summer, officials say. The Virginia-class attack submarines Illinois and Washington will join the silent service, but the sub community will lose the attack submarines Albuquerque, Corpus Christi and Houston. The latest amphibious transport dock, the John P. Murtha, is also slated to be commissioned in 2016, as is the latest Arleigh Burke-class destroyer, the John Finn,
named for a chief aviation ordnanceman who earned the Medal of Honor for machine gunning Japanese planes during the surprise attack on Pearl Harbor. The Expeditionary Fast Transports — formerly designated as joint high speed vessels — Brunswick and Carson City will both join the family at Military Sealift Command, but the fast combat support ship Rainier is being decommissioned. [Source: NavyTimes | David Larter | December 25, 2015 ++]

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Tops in Blue  ►  2016 Season Cancelled

Back-to-back truck wrecks, including a tipped-over tractor trailer. Allegations of toxic leadership. And rampant and persistent sexual harassment. The missteps and misconduct that occurred during Tops in Blue’s 2012 tour led to two commander-directed investigations, both of which substantiated some of the concerns raised by former members. The Air Force’s controversial Tops in Blue traveling show band has been canceled in 2016 while the service conducts “an extended review.” But an internal investigation newly obtained by Air Force Times shows significant problems behind the scenes during the band’s 2012 tour.

Drawn from the ranks of the Air Force, Tops in Blue is made up of about three dozen amateur musicians and technicians who spend a year traveling the world to put on shows for airmen and their families. They perform a mixture of modern pop and rock songs as well as classic rock and oldies. Some airmen have loudly objected to Tops in Blue, saying its performances are outdated and waste of money. Those criticisms, and others in official surveys conducted earlier this year, led to the cancellation of the 2016 season for the program to be reviewed by senior brass. The first commander-directed investigation was launched in February 2013 when former Capt. Gavin Light, who spent a year as a technician and piano player for Tops in Blue, filed a complaint alleging a “culture of waste, abuse and disregard for [Air Force] instructions” and “blatant disregard for safety.”

Air Force Times filed a Freedom of Information Act request for Tops in Blue investigations in April. After months of inquiries from Air Force Times asking for the results of the FOIA request, the Air Force Personnel Center mailed the commander-directed investigation on 21 DEC, the same day the Air Force announced it was canceling the band’s 2016 tour. The Air Force said the 2013 report was not a factor in the decision to cancel the 2016 season. During that investigation, a female senior airman who was a Tops in Blue member, described abusive leadership and frequent sexual harassment while on tour. As a result, a second commander-directed investigation was launched later in 2013 to look into alleged “misconduct and sexual harassment.” AFPC said that the second investigation substantiated sexual harassment allegations against one member. Air Force Times has requested the results of that second investigation.

The Air Force Installation and Mission Support Center said that the commanders of the units where band members were subsequently assigned received the information uncovered from the second investigation, and it was up to those commanders to decide what, if any, discipline they would receive. AFIMSC said it did not know whether or how anyone might have been punished. In the report on the first command-directed investigation, investigators partially substantiated some of Light’s allegations, and concluded:
• An unnamed technical sergeant received a severe electric shock at Camp Arifjan, Kuwait, in July 2012 while trying to hook up equipment to a poorly grounded temporary power board. That tech sergeant was taken to the camp’s hospital, evaluated and cleared by medical staff, and released after 24 hours of observation. The Army Corps of Engineers conducted a safety investigation, decided the power source and equipment was safe and the show went on that night. But in the report, investigators concluded that while the electrocution “was simply an unfortunate accident,” the evidence showed Tops in Blue did not follow the rules and properly report it.

• On Oct. 28, 2012, that same technical sergeant jackknifed and rolled a 7 1/2-ton tractor trailer onto its side while taking an interstate exit ramp too fast near Newburgh, New York. The investigators said when the truck started to tip, the tech sergeant applied the brakes, which caused a jackknife. He then tried unsuccessfully to correct the jackknife, and the tractor-trailer rolled onto the driver’s side. The tech sergeant driving the truck reported breaking his left ankle, the report said, but did not receive immediate medical care. That crash caused $71,000 in damage, towing and cleanup costs, including $16,000 to repair musical and other equipment damaged in the trailer and $21,000 to tow the vehicle and clean up the accident scene. In a handwritten statement included in the report, the driver said his truck, which was rated to haul 45,000 pounds at most, was estimated to be 3,000 pounds overweight.

• The next day, Oct. 29, 2012, another driver – an unnamed senior airman – crashed another tractor-trailer into a lamp post in a church parking lot in Liberty, Ohio, probably because the driver was not using a spotter. That trailer – which was rented to replace the one wrecked the previous day – was extensively damaged, the report said. Its belly box was torn off, its cross frame was broken, a wheel was bent, and the trailer skirt was dented. The driver said in his own testimony the lamp post was knocked to the ground.

For both truck accidents, investigators said that while it did not appear the “accidents were intentionally ‘swept under the rug,’” as Light alleged, there was no evidence that Tops in Blue followed the proper safety procedures to report them. It should cause concern, investigators concluded, that the incidents may not have been raised up the chain of command. For that reason, investigators partially substantiated Light’s allegation that the incidents were not brought to the attention of officials who needed to know about them. “The severity of both incidents should have warranted an immediate review of safety procedures within TIB operations,” the report said. “Likewise, both incidents should have warranted immediate concern for TIB’s [AFPC directorate of services] chain of command. However, there is insufficient evidence to prove to what level and depth the incident was briefed up the [directorate of services] chain. One would presume that incidents of this severity should be briefed up to the highest levels of AFPC leadership.”

Neither driver surrendered their government drivers license, the AF Form 2293, as required after an accident by Air Force regulations, the report said. The tech sergeant received remedial driving training and kept driving for Tops in Blue, according to the report. It did not say if the senior airman kept driving. All told, Tops in Blue’s accidents cost $135,208 in equipment replacement, fixing the church’s lamp post, towing and scrapping the trashed trailer that was flipped.

In witness testimony attached to the investigation report, some Tops in Blue members suggested the grueling pace of the tour and fatigue contributed to the dangerous environment. “Sometimes, the lack of sleep made the work situation unsafe,” a senior airman said. “While deployed, we averaged 1-2 hours of sleep a night, but were still required to perform our duties as if we had slept 8 hours.” “The schedule was always demanding and often very taxing on people,” one master sergeant said. “Because the program always seems to be on the chopping block, it was also important to make sure that we completed every show and maintain[ed] the demanding schedule. Failure was not an option.”

In an Oct. 3, 2013, memo, AFPC Commander Maj. Gen. Margaret Poore followed the report’s recommendations and ordered safety training, instructions on proper safety reporting procedures, and a reduction in the number of shows on Tops in Blue’s tour to alleviate the strain on its staff and team members. Poore also ordered an investigation into
allegations of inappropriate conduct and sexual harassment described by one Tops in Blue member. That member, a female senior airman, said in her written statement that sexual harassment was rampant on the tour. Some Tops in Blue members regularly made comments about girls in the audience and pointed out attractive ones, she said in her statement. A male master sergeant often hit on a male senior airman, “explicitly saying what he’d like to do to him,” the female senior airman said in her written testimony. The senior airman said she heard her master sergeant explicitly speculate about her sex life to other Tops in Blue members over the headset, and because her mic was broken, she couldn’t ask him to stop. “I’ve hardly been more embarrassed,” she said.

During a stop at Andrews Air Force Base in Maryland in January 2013, the master sergeant again brought up the senior airman’s sex life. “He insisted that I was sleeping with every aircrew member and volunteer that I could,” the senior airman said. “I informed him that I had never slept with a volunteer or aircrew member. He dismissed that, and continued to tell the other technicians what he thought I had been doing.” The senior airman described instances of abusive leadership while on tour. A tech sergeant would threaten her physically, she said, and threaten to make sure she got a poor rating on her enlisted performance report. And the same senior airman said another civilian leader began screaming at her during a multi-day marathon work session. “The longest day I ever worked for Tops in Blue was 42 hours straight,” she said. “After working for 38 hours, Mr. [redacted] was still yelling and screaming at me. He was upset about mistakes TSgt [redacted] had made, and I was too busy trying to fix TSgt [redacted] work to do my own. I was literally too tired to handle the added stress.”

The senior airman said an unnamed tech sergeant often bragged to her about beating a first lieutenant with a crowbar, which she said further intimidated and scared her. “Because of his volatile mood swings, I was scared he’d lash out at me or someone else on the team,” she said. The work environment was unsafe, she said in her testimony. For example, Tops in Blue members were not given the right kind of harnesses to climb up 23-foot-tall trusses, she said, so “we climbed without harnesses all the time.” Privacy was nonexistent, she said, and any time a Tops in Blue member had a medical appointment — including visits to behavioral health — the entire team was briefed. This made the senior airman reluctant to speak up about any medical problems she was having.

It got so bad, the senior airman said, that at one point she bought a bottle of Tylenol, sat down in the loading dock over dinner break, and started “taking more pills than I should have.” “Emotionally, I was so far gone I didn’t know what to do,” she said in her testimony. “I called my best friend, and he wanted to put me on suicide watch. I managed to talk him out of it, and went back to work. I thought about going to mental health or going to a chaplain, but there was no way that I could have gone without the rest of the team knowing. There was too much work to be done for me to be able to take the time to talk to someone.” [Source: AirForceTimes | Stephen Losey | December 30, 2015 ++]

**Great Green Fleet ► Maiden Voyage Scheduled Late January**

More than six years after it was first announced, the Great Green Fleet will makes its maiden voyage in late January. The carrier strike group will deploy, fueled with a mix of biofuel and fossil fuel to showcase the Navy’s goal to cut petroleum use by 2020, a spokesman for the Navy secretary said. “This carrier strike group will operate the same as any other deployed strike group and provide the flexible naval force that can operate in confined waters or open ocean, during day and night, around the world,” Lt. Eric Durie told Navy Times. The carrier John C. Stennis is expected to helm the Great Green flotilla when it deploys early next year from San Diego. In addition to working on a mix of biofuel for powering ships — Durie could not provide the exact percentage — the Navy has worked to upgrade infrastructure both afloat and ashore to save energy. Earlier this year, Navy Installations Command announced it would replace fluorescent light bulbs in offices, gyms, streetlights and parking lots with LEDs. That move adds to savings from shipboard LEDs, which began rolling out in 2007. [Source: NavyTimes | Meghann Myers | December 14, 2015 ++]
Looking Ahead to 2016 ► USN

From additions to the active-duty and reserve forces to new uniforms and welcoming new ships to the fleet, 2016 will play out as a big year for the Navy. Here’s a look at some of the changes in store:

New Uniforms Across the Board. The iconic 13-button service dress blue trousers will soon disappear from history and be replaced by a front-facing zipper trouser with a nonfunctional 13-button flap. Beginning Oct. 1, 2016, sailors ranked E-6 and below will be able to purchase updated service dress blue uniforms and new recruits will start being issued their new threads. The uniform will look the same, but will have side zippers on the jumper in addition to the more modern trouser. Toward the end of the year, the Navy expects the new white uniforms to be ready for purchase and distributed to newly minted recruits in training. The updated uniform will feature tailored cuffs and blue piping on the cuffs and jumper flap. The famous dixie cups covers for E-6 and below will also become a unisex cover. It is authorized for wear by both male and female sailors by April and will be required for the service dress white and blue uniforms by October. In addition to updated duds for formal situations, sailors will also have a new uniform for physical training. The moisture-wicking workout wear will be called a Fitness Suit and is intended to be worn on training days when it is too cool for the Navy-issued T-shirt and shorts set and too warm for Navy-issued sweats.

Fitness Standards to Ease Up. Beginning Jan. 1, 2016, the new Body Composition Assessment will take effect to ease the requirements of weight and body fat standards. This will also allow sailors who fail the body composition evaluation to still take the physical readiness test. The new rules add a single-step abdominal measurement for those who don’t meet the Navy’s maximum weight allowances by height, and they raise body fat limits to a maximum 26 percent for men and 35 percent for women, following Department of Defense standards. They also reduce the number of permitted failures to two in three years from three in four. Navy officials said the changes are the first step in the Navy’s move away from an emphasis on body size and toward strengthening the exercise test, known as the physical readiness test, or PRT. “I want them taking PRTs,” Chief of Naval Personnel Vice Adm. Bill Moran said of the changes in a video released by the Navy. “I want them testing. I want them physically active. That’s going to improve our
overall health at the end of the day.” The new physical fitness assessment standards are part of an effort to emphasize a more holistic look at health and fitness by the Navy.

**Women in Submarines.** While the military begins working on how to integrate women into combat roles, the Navy continues moving forward with its integration of female enlisted sailors aboard submarines. Many of the first 38 women who volunteered and were selected for submarine duty are already in training. The first four are scheduled to graduate and report to duty in early 2016. Currently, only the larger Ohio-class submarines are capable of housing both men and women. The Navy integrated female officers into the submarine community in 2011 aboard ballistic missile and guided-missile submarines, and is on track to integrate both commissioned officers and enlisted women into the smaller Virginia-class submarines by 2020.

**New Ships Inbound.** Six new ships are expected to be commissioned in 2016, headlined by the newest aircraft carrier, the $13 billion USS Gerald R. Ford. The Ford is the first of the Ford-class nuclear-powered carriers and set to replace the current Nimitz-class flattops. Though similar in appearance, the new carrier’s technological superiority to its older cousin is expected to reduce crew requirements by automating hundreds of tasks while boasting a new catapult launch system — the Electromagnetic Aircraft Launch System — to replace the traditional steam systems currently in use, along with a new nuclear reactor design and revamped weapons systems. The controversial new destroyer class DDG-1000 series ships, led by USS Zumwalt, are also expected for delivery in 2016. Zumwalt is currently performing sea trials. Also set for commission are the Independence variant littoral combat ships USS Montgomery, USS Omaha, the Freedom variant USS Detroit, together with the amphibious transport dock ship USS John P. Murtha.

**Alternative Fuels for Ships.** For the last six years, the Navy has been talking of deploying the Great Green Fleet. That is finally expected to happen in 2016. The San Diego-based aircraft carrier USS John C. Stennis is scheduled to lead the battle group of ships and aircraft designed to use alternative fuel sources when it departs its Southern California home in late January. The alternative energy sources include nuclear power and advanced biofuel blends made from used cooking oil and algae and petroleum-based marine diesel or aviation fuel, the U.S. Navy said in a fact sheet. The Navy demonstrated the Green Fleet in 2012 during the annual Rim of the Pacific exercise, the world’s largest international maritime exercise. There, approximately 450,000 gallons of biofuel were purchased and used, the Navy said. The energy goals are designed to improve combat capability and increase energy security by cutting dependence on foreign oil. Other energy-saving features highlighted in the Great Green Fleet include LED lighting, a shipboard energy dashboard to provide real-time energy usage, a tracking device to recommend more fuel-efficient routes and stern flaps that decrease the amount of drag and resistance providing the ship a more hydrodynamic profile.

**My Navy Portal.** The Navy will start rolling out My Navy Portal in 2016, with the goal of consolidating sailors’ online career needs. The service will begin integrating several Navy websites into one, in an effort to give sailors a one-stop shop for various personnel and training resources. The rollout will occur in multiple phases over a couple of years, the first occurring during 2016, said Lt. Cmdr. Nathan Christensen, spokesman for the Navy’s personnel chief. He said the phased rollout is to allow for a continuing conversation to ensure everything is done right as more and more programs are integrated. One of the first systems to be consolidated is Navy Knowledge Online, which focuses on educating and training sailors and is the source for many training modules. Creating the new system is part of the Navy’s larger push to modernize the Navy’s aging personnel system. My Navy Portal is expected to be fully operational in fiscal 2019.

[Source: Stars & Stripes | Chris Church and James Kimber | December 29, 2015 ++]

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**Less-Than-Honorable Discharge ➤ 352,000+ Since 2000**

No medical or mental health care. No subsidized college or work training. For many who leave the U.S. military with less-than-honorable discharges, including thousands who suffered injuries and anguish in Iraq, Afghanistan and
elsewhere, standard veterans benefits are off limits. The discharge serves as a scarlet letter of dishonor, and the effects can be severe: Ex-military members with mental health problems or post-traumatic stress disorder can’t turn to Veterans Affairs hospitals or clinics; those who want to go to college aren’t eligible for the GI Bill; the jobless get no assistance for career training; the homeless are excluded from vouchers. “It’s an indelible mark of their service that follows them for the rest of their lives into the workforce, through background checks, social relationships, and it precludes them from getting the kind of support that most veterans enjoy,” said Phil Carter, an Iraq War vet and senior fellow at the Center for A New American Security.

The Department of Defense said of nearly 207,000 people who left the military last year, just 9 percent received what’s referred to as “bad paper.” Still, that’s more than 18,000 people last year and more than 352,000 since 2000, Defense Department data shows. U.S. Rep. Mike Coffman, a Colorado Republican who’s on the House Armed Services Committee, believes many of those men and women suffered battle-related problems that affected their behavior, especially PTSD and traumatic brain injury. A 2005 study showed Marines deployed to combat who were diagnosed with PTSD were 11 times more likely to receive less-than-honorable discharges, said Brad Adams, an attorney who works with the San Francisco-based organization Swords to Plowshares.

Josh Redmyer, 30, served in the Marines for seven years, including three stints in Iraq, where he watched a close friend die and developed PTSD. Redmyer said he developed alcohol and drug addictions that led to bad behavior, and he received an other-than-honorable discharge in 2012. He said he’s survived suicide attempts and “near-death” overdoses. Now living in California, Redmyer’s working as a delivery driver and trying to restore his VA medical benefits. He said he takes responsibility for “mistake after mistake after mistake,” but can’t understand how someone who risked his life for his country can’t get treatment for PTSD. “What it did to my life after what I gave to them, I don’t think it’s ethical or moral or fair,” he said.

In this photo taken Thursday, Dec. 17, 2015, Josh Redmyer, a former Marine who served three tours in Iraq, poses with Milo, who he calls his ”therapy dog,” in Oroville, Calif. Redmyer, who was diagnosed with Post-Traumatic Stress Disorder in 2009, received a less-than-honorable discharge in 2012. He is among the thousands of veterans who cannot receive veterans health benefits because of a less-than-honorable discharge. Redmyer turns to Milo, who is a birthday present from his roommate, when he becomes despondent.

Varying levels of bad paper discharges exist. A general discharge is for those whose service was generally satisfactory, but who engaged in minor misconduct or received non-judicial punishment. Recipients are usually eligible for VA medical and dental services, VA home loans and burial in national cemeteries, but can’t receive educational benefits through the GI Bill. Virtually no post-military benefits are available below that level. An other-than-honorable discharge is an administrative action for those with behavior problems such as violence or use of illegal drugs. A bad conduct discharge is punishment for a military crime, and dishonorable discharges are for offenses such as murder or desertion. With those discharges, the VA doesn’t consider the former service members veterans for the purposes of VA benefits. “There is a small percentage of folks who were court-martialed and convicted, and they have earned their bad paper,” Carter said. “The vast majority of this population was discharged administratively, generally because of some minor misconduct.”
Maj. Ben Sakrisson, a Defense Department spokesman, said there is “substantial due process” for all cases where people receive a less-than-honorably discharge. Its statistics show that last year, 4,143 service members received other-than-honorable discharges, 637 received bad conduct discharges and 157 were dishonorably discharged. Once people are discharged, the Department of Veterans Affairs can extend medical and mental health benefits on a case-by-case basis to those whose disabilities were service-connected, the VA said. But Adams said that recourse is help to very few. “The onus is on the veteran,” he said. “The standards have imposed a very high burden.” Studies show those who are less-than-honorably discharged are far more likely to end up in prison than honorably discharged veterans, and more likely to be suicidal. Jobs are harder to get because background checks highlight an undesirable military discharge. “They have a hard time maintaining employment and navigating the transition back to civilian life,” said Jamison Fargo, associate professor of psychology at Utah State University.

An analysis published this fall in the Journal of the American Medical Association, which Fargo co-wrote, tracked nearly 450,000 VA patients who served in Iraq and Afghanistan from 2001 to 2011. While 5.6 percent had general discharges for misconduct, they accounted for 28.1 percent of those who’d been homeless within their first year out of the military. That didn’t even take into account those with discharges that made them ineligible for VA care, and who were potentially more likely to be homeless.

Sakrisson said the Defense Department has made a “concerted effort” to assist those with PTSD who seek to have their discharge upgraded, through media campaigns, outreach to advocacy groups and military service organizations, even tracking down homeless ex-service members identified by the VA. Coffman said a better approach would be for the military to work with troubled service members earlier, so more leave with honorable discharges. And while being discharged for bad behavior might draw little sympathy, Adams said, “We’re talking about people who have deployed multiple times, served in combat. That has to account for something.” [Source: Associated Press | Jim Salter | December 25, 2015 ++]

REAP Update 03 ► Law Change Ends Reserve Tuition Program

Students already enrolled in courses through the Reserve Educational Assistance Program will see no disruption in their tuition payments — but they’ll have to turn out the lights after classes end. That’s because REAP officials won’t be accepting new enrollments. The 2016 Defense Authorization Act signed into law in before Thanksgiving ended the program, leaving only a four-year window for current participants to finish their degree programs. REAP was created to provide education benefits to National Guard and reserve members who spent time on active duty but were not eligible for traditional GI Bill offerings. Nearly 14,000 veterans used REAP funds to attend college classes in fiscal 2014, at a cost of $56 million. But the program is considered redundant now in light of the Post-9/11 GI Bill, which offers education benefits to most troops who spent any time on active duty after September 2001. REAP represented a little more than 1 percent of VA education payouts in fiscal 2014.

Individuals who are enrolled and attending classes through the now-defunct program are eligible to continue receiving benefits until Nov. 25, 2019. Officials anticipate that should cover nearly all participants currently working on degrees. Students who received REAP money in the past but were not in classes last semester will see their benefits cut off. VA officials said most of those individuals will be able to use Post-9/11 GI Bill funds instead, but are reaching out to affected students to gauge the potential impact of the changes. “VA is actively working to identify affected veterans who have previously applied for VA benefits to notify them of this change and their potential eligibility for other VA educational assistance programs,” officials said in a statement. They added that would-be new enrollees also can contact VA offices to see if they qualify for other education programs. Additional information on the program change is available on VA’s website http://www.benefits.va.gov/gibill/reap.asp. [Source: MilitaryTimes | Leo Shane | December 30, 2015 ++]
Military Discharge Studies ➤ Two Due in 2017

U.S. Sen. Michael Bennet hopes a pair of studies due in 2017 will give lawmakers a better view of how the Army is treating its troops. The reviews by the Government Accountability Office and the Department of Defense Inspector General will examine whether the Army improperly discharges soldiers for misconduct driven by war-caused mental illness. The GAO report was ordered last year after a series of Gazette stories revealed that the Army was discharging wounded and mentally ill soldiers with other-than-honorable discharges for minor misconduct. The latest study was ordered this month by the Army after Bennet, D-Denver, and other senators demanded an investigation after new media reports including a Gazette investigation that revealed the services increasingly use disciplinary measures to downsize. "We are still hearing a lot of concerns about mental health discharge issues," Bennet told The Gazette this month.

Bennet said he expects the reviews to show whether Army leaders purposefully kick out mentally ill soldiers with benefit-denying discharges. "That is to give us the data we need to really understand what's going on," he said. Bennet said both studies are moving forward, but results could be months away. "Things move at a glacial pace and we're going to have to stay on it and get it done," he said. Bennet said he will keep pushing the Department of Veterans Affairs in 2017 to reduce wait times Colorado Springs veterans face to get health care. The senator offered an amendment to increase funding for VA health care staff that was shot down this month as Congress made final adjustments to its 2016 budget. Even without that extra cash, VA can't explain waiting times in Colorado Springs - where according to estimates from the agency, 32 percent of veterans waited more than a month for appointments, Bennet said. "We have been pushing those guys to shorten those wait times in Colorado Springs," he said. "Our view is there's no justification for those long waits."

Another item on Bennet's agenda is the troubled VA hospital project in Aurora. The $1.7 billion hospital has been at the center of controversy with a price tag that tripled amid mismanagement that led to the removal of several officials. Bennet said the project should stay on track, and reforms approved by Congress should prevent similar VA construction woes. Among the reforms is a stipulation that VA bring in another agency to oversee large construction work. "It's more belt and suspenders to make sure we don't wind up in the situation we're in," Bennet said. [Source: Colorado Springs Gazette | Tom Roeder | December 27, 2015 ++]

Military Separation Pay Update 01 ➤ Impact on VA Compensation

Under federal law, until veterans pay back their involuntary separation pay, they can have their VA disability compensation withheld. After 31-year-old Marine veteran Tim Foster received a 50% disability rating from the Department of Veterans Affairs in January, he was shocked to discover the compensation benefits would be withheld until May 2016. The reason, Foster explained to Task & Purpose, is that he received $30,000 in involuntary separation
pay from the Marine Corps when he was forced out in August 2014, due to personnel cuts. Foster said he accepted the separation pay, not realizing he would have to pay it back if he filed for disability. And he isn’t alone.

In the last five years, the VA withheld more than $401 million in disability compensation from 24,988 veterans, with $261 million scheduled to be withheld from future benefits, according to Meagan Lutz, a spokesperson for the VA. The department’s public affairs office provided Task & Purpose with statistics breaking down these figures.

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The reason for this is due to 10 USC 1174, a federal law precluding duplication of benefits. The law requires that the VA recoup military separation benefits paid by the Department of Defense in cases where a veteran is subsequently awarded VA compensation, explained Terry Jemison, another spokesperson for the VA, in an email to Task & Purpose. VA disability benefits can be withheld if a veteran receives readjustment pay, non-disability severance pay, separation pay, reservist involuntary separation pay, special separation benefits, voluntary separation pay, or disability severance pay. The VA is required to withhold some or all of a veteran’s monthly compensation until this recoupment is complete. The process can take years, and for some veterans, like Foster, their benefits are still being withheld long after they’ve spent their separation pay.

Foster, a combat veteran of the wars in Iraq and Afghanistan, served from June 2003 to August 2014 as an assaultman, before he changed jobs to be a missileman. Later, he spent three years as a recruiter before being separated as a sergeant. Foster filed for disability benefits in October 2014 and since he was approved for compensation in January, he’s had his rating increased twice, first to 70%, and to 80%, where it stands now. Due to his health concerns, Foster said he is unable to work and with his disability benefits withheld until his separation pay is recouped, it puts him under financial strain. After leaving the military, Foster moved from California to West Virginia, where he now lives and attends American Military University on the post-9/11 G.I. Bill. When he left the Marines, Foster spent three months looking for work, but in May of this year, he lost his job, and filed for individual unemployability.

Tim Foster in his barracks at Camp Lejeune, North Carolina, in 2005 just before his second deployment to Iraq
It was also at this time that he began struggling with post-traumatic stress, he said. Although he is unable to receive compensation from the VA, he is still able to receive care. “It doesn’t make any sense at all,” said Foster, who compared it to receiving a severance package after being laid off from a company, only to have social security require you to pay that money back. “Separation pay and disability pay come from two separate pots of money and they’re two totally separate things.” As for the $30,000 in separation pay that he received? It’s long gone, said Foster, who explained that it went toward moving, housing, and living expenses. “If I didn’t have to pay back that separation pay, I’d at least have something,” said Foster. [Source: Task & Purpose | James Clark | December 30, 2015 ++]

PERM Update 01 ► 3000 Mortar Rounds Ordered | 120mm

The Expeditionary Fire Support System just got a whole lot better, and better. Marine Corps Systems Command awarded a $98 million contract to Raytheon Missile Systems to build more than 3,000 Precision Extended Range Munitions, or PERM. The 120mm mortar round will double the current range to 16 kilometers, or 10 miles, and provide GPS accuracy well within 10 meters of the target (industry officials place it within 2 meters). PERM also increases the lethality of the 120mm mortar by as much as 250 percent, depending on the target, said Joe McPherson, product manager for Marine Corps Systems Command. Still, it is the pinpoint accuracy that has turned most heads. Ballistic mortars require targeting adjustments for wind and other factors, and their effects increase exponentially as distance lengthens. Sometimes the variables are so many, and change so drastically with each passing mile, that complete compensation is nearly impossible. PERM’s GPS guidance system eliminates the need for these kinds of calculations.

Such accuracy is not new to artillery batteries. But unlike Excalibur — PERM’s 100-pound, 155mm big brother — this 35-pound shell is light enough to be handled by a single Marine. PERM is lighter because it does not use rocket motors. The Raytheon-made mortar round instead uses tail fins for stabilization and flaps near the nose called “canards” to make in-flight adjustments. The resultant precision thus increases first-round effects and will minimize collateral damage, McPherson said. The Expeditionary Fire Support System, introduced in 2009, is the third leg of the amphibious fires triad. It consists of two highly mobile vehicles that can fit inside an MV-22 Osprey or CH-53E Super Stallion; its weight does not diminish the maximum range of either bird. One vehicle pulls an M327 120mm mortar tube, and the other a trailer of ammunition. The EFSS battery is roughly 50 Marines, slightly less than one-third the size of an M777 howitzer battery.

Expeditionary maneuver is the name of the game as the Pentagon looks to beef up regional security and quick response throughout the Pacific with an eye toward an expanding Chinese military. Current plans call for a Marine air-ground task force or better in Australia, Guam, Hawaii and Okinawa. The Corps’ Expeditionary Force 21 concept of operations is centered on prepositioned Marines deploying as a self-contained force capable of independent operations for weeks at a time. Precision fires will be critical in such scenarios. As the number of rounds needed to destroy a target is reduced, the combat load needed to support the force is reduced — and more rounds are available for subsequent targets.
Ground forces and commanders have anticipated the GPS-guided mortar since 2005, when the EFSS requirement was made official. Though always a part of that strategy, PERM had to wait until initial components were fielded – namely, the vehicle, the 120mm mortar, and the ballistic munitions. The effort to develop the round “really got rolling in 2011,” McPherson said. The program came in two months ahead of schedule and 33 percent under budget, McPherson said. The cost threshold was $27,500, but each round came in at $18,000. The first rounds will be delivered in mid-2018, with a total purchase of 3,113 rounds over five years. [Source: MarineCorpsTimes | Lance M. Bacon | December 16, 2015++]

Robotic Cargo Movers Update 02  ► USMC Mule Put Out to Pasture

After years of being featured at trade shows and trotted out for high-ranking Marine Corps officials, the Marines' barrel-chested Legged Squad Support System -- known affectionately as the robotic mule -- has been put out to pasture. The machine, which resembles a headless pack mule made of metal, came about through a $32 million, two-and-a-half year contract between the Pentagon's research arm, known as the Defense Advanced Research Projects Agency (DARPA), and Google Inc.'s Boston Dynamics, of Waltham, Massachusetts. DARPA teamed up with the Marine Corps Warfighting Lab to create an autonomous four-legged creature that could lighten troops' load by carrying 400 or more pounds of weight, according to reports about the 2010 contract.

A second contract worth almost $10 million was awarded in 2013 for an additional phase of the LS3 program that would demonstrate how the legged robot would work by following troops on foot through rugged terrain, carrying their gear, and interpreting verbal and visual commands. The contract also provided for the construction of an enhanced version of LS3 that featured a quieter power supply and better survivability against small arms fire. In 2012, Marine Corps Commandant Gen. James Amos attended a demonstration of the prototype's capabilities at Joint Base Myer-Henderson Hall, Virginia. At the time, Amos expressed pride in the developing technology and said it was getting close to something the Marines might use, according to reports.


The robo-mule had its big moment in summer 2014 at Rim of the Pacific, the largest military exercise in the Pacific region. It was featured in high-profile field tests with Marines who put it through its paces on patrols and demonstrated its ability to respond to commands and cross rugged ground. But the experiment also exhibited the shortcomings of the prototype, Kyle Olson, a spokesman for the Warfighting Lab, told Military.com. "As Marines were using it, there was the challenge of seeing the potential possibility because of the limitations of the robot itself," Olson said. “They took it as it was: a loud robot that's going to give away their position.” In addition to the lawnmower-like noise of the
mule's gas-powered engine, there were other challenges without clear solutions, including how to repair the hulking robot if it breaks and how to integrate it into a traditional Marine patrol.

With the final funds remaining in the second Boston Dynamics contract, the DARPA-Warfighting Lab team built "Spot," a robotic quadruped the size of a large dog that functioned on quieter electric power. Last September, Marines put the smaller robot to the test in the woods of Quantico, Virginia. But while Spot eliminated the noise problem, its slighter frame could only carry loads of 40 pounds or so and didn't display the advanced autonomous technology that LS3 had. "I see Spot right now as more of a ground reconnaissance asset," said Capt. James Pineiro, the Ground Combat Element branch head for the Warfighting Lab. "The problem is, Spot in its current configuration doesn't have the autonomy to do that. It has the ability to walk in its environment, but it's completely controller-driven."

For now, both Spot and LS3 are in storage, with no future experiments or upgrades planned. Pineiro said it would take a new contract and some new interest from Marine Corps top brass to resurrect the program. While it may seem as though years of work with the robot quadrupeds has wrapped up without a tangible result, Warfighting Lab officials said the Marine Corps did gain important insights about autonomous technology and its potential. "We tend to play with things that are fanciful and strange," Olson said. "Learning from it was a big part, and we're still learning." Meanwhile, the lab has ongoing experiments featuring drones and other unmanned vehicles and are exploring uses for them including medical resupply and reconnaissance. [Source: Military.com | Hope Hodge Seck| December 22, 2015 ++]  

Military Enlistment Standards 2015 Update 09 ➤ Criminal History

The United States Military Services make every attempt to assess the moral quality of potential recruits, and several categories of moral offenses may preclude enlistment. This is primarily accomplished based on criminal record. It should be noted here that there is no such thing as a "sealed record," or an "expunged record" as far as the military is concerned. The recruiting services have access to law enforcement and FBI investigative records, which -- quite often will list arrests in these categories. Even if an offense is not found during the recruiter criminal background check, it is likely to come up during a possible (probable) security clearance criminal records check. If an applicant fails to disclose criminal history and it is later discovered, the individual may be charged under federal law, or the Uniform Code of Military Justice for False Statement, and/or Fraudulent Enlistment.

Any offense which resulted in a conviction or "adverse adjudication" counts. Usually, if the charges were dismissed (without conditions), or resulted in an acquittal (finding of "not guilty"), they don't. However, sometimes the military will "count" an offense which resulted in a dismissal. For example, if you were caught shoplifting, and the charges were dismissed because the store owner didn't want to press charges, the military might count it. On the other hand, if the charges were dismissed because the DA determined there wasn't enough evidence to prove you committed the crime, the military probably wouldn't count it. When determining whether or not an offense "counts" for enlistment purposes, the services are primarily interested in whether or not the applicant actually committed the offense, not whether or not a "legal" conviction resulted. Criminal offenses that fall into one of the below categories "counts" when it comes to enlistment purposes:

- **Conviction.** The act of finding a person guilty of a crime, offense or other violation of law by a court or competent jurisdiction or other authorized adjudicative authority. This includes fines and forfeiture of bond in lieu of trial.
- **Adverse Adjudication.** Any conviction, finding, decision, sentence, judgment, or disposition other than unconditionally dropped, unconditionally dismissed, or acquitted. Participation in a pretrial intervention program as defined below must be processed in the same manner as an adverse adjudication.
- **Pretrial Intervention/Deferment.** Every state has a program by which offenses are diverted out of the regular criminal process for a probationary period. While the programs vary from state to state, they all require the defendant to meet some requirement (e.g., reporting or non-reporting probation, restitution, or community service), after successful completion of which the charge is disposed of in a way that does not result in a final adjudication of guilt. Charges disposed in this manner are processed as an adverse adjudication.
The waiver process is a very subjective one. Each of the services have their own standards when it comes to criminal offenses, and whether or not the offense(s) are disqualifying. Check out:

- Marine Corps - [http://usmilitary.about.com/od/marinejoin/a/criminal.-um-.htm](http://usmilitary.about.com/od/marinejoin/a/criminal.-um-.htm).

[Source: About.com Newsletter | Rod Powers | June 02, 2015 ++]

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**Medal of Honor Citations**  ➤  Herda Frank A. | VN

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The President of the United States in the name of The Congress
takes pleasure in presenting the
Medal of Honor
To
FRANK A. HERDA

Rank and organization: Specialist Fourth Class, U.S. Army, Company A, 1st Battalion (Airborne), 506th Infantry, 101st Airborne Division (Airmobile)

Place and date: Near Dak To, Quang Trang Province, Republic of Vietnam, 29 June 1968

Entered service at: Cleveland, Ohio, in 1965

Born: September 13, 1947, Cleveland, Ohio,

Citation

For conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty. Sp4c. Herda (then Pfc.) distinguished himself while serving as a grenadier with Company A. Company A was part of a battalion-size night defensive perimeter when a large enemy force initiated an attack on the friendly units. While other enemy elements provided diversionary fire and indirect weapons fire to the west, a sapper force of approximately 30 men armed with hand grenades and small charges attacked Company A's perimeter from the east. As the sappers were making a last, violent assault, 5 of them charged the position defended by Sp4c. Herda and 2 comrades, 1 of whom was wounded and lay helpless in the bottom of the foxhole. Sp4c. Herda fired at the aggressors until they were within 10 feet of his position and 1 of their grenades landed in the foxhole. He fired 1 last round from his grenade launcher, hitting 1 of the enemy soldiers in the head, and then, with no concern for his safety, Sp4c. Herda immediately covered the blast of the grenade with his body. The explosion wounded him grievously, but his selfless action prevented his 2 comrades from being seriously injured or killed and enabled the remaining defender to kill the other sappers. By his gallantry at the risk of his life in the highest traditions of the military service, Sp4c. Herda has reflected great credit on himself, his unit, and the U.S. Army.
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Herda joined the Army from his birth city of Cleveland, Ohio, and by June 29, 1968 was serving as a Private First Class in Company A, 1st Battalion (Airborne), 506th Infantry Regiment, 101st Airborne Division (Airmobile). During an enemy attack on that day, near Dak To in Quang Trang Province, Republic of Vietnam, Herda smothered the blast of an enemy-thrown hand grenade with his body to protect those around him. He survived the blast, although severely wounded, and was promoted to Specialist Four and awarded the Medal of Honor for his actions. His other medals for valor include the Distinguished Service Cross, Silver Star, Bronze Star, and the Purple Heart. Frank Herda was promoted from Colonel to Major General and was appointed as the Commanding General for the Ohio First Infantry Division. He retired from the Department of Defense after thirty-three years of service as an employee of the Federal Government.

Herda published the juvenile sword and sorcery novel, The Cup of Death: Chronicles of the Dragons of the Magi in 2007. He is currently working on Book Two of the Chronicles of the Dragons of the Magi. In addition to writing, his current passions include playing massively multiplayer online games (M莫G), including the World of Warcraft, and EverQuest.


* Military History *

**Military Trivia 117 ➤ WWII’s 1st 25 Mission Aircrew**

In 1917 and 1918, the United States government issued Liberty Bonds to raise money for our involvement in World War I. By the summer of 1940 when it appeared the United States would be drawn into World War II, bonds again were being sold as a way to remove money from circulation as well as reduce inflation. After the Japanese attacked Pearl Harbor on Dec. 7, 1941 the bonds became known at War Bonds. To promote selling the War Bonds, rallies were held throughout the country with famous celebrities, usually Hollywood film stars, sports personalities and war heroes such as John Basilone and Audie Murphy. Famous American artists, including Norman Rockwell, created a series of illustrations that became the centerpiece of war bond advertising.

Although the U.S. Army Air Force sent its individual war heroes to War Bond rallies, it preferred sending 10-man heavy bombers crews. That because the American public knew heavy bomber crews faced death on every mission with only one in four chance of actually completing their tour of duty; that's an average life expectancy of only eight weeks. So dangerous was flying heavy bomber combat missions, the USAAF had a policy that when an aircrew
wrapped up 25 missions it was deemed to have "completed their tour of duty." The War Department would then bring the bomber and its crew home to conduct nationwide promotional tours to sell war bonds to help fund the war effort.

According to decades of World War II aviation history, the crew of the "Memphis Belle" became the first B-17F Flying Fortress crew to complete 25 missions following a strike against Kiel, Germany. She and her crew were promptly sent home to the United States to join the War Bond selling tours. A 1944 documentary film was produced detailing its exploits and in 1990, a Hollywood feature film entitled the "Memphis Belle" perpetuated its glory for decades. Problem was, the "Memphis Belle was not the first heavy bomber to survive 25 combat missions. Nor was she the second. She was the third.

The first to complete 25 combat mission was the crew of B-24 Liberator named "Hot Stuff" dropping bombs on Naples, Italy on February 7, 1943 - three-and-a-half months before "Memphis Belle" flew her 25th mission. "Hot Stuff" and her crew went on to fly five additional missions before she and her crew were recalled to the United States, where they were scheduled to go on a War Bonds Tour. In early May, 1943 as the crew prepared for their flight to the States for their War Bonds publicity tour, they got a call from the office of Lt. General Frank M. Andrews, Commander of the European Theater of Operations, asking if he could hitch a ride back to the States. Andrews, an experienced, instrument-rated pilot, bumped the normal co-pilot off the plane and flew in his place. Also aboard were Andrews' staff and four clergymen. Five other crewmen were bumped to make room for Andrews and his entourage.

The first refueling stop before heading out over the Atlantic was scheduled for Prestwick, Scotland, but the crew decided to fly directly to their second refueling stop at Reykjavik, Iceland. Closing in of Reykjavik they ran into snow squalls, low clouds and rain. After several landing attempts, "Hot Stuff" crashed into the side of 1,600-foot-tall Mount Fagradalsfjall, near Grindavik, Iceland. Upon impact, the aircraft disintegrated except for the tail gunner's turret which remained relatively intact. Of the 15 aboard, 14 died. Miraculously the injured tail-gunner, Sgt. George Eisel, survived the crash. Because his leg got tangled up in heavy wreckage, he couldn't move. Twenty-four hours later he was rescued.
and the bodies recovered. In 1945 Camp Springs Air Base in Prince Georges County, Maryland was renamed Andrews Field in Gen. Andrews honor. It has since been renamed Joint Base Andrews. The "Hot Stuff" and her crew were soon forgotten.

"Hell's Angels" a B-17F Flying Fortress became the first 8th Air Force B-17 to complete 25 combat missions in June 1943. At the end of their tour, the crew of "Hell's Angels" signed on for a second tour and continued to fly, going on to fly 48 missions, without ever turning back from their assigned target. The aircraft was returned to the states on January 20, 1944 for it's own publicity tour.

So why did the U.S. Army Air Force promote the "Memphis Belle" as the first heavy bomber to fly 25 combat missions? According to Warbird News, our government was anxious to report uplifting and inspiring stories of the war that would capture the American public's imagination. For the USAAF it was heavy bombers crews that successfully reached 25 combat mission in defiance of actuarial norms. Because the "Memphis Belle" hit that momentous milestone without a crewman's death, it made her the likely candidate to be first to return home for a War Bond tour. Americans, for better or worse are conditioned to respond to a happy ending, especially when it goes against all probability.  [Source: Together We Served | Dispatches | April 2015 ++]

Aviation Art 99 ► The Joker

The Joker
by Jack Fellows
Elements of the 312th Bombardment Group, or the "Roarin' 20's" sweep across Japanese-occupied Clark Field near Manila, on the island of Luzon, Philippines on 14 January, 1945. Lt. R.W. Cleveland, 387th Bomb Squadron, flying an A-20G sporting a winning poker hand with the face of Batman's nemesis, "the Joker", narrowly avoids colliding with the squadron commanding officer, "Jake" Alsup's mortally wounded A-20, which was hit by accurate anti-aircraft fire put up by the many AA emplacements that dotted the former US Army airfield.

[Source: http://www.aviationarthangar.com/avarthajobyj2.html Dec 2015 ++]

Military History          ★ Chichi Jima Incident

By the summer of 1944, continuous successes against the Japanese placed Allied forces on the doorsteps of its mainland. Convinced an invasion of Japan was necessary for a final victory, military commanders began planning for an amphibious landing on the strategically located Iwo Jima, roughly 575 miles from the Japanese coast. Once in the hands of the Allies, Iwo Jima would be a perfect place where B-29 bombers, damaged over Japan, could land without returning all the way to the Mariana Islands retaken from the Japanese after brutal fighting on Guam, Saipan and Tinian. It would also serve as a base for escort fighters that would assist in the bombing campaign.

In June 1944, Vice Admiral Marc Mitscher's Task Force began naval ship bombardments and air raids against Iwo Jima in preparation for an amphibious assault. One hundred and fifty miles north of Iwo Jima was Chichi Jima, another target of multiple bombings beginning on June 1944 and ending September 1944. These earlier raids and those prior to the landing on Iwo Jima on February 3, 1945, the total number of ship barrages and air raids were among the longest and most intense of the Pacific theater.

On Chichi Jima, the 25,000 Japanese operated a Naval Base, a small seaplane base, a weather station, and various gunboat, sub-chaser, and minesweeping units, as well as relay communications and surveillance operations from two radio relay stations atop its two mountains. While destroying the supply and repair operations were key, one of the primary target was the destruction of the radio relay transmitter. At 7:15 am, on Sept. 3, 1944, four Avengers were launched from the USS San Jacinto, to join four Hellcats from the USS Enterprise. Each of the fighters carried four 500 pound bombs. Twenty-year-old Lieutenant Junior Grade George H. W. Bush was one of the Avenger pilots.

When the aircraft arrived over Chichi Jima shortly after 8 am, they began attacking designated targets. Bush was the third pilot to dive on the radio tower transmitter. After nosing over into a 30 degree dive, Bush lined up on the target when his Avenger plane was hit by anti-aircraft fire, engulfing it in flames. He continued unto the target and with his visibility blinded by the smoke, released his bombs. All four made direct hits on the radio tower. Flying away from the island, his burning plane lost power. He radioed his crew, Radioman Second Class John Delaney and gunner
Lieutenant Junior Grade William White, to "Hit the silk!" Wanting to get a few more miles away from the island, Bush stayed at the controls as long as he could allowing Radioman John Delaney to bail out only to die when his parachute failed to open. LtJg William White went down with the aircraft.

When Bush jumped over the side of his aircraft, the slipstream caught his lanky frame and sent it crashing into the tail of the Avenger. His head grazed the starboard elevator and his parachute snagged on the tail and ripped. With a few torn panels, the chute plummeted too fast, dropping Bush hard into the ocean. Only slightly bruised from the fall, he waited for four hours in an inflated raft, while several fighters circled protectively overhead until he was rescued by the lifeguard submarine USS Finback. For the next month he remained on the Finback, and participated in the rescue of other pilots. Several other American flyers on the same bombing mission were also shot down and those few who survived were captured by Japanese soldiers and held prisoners on Chichi Jima Island.

As the date for the February 3, 1945 amphibious invasion on Iwo Jima grew closer, bombing intensified over Iwo Jima and nearby Chichi Jima. During these bombing operations more than one hundred American airmen were shot down over and around the Bonin Islands, but American submarines were able to rescue only three of them, including future U.S. President George H. W. Bush. Most of the others died with their aircraft or succumbed to the cold waters off Iwo Jima and Chichi Jima. Only a few were captured and taken to Chichi Jima as Prisoners of War. That brought a total of nine American airmen known to have been captured. Then they seemed to disappear from the face of the earth. When the war was over, records from a top-secret military tribunal were sealed, the lives of eight of the nine aviators were erased, and the parents, brothers, sisters, and sweethearts they left behind were left to wonder. James Bradley - author of "Flags of our Fathers" - set out to solve the almost sixty year mystery on what happened to the aviators.

In his pursuit to find the answers, Bradley conducted a massive search of eye-witnesses in American and Japan, combed through untapped government archives containing classified documents, and finally a trip to Chichi Jima itself to try to find out what really happened to the eight missing POWs. The ninth aviator was released at the war's end in 1945. His primary source for the truth kept secret until little over a decade ago were the records of the war-crimes trial of Gen. Yoshio Tachibana and Japanese officers in his command at Chichi Jima. The fascinating, unbelievable findings uncovered from his search are contained in his 2006 book, "Flyboys: A True Story of Courage." In late 1945, as part of Japanese war crime trials, a 20-man Marine Police Force, led by Col. Presley M. Rexes, was specifically detailed to probe the whereabouts of American pilots that bailed out over the Islands after their aircraft were disabled during bombing missions. He discovered what he was looking for in the records of General Yoshio Tachibana war crime trial in 1947. International Journal of Naval History also helped complete the details on what happened to the eight missing aviators.

According to the investigation, by mid-1945, due to the Allied naval blockade, Japanese troops on Chichi Jima ran low on supplies and were starving, so Tachibana's senior staff turned to cannibalism. In August 1944 and February/March 1945 in what came to be known later as the "Ogasawara Incident," Tachibana - a notorious sadistic, alcoholic commander - issued an order that all American prisoners of war (downed aviators) be killed. Lt. Col. Kikujima and Capt. Noboru Nakajima clubbed, bayonetted, beheaded and mutilated the eight American airmen. Not only the ones who bailed out over the island, but those who landed offshore and were picked up by Japanese patrol boats. Per an account in Time Magazine, two of the prisoners were beheaded in a public ceremony and their livers immediately cut from their bodies, roasted and served as an appetizer to visiting Senior Japanese Navy Officer during a Sukiyaki party. The Japanese Navy officers subsequently reciprocated by hosting a party where they butchered and served their own American POW's. Other parts of the airmen's bodies were boiled as meat for stew. The names of the eight aviators executed were:

- Navy Aviation Radioman Jimmy Dye, from Mount Ephraim, New Jersey
- Navy Pilot Floyd Hall from Sedalia, Missouri
- Navy Aviation Radioman Marve Mershon from Los Angeles, California
- Marine Pilot Warren Earl Vaughn from Childress, Texas
Navy Aviation Radioman Dick Woellhof from Clay Center, Kansas
Aviation Gunners Grady York from Jacksonville, Florida
Navy Aviation Gunner Glenn Frazier from Athol, Kansas
Navy Pilot Warren Hindenlang of Foxboro, Massachusetts.

The ninth aviator, Navy Pilot William L. Connell from Seattle, Washington was held as a Prisoner of War until the end of hostilities in September 1945. In 1946, 30 Japanese soldiers were court-martialed on Guam on charges of executing prisoners. However, as cannibalism was not covered under international law at the time, Gen. Tachibana, Major Sueo Matoba, Admiral Kunzio Mori and Capt. Yoshii were charged with "prevention of honorable burial." The four, plus a fifth officer, were found guilty and sentenced to death by hanging. All of the enlisted men were released within eight years.

The execution and cannibalism of American POWs at Chichi Jima was not an isolated incident. Many written reports and testimonies collected by tribunals indicate that Japanese personnel in many parts of Asia and the Pacific committed acts of cannibalism against Allied prisoners of war. In many cases this was inspired by ever-increasing Allied attacks on Japanese supply lines, and the death and illness of Japanese as a result of hunger. According to historian Yuki Tanaka, "Cannibalism was often a systematic activity conducted by whole squads and under the command of officers." Perhaps the most interesting detail about the execution and cannibalization of the eight aviators was the fact that George H.W. Bush narrowly escaped the same destiny. But what if he hadn't? Inexorably, the history of America’s presidential and foreign policy would have been dramatically different. [Source: Together We Served | Dispatches | April 2015 ++]

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WWII Advertising ► RCA

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D-Day ► Time to Jump

Time to jump at midnight behind enemy lines prior to beach landings

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WWII Prewar Events ► 1931 Goebbels Wedding w/Best Man Hitler

Joseph and Magda Goebbels on their wedding day. Best man- Adolf Hitler (1931)

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**WWII PostWar Events** ▶ 1946 Belsen Concentration Camp Cemetery

![Image of Belsen Concentration Camp Cemetery](image1)

The new cemetery at Belsen, Germany on March 28, 1946, where 13,000 people who died after Belsen Concentration Camp was liberated are buried.

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**Spanish American War Images 80** ▶ Camp McCalla June 1898

![Image of Camp McCalla June 1898](image2)

The First Marine Battalion (United States), commanded by Lieutenant Colonel Robert W. Huntington, landed on the eastern side of Guantánamo Bay, Cuba on 10 June 1898. The next day, an American flag was hoisted above Camp McCalla where it flew during the next eleven days.

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Western Front, German A7V tanks drive through a village near Rheims in 1918.

Faces of WAR (WWII)  ►  GI in Rome, Italy May 23, 1944

American soldier taking a meal break during the drive towards Rome, WWII. Italy May 23, 1944
Military History Anniversaries ➤ 01 thru 15 Jan

Significant events in U.S. Military History over the next 15 days are listed in the attachment to this Bulletin titled, “Military History Anniversaries 01 thru 15 Jan”.

* Health Care *

TRICARE Durable Medical Equipment ➤ Coverage Limitations

TRICARE covers durable medical equipment (DME) when prescribed by a physician. DME is defined as an item that can withstand repeated use; primarily and customarily serves a medical purpose; and generally is not useful to an individual in the absence of an injury or illness. TRICARE covers DME that:

- Improves, restores, or maintains the function of a malformed, diseased, or injured body part, or can otherwise minimize or prevent the deterioration of the patient's function or condition
- Maximizes the patient's function consistent with the patient's physiological or medical needs
• Provides the medically appropriate level of performance and quality for the medical condition present
• Is not otherwise excluded by the regulation and policy

DME may be rented or purchased. However, your regional contractor will decide if a DME should be rented or purchased based on whether it is more economical and appropriate. TRICARE also covers:

• Medically necessary customization or attachments to the DME to accommodate your medical disability, when your physician has prescribed the equipment as medically necessary and appropriate.
• Medically necessary covered accessories and attachments to a DME necessary to make the DME “serviceable” for a particular disability. For example, a car lift that is an accessory to a wheelchair.
• Repairs to equipment that you own when needed to make the item serviceable.
• Replacement of DME that you own when:
  ◦ There's a change in your physical condition,
  ◦ There's accidental damage to the DME, or
  ◦ The DME is inoperative and can't be repaired, or
  ◦ The U.S. Food and Drug Administration have declared the DME adulterated.

• Duplicate items (those that serve the same purpose, but may not be an exact duplicate, such as a portable oxygen concentrator as a backup for a stationary oxygen generator) that are essential to provide a fail-safe, in-home, life-support system.

TRICARE may cover:
• Electric-powered, cart-type vehicles as an alternate to an electric wheelchair.
• Benefits will not be extended for the use of both an electric-powered, cart-type vehicle.

TRICARE doesn't cover:
• DME for a beneficiary who is a patient in a type of facility that ordinarily provides the same type of DME item to its patients at no additional charge in the usual course of providing its services is excluded.
• DME available to the beneficiary from a military hospital or clinic
• DME with deluxe, luxury, or immaterial features, which increase the cost of the item to the government relative to similar item without those features.
• Routine periodic servicing, such as testing, cleaning, regulating, and checking which the manufacturer doesn't require be performed by an authorized technician.
• Duplicate items of otherwise allowable DME to be used solely as a back-up to currently owned or rented equipment.
• Expendable items such as incontinent pads, diapers, ace bandages etc.
• Non-medical equipment (e.g., humidifier, electric air cleaners, exercycle, safety grab bars etc.).


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Tricare Autism Care Update 15 ► Fee Cuts of Up to 15% in 2016

When TRICARE this month announced cuts of up to 15 percent next year in fees for applied behavior analysis (ABA) therapy of children with autism, some ABA businesses, in responding to an online survey, said they would stop treating TRICARE clients. Most respondents, however, said they need more time to assess how the reduced rates would affect their services. Mary Kaye Justis, director of the TRICARE Health Plan, said she doesn't expect the fee cuts to cause a significant shift of providers for the 10,500 military children receiving ABA services. TRICARE reimbursements still will be higher than offered by most commercial health insurance plans, she said. "We will continue to be a very
reasonable payer," Justis said. "We may not be the best payer in the country but we certainly have the most comprehensive benefit."

ABA therapists work with children, often in their homes, to increase or decrease targeted behaviors and to help them acquire language, daily living or play skills. It also can involve intensive behavioral interventions. TRICARE coverage of ABA therapy has been among the best in the country with no age limits on children treated and no caps on total TRICARE costs per family. TRICARE has been reimbursing for ABA therapy at $125 an hour for providers with doctorate or master degrees, $75 for those with bachelor degrees and $50 for technicians with high school diplomas and ABA training. Next April new national TRICARE rates will be $114 for PhDs, $107 for masters degrees, $67 for bachelor degrees and $40 per hour for technicians. Actual rates could be higher or lower based on local living costs. But the first year decline in ABA fees anywhere will not exceed 15 percent.

TRICARE decided to adjust rates after discovering it routinely paid more than commercial insurance plans. It learned this after the American Medical Association in July 2014 adopted Current Procedure Terminology (CPT) codes for various ABA services, which allowed "better visibility on exactly what procedures are being done and who is doing them." The education level of providers is key to setting appropriate fees, Justis said. "We will look at what kind of therapy and services are provided, ensure [they] are really connected to the treatment plan and needs of the individual child, and what best supports the family," Justis said. TRICARE had discussed fees with groups representing beneficiaries and providers and also reviewed two external studies on ABA fees nationally. "What we found...is that in many cases we were paying substantially more than either Medicaid or commercial plans," Justis said. "Obviously we want to pay a reasonable amount...to ensure our families have access to services. But we also want to be good stewards and not overpay."

TRICARE typically sets care reimbursements comparable to what Medicare allows. But Medicare doesn't cover ABA therapy so, in resetting these rates TRICARE took what Medicaid pays and added 20 percent. Only 40 percent of 26,000 military children with autism spectrum disorder are using ABA services but that proportion is expected to rise. Most of those who do are active duty family members. About 1500 are children of retirees. TRICARE spending on ABA services doubled over a recent three-year period, from $84 million in 2011 to $163.4 million in 2014. Some ABA services require that providers have advance degrees in behavioral analysis. Others need only bachelor degrees or technicians with some skill training. State and professional organizations endorse and set standards for this "tiered" model of therapy. For example, technicians usually are allowed to provide five or 10 hours of unsupervised therapy for every hour they must work with an advanced degree therapist supervising. In this way, ABA businesses contend, they can hire larger staffs, heavy on lower-paid technicians, and provide more services to more patients.

Megan Miller, a therapist with a PhD who co-owns Navigation Behavioral Consulting, an ABA business in Virginia Beach, Va., said 80 percent of her clients are military children. Current TRICARE rates, she said, support tiered services because current advance degree provider fees are sufficient to cover hours when both a supervisor and technician provide care. Because TRICARE pays for only one provider at a time, the worry for some businesses is that lowered fees won't support the tiered model, forcing them to use only advance degree therapists, and not technicians who can't always work alone. Overall availability of services could fall, Miller said.

On December 1, the day TRICARE announced plans for cutting ABA reimbursements, Miller launched an online email survey of businesses that are part of the Behavior Analysis Advocacy Network. It asked how the lowered fees would impact services to their TRICARE beneficiaries. Within a week, more than 100 businesses responded. Six predicted no impact. Seventy said they were still determining the affect. But 13 businesses said they no longer would provide services to TRICARE families, impacting 350 children. Eight other companies said fee cuts potentially would impact TRICARE clients only in certain locales, perhaps forcing up to 500 current clients to go elsewhere for ABA services. Miller and Justis, in separate interviews, agreed on one critical point: TRICARE has built effective channels of communication both with providers of ABA therapy and with advocacy groups for children with autism. "When they first started out it didn't go that smoothly," Miller said. "But over the past two years they've really worked with us."
Justis said TRICARE would monitor the impact of new rates closely. That vow to be vigilant is exactly what's needed, Miller said. Her business doesn't plan to drop any military children but will have to make "internal changes" in light of the lowered rates. "It is unfortunate we need to modify what we've doing and that funding will be different," Miller said. "But we should all keep working together to make sure beneficiaries get the services they need. "And TRICARE," she added, "needs to continue to listen and really accept feedback from providers and beneficiaries about how this is impacting them. It's great to say what you think will happen. But listen to the people telling you what really is happening." [Source: Military.com | Tom Philpott | December 23, 2015 ++]

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Tricare Pharmacy Copay Update 16 ► Change February 1, 2016

Military pharmacies and TRICARE Pharmacy Home Delivery will remain the lowest cost pharmacy option for TRICARE beneficiaries when some TRICARE pharmacy copays change in 2016. On Feb 1, 2016, most copays for prescription drugs at Home Delivery and retail network pharmacies will increase slightly. The 2016 National Defense Authorization Act (NDAA) requires TRICARE to change its prescription copays. All drugs at military pharmacies, and generic drugs through Home Delivery, are still available at no cost to beneficiaries. Copays for brand name drugs through Home Delivery increase from $16 to $20, for up to a 90-day supply. At retail pharmacies, generic drug copays go from $8 to $10, and brand name drug copays go from $20 to $24 dollars, for up to a 30-day supply. Copays for non-formulary drugs and for drugs at non-network pharmacies will also change.

Beneficiaries can save up to $208 in 2016 for each brand name prescription drug they switch from retail pharmacy to Home Delivery. Home Delivery offers safe and convenient delivery of your prescription drugs right to your mailbox. To see the new TRICARE pharmacy copays, learn more about the TRICARE Pharmacy benefit, or move your prescription to Home Delivery, visit www.tricare.mil/pharmacy. [Source: TRICARE News Release | December 30, 2015 ++]

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Vet Organ Donation ► Army Staff Sgt. Matthew Whalen

After Army Staff Sgt. Matthew Whalen suffered a brain hemorrhage from which he would not recover, his life of sacrifice and service continued after death. On 20 DEC Whalen suffered a sporadic subarachnoid brain bleed and the following day his family made the decision to take him off life support so his organs could be donated to two save the lives of two other veterans, reports Fox News. An honor guard of more than 100 current and former service members who served alongside Whalen during his deployments to Iraq and Afghanistan gathered to say their goodbyes at Plaza Medical Center in Fort Worth, Texas. “That’s what Matt deserved,” said his wife, Hannah, of the ceremony. “He was a four-time combat veteran. He was an exceptionally loving dad. … That ceremony that they did, he deserved that recognition.” It can be viewed at http://taskandpurpose.com/former-soldier-receives-emotional-final-salute-before-donating-his-organs-to-2-vets/.

Hannah & Mathew Whalen

Hannah was Whalen’s medic during his second tour in Afghanistan, and they married in February 2012, according to Today.com. Sean Hatton, a close friend of Whalen’s, uploaded a video of the somber salute to Facebook, at the
request of Whalen’s wife. Since the video was posted on Dec. 21, it has reached more than 10 million views and has been shared more than 236,000 times. “In his final act on this Earth, it’s only fitting that he gave his life and in return saved two others,” Hatton wrote on the Facebook post. “And it’s almost as if it were meant to be that the two donor recipients happened to be veterans.” Whalen was 35 and is survived by his wife Hannah, and their three children. Both Hannah and Whalen served with 2nd Brigade Combat Team, 101st Airborne Division. A GoFundMe page at https://www.gofundme.com/Matthewwhalen-com was set up by Brandon Bledsoe to help Whalen’s wife and children deal with expenses, surpassed its goal of $50,000 in six days, reaching nearly $73,000. [Source: Task & Purpose | James Clark | December 29, 2015 ++]

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**TRICARE Cataract Coverage** ► One of the Most Common Operations

Cataract removal is one of the most common operations performed in the United States. According to the National Eye Institute, it also is one of the safest and most effective types of surgery. In about 90 percent of cases, people who have cataract surgery have better vision afterward. TRICARE covers cataract surgery and related supplies and services. More specifically, TRICARE covers the standard intraocular lens (IOL), a fixed lens designed to target vision at a single focal point. During cataract surgery, the natural clouded lens is removed and then replaced by an IOL to become a permanent part of your eye. This provides good distance vision but patients typically need glasses for near and intermediate tasks such as reading and computer use. TRICARE also covers one pair of eyeglasses or contact lenses as a prosthetic device after each medically necessary cataract surgery where an IOL is inserted. If you would like a non-standard IOL instead of a standard monofocal IOL, you will be responsible for the difference in the charges. For more information about your covered vision services, contact your regional contractor at http://www.tricare.mil/ContactUs/CallUs.aspx or visit the Eye Surgery and Treatment page on the TRICARE website http://www.tricare.mil/CoveredServices/IsItCovered/EyeSurgeryTreatment.aspx. [Source: Tricare Communications | December 29, 2015 ++]

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**TRICARE Provider Availability Update 05** ► Beware Non-Certified

If patients receive medical care from a non-certified provider, TRICARE will not pay. If they get care in a certified hospital from a non-certified provider, TRICARE will not pay. If they receive care from a non-certified provider, they will need a waiver letter from the provider. BUT, if the provider does not become certified, TRICARE will not pay. If a provider says that they are TRICARE certified the patient needs to get something in writing proving that the provider is truly certified. Otherwise, TRICARE will not pay. A lot of patients are losing money because of these issues. If they use a non-certified provider, it must be because there are no other providers available (and TRICARE still may not pay). If a patient uses a certified provider and they pay upfront, TRICARE will not pay. The certified provider is expected to file a claim to TRICARE. For information about changes to TRICARE’s pharmacy benefit, visit www.tricare.mil/RxNewRules. [Source: VFW Post 9892 | Service Officer | December 15, 2015 ++]

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**TRICARE Pharmacy Emergency Procedures** ► Storm Goliath

The governors of Missouri, Alabama, New Mexico, and Texas have declared a State of Emergency for all four states (the entire states) due to Storm Goliath. Impacted Areas include all counties in the states of Missouri, Alabama, New Mexico, and Texas. Emergency prescription refill procedures are in place from December 28, 2015 through January...
27, 2016. To get an emergency refill, take your prescription bottle to any TRICARE retail network pharmacy. To find a network pharmacy:

- Call Express Scripts at 1-877-363-1303
- Search https://www.express-scripts.com/TRICARE/pharmacy/findpharmacy.shtml, the network pharmacy locator

If possible, visit the pharmacy where the prescription was filled.

- If you use a retail chain, you can fill your prescription at another store in that chain.
- You can request assistance at another pharmacy, but it's at that pharmacy's discretion to help you.

[Source: TICARE Communications | December 29, 2015 ++]

TRICARE Help ► Q&A 151231

Have a question on how TRICARE applies to your personal situation? Write to Tricare Help, Times News Service, 6883 Commercial Drive, Springfield, VA 22159; or tricarehelp@militarytimes.com. In e-mail, include the word “Tricare” in the subject line and do not attach files. Information on all Tricare options, to include links to Handbooks for the various options, can be found on the official Tricare website, at this web address: http://www.tricare.mil/Plans/HealthPlans.aspx or you can your regional contractor. Following are some of the issues addressed in recent weeks by these sources:

(Q) My husband is in the process of enlisting. We just found out I’m pregnant. Will Tricare cover the pregnancy once he goes to basic training?

A. Absolutely. Tricare places no restrictions on coverage of pre-existing conditions; once you become eligible for Tricare, you’re covered for any health services or procedures that Tricare normally covers, to include prenatal care for already-pregnant women. Once your husband goes on active duty, all he has to do is register you as his dependent in the Defense Eligibility Enrollment Reporting System and you must get a dependent spouse ID card. You can get general information from the main DEERS support office at 800-538-9552.

(Q) I served in the Marines for 8 1/2 years, and was medically retired with a 90 percent disability rating. I’m getting married soon. Will I be able to get medical coverage for my new wife? If so, what steps would I need to take to make that happen?

A. If you received formal medical retirement from the military, then you’re eligible for all the same retirement benefits as a service member who stays in for at least 20 years — to include Tricare coverage for you and your immediate family. Once married, all you have to do is register your bride in DEERS under your sponsorship as your dependent, and get her a dependent ID card. She’ll then be able to use Tricare. You can engage DEERS by visiting the ID Card/DEERS office on any military installation. You can also get general information from the main DEERS support office.
When I go to the doctor, is my military dependent ID card also my proof of insurance, or do I need a Tricare insurance card as well?

A. There is no Tricare insurance card. As long as you are properly registered as a dependent under a military sponsor in DEERS, your military dependent ID card is all you need when you visit the doctor.

I’m a traditional drill-status National Guardsman. In my civilian life, I’m a federal employee for the Interior Department. Am I eligible for Tricare Reserve Select?

A. Unfortunately, anyone who has access to the Federal Employee Health Benefits program cannot use Tricare Reserve Select. It doesn’t matter whether you’re actually enrolled in the FEHB; if you’re even eligible for it, TRS is not an option. More details on TRS and its eligibility rules are at www.tricare.mil/trs.

In a response to a Tricare Help question a while back, you used the phrase, “If you’re willing to pay the Medicare Part B monthly premium ...” As a retired Army Reserve officer with a retired Army Reserve wife, both of us over age 65, our understanding is that you must pay the Part B premium to be eligible for TFL. Is that not the case? You also mentioned that a beneficiary could use a third insurance plan, such as Humana, if you pay the Part B premium. If my wife and I were to go that route — having coverage from Medicare, TFL and Humana — which would be the primary coverage? Could we choose Medicare as primary and Humana as secondary?

A. On your first question about Part B, you are correct — you cannot use Tricare for Life if you do not sign up for Medicare Part B outpatient insurance. That said, no one is forced by law to sign up for Medicare Part B. Also worth noting: Beneficiaries who are no longer working at age 65 and who do not sign up for Part B when they first become eligible, but decide they want to sign up later, likely will face a “late enrollment” penalty equal to about 10 percent of the Part B premium for each year they could have signed up but for whatever reason did not.

Your second question is really a Medicare issue, not a Tricare issue. When Medicare and other health insurance are both in the picture, either may be considered the “primary payer,” based on “coordination of benefits” rules that in turn depend on a number of variables. One of the biggest such variables is whether the beneficiary intends to continue working past age 65 and has access to employer-provided group health plan coverage. In those situations, the number of company employees can determine whether Medicare or the employer-provided OHI pays first. If the other insurance is group coverage and the company has 20 or more employees, the group plan generally pays first, Medicare second. But if the company has less than 20 employees, Medicare generally pays first, the employer coverage second. That’s only one of many potential variables that can come into play. Yes, it can get confusing.

Below are two online sources for more information on your question. The first link is to a Medicare Web page that’s a basic primer on who pays first, while the second link is another Medicare web page that goes into a bit more detail with information tailored to various beneficiary scenarios:

- www.militarytimes.com/medicare-other
- www.militarytimes.com/medicare-whopays

If you’d prefer to speak with a live human about the above as it relates to your own circumstances, you can call Medicare’s Benefits Coordination & Recovery Center at 855-798-2627. The one unalterable constant in the above discussion is that Tricare, by law, is always last payer to any and all other health insurance coverage.

Have a question for the TRICARE Help column. Send it to tricarehelp@militarytimes.com and include the word “Tricare” in the subject line. Do not attach files. [Source: MilitaryTimes | 16 thru 31 Dec, 2015 ++]
**ISIS War Surtax** ► **Sen. Chris Coons Proposal**

Sen. Chris Coons (D-DE) is proposing a temporary surtax to pay for the war against the Islamic State in Iraq and Syria (ISIS). In an op-ed Sunday in The Philadelphia Inquirer, Coons criticized Congress for not paying for the war. The latest Pentagon statistics show that as of 30 NOV, the U.S. has spent nearly $5.4 billion on the war since August 2014, and the average daily cost is $11 million. “One way to offset rising costs while allowing all Americans to contribute is a temporary war surtax that includes an exemption for our troops and their families,” Coons wrote. “As we pursue our goal of ‘degrading and destroying’ ISIS, we cannot write another blank check for war,” said Coons, a member of the Foreign Relations Committee.

Coons said Congress has taken steps to pay for every major conflict, often through new taxes, since the War of 1812. That practice ended with the post-9/11 wars in Iraq and Afghanistan, he said. The Iraq War would eventually cost $1.64 trillion and the Afghanistan War $715 billion. Coons said those costs would include an additional $6 trillion if long-term care for injured veterans were factored in. "Paying for the wars we fight is a matter of congressional responsibility and national security," he said. "A large national debt weakens our ability to respond to global threats, undermines our fiscal position, and limits our diplomatic flexibility."

He also argued that debt from the war would also disadvantage future generations and that it was a moral responsibility to share the burden of the war with those who are sent to fight it. "When we pay for our wars with a credit card, and when the pain of war is felt only by our troops and their families, it is far too easy for our nation's leaders to send soldiers into harm's way without a national conversation about the merits of our involvement, and far too easy for those conflicts to drag on," he said. Coons also argued Congress should debate the war and vote to authorize it. "A proper national debate of the anti-ISIS conflict will demand that Congress and the American people better understand the human cost of the war, too," he added. "We should not declare war today only to declare bankruptcy tomorrow," Coons said. [Source: The Hill | Kristina Wong | December 28, 2015++]

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**Flood Insurance** ► **What is/is not Covered**

**Important facts about your policy.**
1. Contents coverage must be purchased separately.
2. It is not a valued policy.
3. It is not a guaranteed replacement cost policy.
4. While you are not expected to keep receipts for every household item and article of clothing, do try to keep receipts for electronic equipment, wall-to-wall carpeting, major appliances, and other higher-cost items. Your adjuster will be able to process your claim more quickly when you can prove how much items cost at the time of purchase. Also keep receipts for any repairs made with a flood insurance settlement.

**Property coverage.** Physical damage to your building or personal property “directly” caused by a flood is covered by your flood insurance policy. For example, damages caused by a sewer backup are covered if the backup is a direct result of flooding. If the backup is caused by some other problem, the damages are not covered. The following provides general guidance on items covered and not covered by flood insurance.
What is insured under Building Property coverage:

- The insured building and its foundation.
- The electrical and plumbing systems.
- Central air-conditioning equipment, furnaces, and water heaters.
- Refrigerators, cooking stoves, and built-in appliances such as dishwashers.
- Permanently installed carpeting over an unfinished floor.
- Permanently installed paneling, wallboard, bookcases, and cabinets.
- Window blinds.
- A detached garage (up to 10 percent of Building Property coverage); detached buildings (other than detached garages) require a separate Building Property policy.
- Debris removal.

What is insured under Personal Property coverage:

- Personal belongings such as clothing, furniture, and electronic equipment.
- Curtains.
- Portable and window air conditioners.
- Portable microwave ovens and portable dishwashers.
- Carpets not included in building coverage (see above).
- Clothes washers and dryers.
- Food freezers and the food in them.
- Certain valuable items such as original artwork and furs (up to $2,500).

What is not insured under either Building Property or Personal Property coverage:

- Damage caused by moisture, mildew, or mold that could have been avoided by the property owner.
- Currency, precious metals, and valuable papers such as stock certificates.
- Property and belongings outside of a building such as trees, plants, wells, septic systems, walks, decks, patios, fences, seawalls, hot tubs, and swimming pools.
- Living expenses such as temporary housing.
- Financial losses caused by business interruption or loss of use of insured property.
- Most self-propelled vehicles such as cars, including their parts (see Section IV.5 in your policy).

Limitations in Areas Below the Lowest Elevated Floor and in Basements

What is insured under Building Property coverage:

- Foundation walls, anchorage systems, and staircases attached to the building.
- Central air conditioners.
- Cisterns and the water in them.
- Drywall for walls and ceilings (in basements only).
- Non-flammable insulation (in basements only).
- Electrical outlets, switches, and circuit-breaker boxes.
- Fuel tanks and the fuel in them, solar energy equipment, and well water tanks and pumps.
- Furnaces, water heaters, heat pumps, and sump pumps.

What is insured under Personal Property coverage:

- Washers and dryers.
- Food freezers and the food in them (but not refrigerators).
- Portable and window air conditioners.

What is not insured under either Building Property or Personal Property coverage:
• Paneling, bookcases, and window treatments such as curtains and blinds.
• Carpeting, area carpets, and other floor coverings such as tile.
• Drywall for walls and ceilings (below the lowest elevated floor).
• Walls and ceilings not made of drywall.
• In certain cases staircases and elevators.
• Most personal property such as clothing, electronic equipment, kitchen supplies,

[Source: Nat Flood Ins Program FEMA F-678 | Nov 2012 ++]

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COLA 2017  ►  A Deeper Dive Into Red

Unfortunately, it looks like the Consumer Price Index (CPI) is following the trend of the past few years by dropping significantly at the beginning of the fiscal year. In order for a positive gain next year, COLA has to make pretty significant gains. The November 2015 CPI is 231.721, declining to 1.1 percent below the FY 2014 COLA baseline. Because there was not a positive COLA in FY 2015, the FY 2014 baseline is used. The CPI for December 2015 is scheduled to be released on January 20, 2015. [Source: MOAA Leg Up | December 18, 2015 ++]

![Change in Inflation Graph](image)

Note: Military retiree COLA is calculated based on the CPI for Urban Wage Earners and Clerical Workers (CPI-W), not the overall CPI. Monthly changes in the index may differ from national figures reported elsewhere.

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Charitable Giving Tax Deduction  ►  Know the Rules

Each year as Dec. 31 draws near, Americans are bombarded by requests for donations. Many answer those solicitations, happily giving to their favorite charities. This year-end generosity also might pay off at tax time, as long as you know and follow the IRS' rules on tax deductions for donations. You can give thousands of dollars, but if you claim the standard deduction amount on your tax return, your charitable gifts will do you no tax good. You must itemize expenses on Schedule A to deduct charitable donations. The good thing about donations is that, in most cases, there is no limit on how much you can deduct.

Timing is everything. Donations must be made by the end of the tax year for which you want to claim the deduction. If you put a check dated Dec. 31 in the mail by that day, you're OK. So are donations charged by year's end to your credit card, even if you don't pay the card's bill until the next year.

Check out the charity. Only contributions to IRS-qualified charities are deductible. This means the group meets Uncle Sam's requirements to be classified as a tax-exempt organization. You've probably heard this referred to as
501(c)(3) status, so-called because that is the section of the Internal Revenue Code that governs such groups. Ask the charity to which you plan to give for information on its tax status. Reputable nonprofits will be more than happy to offer proof. You also can check out groups via various online databases, such as GuideStar and Charity Navigator, as well as by using the IRS' own online searchable database of exempt organizations.

**Know your limits.** Remember that phrase "in most cases, there is no limit on how much you can deduct" mentioned earlier in connection with itemizing? That applies to most people, but for some very generous folks, there are limits on tax deductions for donations. Most public charities are known as 50% organizations. They get this name because donors' deductions are limited to 50% of their adjusted gross income. For example, if your adjusted income is $50,000 and you give $30,000 to a qualifying nonprofit, you can't claim your full charitable gift in the tax year in which you give. You can claim only up to $25,000. However, the other $5,000 isn't lost. You can claim the excess donation amount on your next year's tax return. You have up to 5 years of "rollovers" to claim the full charitable gift. Most of us won't have to worry about this limit, but in case you come into some unexpected cash and want to share it with a charity, take into account the deduction limit.

There also are 20% and 30% donation deduction limits for specific gifts and the groups -- typically private charities -- that receive them. These rules are more complicated, so you should talk to a tax professional if you're planning a gift that falls into this category. Also, higher-income taxpayers might not get the full benefit of their total itemized deductions, including charitable gifts. For 2015 tax year filings, the Schedule A total is reduced for taxpayers who make more than:
- $258,250 if single.
- $284,050 if head of household.
- $309,900 if married filing jointly or a qualifying widow or widower.

**Make sure goods are in good shape.** In addition to cash gifts -- which in the IRS' eyes include not only currency, but also the previously mentioned donations made with checks and credit cards -- you might donate household goods. In this case, you get to count the item's fair market value as your donation amount. Donated personal property, however, must be in good or better shape for your deduction to count. This rule was enacted several years ago to prevent people from giving away worthless items to charities and then claiming excessive value amounts as tax deductions. Special rules also apply to donations of motor vehicles. No longer can you simply deduct the Kelley Blue Book price of the auto. You need to find out how the charity will use the vehicle and, if the group sells it, what price it receives. That will determine how much you can claim.

**Get receipts.** Regardless of the type of gift, its amount and to which charity you donate it, get a receipt. The IRS actually demands receipts when a donation is more than $250. In some cases, appraisals also are required. In most cases, the receipts are for your records only, just in case the IRS later has questions about your deduction. If you don't get a receipt or other formal acknowledgment from the charity when you donate, ask for one. A legitimate tax-exempt organization will have no problem giving you a receipt when you make your donation or later mailing (or emailing) one to you.

[Source: Bankrate.com | Kay Bell December 23, 2015 ++]
(Q) My father worked full time until he was 81 years old. He never filed for Social Security benefits until he retired at age 81. Can he recoup any of the 11 years of lost Social Security benefits that he should have filed for at age 70?

A: Unfortunately, the Social Security Administration allows only for up to 6 months of retroactive retirement insurance benefits when the worker applies for benefits more than 6 months after his or her full retirement age. If your father at some point on or after his full retirement age contacted the Social Security Administration about filing for benefits, there may be a written record showing his intent to file. If certain criteria are met, a protective filing is established on the date that the Social Security Administration receives a written statement of intent to file. He would need to work with the Social Security Administration if he believes this is the case. If he falls into this scenario, he may be eligible for more than just the 6 months of retroactive benefits. From what you’ve written, it doesn't appear there was an earlier attempt to file for benefits before age 81. Your father's is a cautionary tale for workers who keep working past their full retirement age to make sure to file for Social Security benefits at age 70. Seniors don't earn delayed retirement credits past age 70, so there's no reason not to file at 70.

[Source: Various | December 31, 2015 ++]
Be sure to read a few reviews — don’t rely on just one source. Or, you may decide to take matters into your own hands by reviewing your credit reports on a regular basis or placing a credit freeze on your report. A check on the internet at http://consumerproductadvisor.com/lifelock-review revealed that Lifelock was rated 2 on a 5-star scale. [Source: MoneyTalksNews | Krystal Steinmetz | December 17, 2015 ++]

 Saving Money ► Refrigerator Do’s and Don’ts

How you arrange your refrigerator can affect how food tastes and how long it keeps. So investing a little time into organizing the fridge can spare you from losing money to prematurely spoiled food — and extra trips to the grocery store. Fortunately, implementing the following tips will cost you only a few minutes.

1. **Keep things at ‘eye level’**. The average American spends $522 a year on food that goes to waste, according to the latest estimates from the U.S. Department of Agriculture. (Check out “13 Simple Ways to Stop Wasting Food – and Money” for more.) “Out of sight, out of mind” can be costly when it comes to the refrigerator. So, store produce near eye level if you’re prone to forgetting what’s in the crisper drawers until it’s already spoiled. It also helps to store healthier foods at eye level if you’re on a diet or have a habit of reaching for the least healthy option when searching for a snack.

2. **Don’t store perishable foods in doors**. The doors are the warmest part of the fridge, according to the Ohio State University Extension. So store items like condiments and juice there and keep foods like eggs and meats inside the fridge.

3. **Avoid cross-contamination**. Poor fridge organization risks the spread of infection-causing bacteria from one food to another. The Kitchn blog reports that professional kitchens and restaurants store foods based on how much cooking they require to be eaten safely. Foods that require cooking at the highest temperatures are stored in the lowest parts of the fridge. So raw eggs or raw chicken, for example, should be stored on shelves that are lower than shelves where leftovers and ready-to-eat snacks are kept.
4. **Keep fish in the back.** This is the coldest part of the fridge, according to the Ohio State University Extension, and fish stored at 2 degrees Fahrenheit will keep for twice as long as fish stored at 41 degrees. The extension recommends storing fish in zipper-lock bags on ice in the back of the fridge.

5. **Avoid overcrowding the fridge.** Foods cannot chill properly without cold air circulating around them, according to the U.S. Food and Drug Administration. If you can’t create enough room in a jam-packed fridge, the freezer can store foods like breads and many fruits and vegetables.

6. **Get creative with unusual tools.** Don’t be afraid to think outside the box when organizing your refrigerator. For example, a shower organizer can help you keep things where they need to be. Smaller caddies designed to be stuck to shower walls can also be stuck to fridge walls to add vertical storage or to corral small items. A lazy Susan is especially helpful on shelves that have a low clearance, making it harder to reach items in the back. You can also corral items into plastic bins. This makes it easier to access foods in the back, especially if you use deep storage containers that can easily be pulled out. Use bins made of dishwasher-safe plastic so you can easily clean them.

7. **Know what not to refrigerate.** Bananas, lemons, limes, melons, potatoes and tomatoes are among the foods that should be kept out of the fridge, according to the Food Network. Their taste and texture undergo “strange changes” when they’re stored at too cold of a temperature.

8. **Beware of ethylene.** Some types of produce emit this odorless and invisible naturally occurring gas as they ripen, according to Washington State University’s Tree Fruit Research & Extension Center. They refer to it as the Ripening Hormone (http://postharvest.tfrec.wsu.edu/pages/PC2000F0). Ethylene can also cause other produce to ripen, so keep ethylene-producing foods away from ethylene-sensitive foods to avoid premature spoiling. Real Simple magazine and The Kitchn report that:

- Ethylene producers include: Apricots, Avocados, Bananas, Cantaloupes, Honeydew melon, Kiwi, Mangoes, Nectarines, Papayas, Peaches, Pears, Plums, and Tomatoes.
- Ethylene-sensitive foods include: Asparagus, Broccoli, Carrots, Cucumbers, Eggplants, Green beans, Lettuce and other leafy greens, Potatoes, Squash, and Watermelon.

**[Source: MoneyTalksNews | Jim Gold | June 10, 2015 ++]**

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**Syrian Refugee Scam ➤ How it Works**

Scammers always seem to take advantage of current events and the tragic circumstances of others. The Syrian refugee crisis is just the latest disaster to get the scam treatment.

**How the Scam Works:**

- You get an email from someone claiming to be in Syria. He or she is contacting you to get help transferring money out of the country. "I am looking for honest person to help us sell our gold," reads one version. "So we can leave Syria because of war here."

- If you reply, the scammer will offer you a percentage of the funds he/she is looking to transfer abroad. Don't take the bait. Getting the "money" out of Syria doesn't prove to be easy. The scammer will encounter plenty of "setbacks" that you will need to pay, such as bribes, taxes etc. Even if you pay all these demands, the money will never materialize. There are no funds, and it's all a con.

- This isn't the first time these types of scams have used a war torn regions to lend credibility to their con. In other versions, scammers pretend to be from Afghanistan or Iraq. The scam is even sometimes referred to as the "419 Scam" after a section of the criminal code in Nigeria, because scammers use to pose as Nigerian princes and others trying to get funds out of that country.
Tips to Spot a 419 Scam: No matter the story, these scams fool victims with the promise of a lot of money for little effort.

- Use the "too good to be true" rule. If an "opportunity" just falls in your lap (or inbox) and appears too good to be true, there's probably a catch.
- Don't share banking information. Do not reply to emails asking for personal banking or credit card information.
- Be wary of individuals claiming to be overseas. In many different types of scams, con artists claim to be living abroad to avoid in person contact. Consider this a red flag.
- Be suspicious of transactions that involve additional fees. Scammers will often tempt victims with a great offer (lottery winnings, job offer) and request additional fees to further the transaction.
- Hit delete. Don't reply, click any links or download attachments in suspicious emails.

Check out the FBI's information on common fraud schemes at https://www.fbi.gov/scams-safety/fraud to learn more about this type of scam and how to spot it. To find out more about other scams, check out BBB Scam Stopper (bbb.org/scam). To report a scam, go to BBB Scam Tracker (bbb.org/scamtracker). [Source: BBB Scam Alert | October 30, 2015 ++]

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**Holiday High Pay Job Scam**

How it Works

The holiday season will soon be in full swing, and stores are staffing up with temporary employees. Seasonal work can be a great way to make extra money during the holidays, but watch out for fake job scams.

How the Scam Works:

- You receive an email that appears to be from the human resources department of a major retailer or a recruitment firm. The email says the company is hiring employees for the holiday season and claims to pay a high hourly wage. And applying is easy. You don't need to go into the store. All you have to do is click the link at the bottom of the message and fill out an online application.
- Don't let the message fool you! This email traces back to China, not a corporate office in the United States or Canada. If you click, you may download malware to your device. Or, if you complete the "application," you will be sharing your personal information with scammers and opening yourself up to identity theft.
- As the holiday season ramps up, watch out for scams. Busy schedules mean that people may be less vigilant in November and December and can easily fall prey to cons.

How to Spot a Job Scam:

- Don't fall for an overpayment scam. No legitimate job would ever overpay an employee and ask him/her wire the money elsewhere. This is a common trick used by scammers.
- Some positions are more likely to be scams. Always be wary of work-from-home offers, secret shopper positions, or any job with a generic title, such as caregiver or customer service representative. These positions often don't require special training or licensing, so they appeal to a wide range of applicants. Scammers know this and use these otherwise legitimate titles in their fake ads.
- If a job looks suspicious, search for it online. If the result comes up in other cities with the exact same job post, it is likely a scam. Also, check the real company's job page to make sure the position is posted there.
- Watch out for on-the-spot job offers. You may be an excellent candidate for the job, but beware of offers made without an interview. A real company will want to talk to a candidate before hiring him or her.
Look for pay or perks well above similar positions. If similar jobs offer to pay $10/hour and this position pays $20/hour, chances are that there's a catch.

To find out more about other scams, check out BBB Scam Stopper (www.bbb.org/scam). To report a scam, go to BBB Scam Tracker (www.bbb.org/scamtracker). [Source:  BBB Scam Alert | November 6, 2015 ++]

Gift Exchange Scam  ►  How it Works

It may only be November, but scammers are already taking advantage of holiday goodwill. The latest seasonal scam is a gift exchange that's actually a pyramid scheme. Look out for this con on Facebook, Instagram and other social sites.

How the Scam Works:

- You spot a friend's post on your Facebook or Instagram feed. It's inviting you to join a gift exchange, and it sounds like a great deal. If you buy one $10 gift for a stranger, you will receive as many as 36 gifts back. Some people are even posting photos of all the gifts they have received in the mail.
- This "gift exchange" is the latest version of a hoax that's been around for years. It's the same premise as a pyramid scheme and or the pre-Internet chain letters. The idea is that you send money (or a gift) to the person at the top of the list, cross them off, add your name to the bottom and send the list to more friends. Eventually, you hope, your name will be at the top, and you will receive all the money/gifts. However the scheme relies on constantly recruiting new participants, making it mathematically impossibly to sustain. This may seem like a harmless hoax, but these schemes are a form of gambling and illegal in the U.S. and Canada.

Protect Yourself From Social Media Scams:  - Take the following steps to protect yourself and others from scam links shared through Facebook, Twitter and other social media:

- Don't take the bait. If it sounds too good or outlandish to be true, it's probably a scam. Stay away from promotions of anything "exclusive," "shocking," or "sensational."
- Be careful of shortened links. Scammers use link-shortening services to disguise malicious links. Don't fall for it. If you don't recognize the link destination, don't click.
- Don't trust your friends' taste online. It might not actually be them "liking" or sharing scam links to photos. Their account may have been hacked or compromised by malware.
- Report the scam to Facebook. On Facebook report scam posts and other suspicious activity by following these instructions.
- Report the scam on Instagram. On Instagram report scam posts and other suspicious activity by following these instructions.

For More Information:  See examples of the social media posts in BuzzFeed's coverage of the scam and learn more about US Postal Inspectors' stance on chain letters. To find out more about other scams, check out BBB Scam Stopper (www.bbb.org/scam). To report a scam, go to BBB Scam Tracker (www.bbb.org/scamtracker). [Source:  BBB Scam Alert | November 6, 2015 ++]
Tax Burden for Arkansas Retired Vets  ▶  As of Dec 2015

Many people planning to retire use the presence or absence of a state income tax as a litmus test for a retirement destination. This is a serious miscalculation since higher sales and property taxes can more than offset the lack of a state income tax. The lack of a state income tax doesn’t necessarily ensure a low total tax burden. States raise revenue in many ways including sales taxes, excise taxes, license taxes, income taxes, intangible taxes, property taxes, estate taxes and inheritance taxes. Depending on where you live, you may end up paying all of them or just a few. Following are the taxes you can expect to pay if you retire in Arkansas.

Sales Taxes
State Sales Taxes: 6.50% (prescription drugs exempt). Food taxed at 2%, city and county sales taxes could add another 5.5%. To view local rates, click here.
Gasoline Tax: 40.20 cents/gallon (Includes all taxes)
Diesel Fuel Tax 47.2 cents/gallon (Includes all taxes)
Cigarette Tax: $1.15 cents/pack of 20

Personal Income Taxes
Tax Rate Range: Low – 1.0%; High – 7.0% *
Income Brackets: Six. Lowest – $4,199; Highest – $34,600
Tax Credits: Single – $26; Married – $46; Dependents – $26
Additional deduction if 65 years of age or older – $26
Standard Deduction: Single – $2,000; Married filing jointly – $4,000
Medical/Dental Deduction: Same as Federal taxes
Federal Income Tax Deduction: None
Retirement Income Taxes: Social Security is exempt, as are VA benefits, Workers’ Compensation, Tier 1 and Tier 2 Railroad Retirement benefits, and unemployment compensation. Up to $6,000 in military, civil service, state/local government, and private pensions are exempt. The exemption refers to income from public or private retirement systems, plans or programs. IRA distributions can be included as part of the $6,000 exemption if the taxpayer is 59½ or older. Out-of-state government pensions also qualify for the exemption. Taxpayers who receive an IRA distribution after reaching age 59-1/2 do not have to pay taxes on the first $6,000 from the account. Other exemptions include active duty military personnel ($9,000), retired military personnel, and life insurance proceeds.
Retired Military Pay: Up to $6,000 of federal retirement pay and/or survivor benefits excluded.
Military Disability Retired Pay: Retirees who entered the military before Sept. 24, 1975, and members receiving disability payments 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/RSFP: Generally subject to state taxes for those states with income tax. Check with state department of revenue office.

Property Taxes
Arkansas property taxes are levied by counties, municipalities, and school districts. All households are eligible for a homestead tax credit of up to $350 regardless of income or age. Political subdivisions collect taxes on real property (house and land) and personal property (motor vehicles, boats and motors, motorcycles and all-terrain vehicles). Assessment is based on 20 percent of the true market value. The taxable assessed value of homesteads will not increase more than 5% above the previous taxable assessed value except when new additions or substantial improvements are made to the property. However, the taxable value of the homestead will continue to increase each year until it equals 20% of market value. The taxable assessed value of homesteads of residents aged 65 or older, or those who are disabled are capped at the previous year value unless improvements are made or the property is sold. For

In certain cases, disabled veterans are exempt from all state taxes on real and personal property. This tax exemption also is available to widow or widowers who do not remarry, as well as to dependent minor children of military personnel who were killed in action, died of service-related disabilities or who are missing in action. For additional information, go to http://www.veterans.arkansas.gov.

Inheritance and Estate Taxes
There is no inheritance tax. In 2003 the estate tax was repealed for those deceased after January 1, 2005.

For further information, visit the Arkansas Department of Finance and Administration site or call 501-682-7751. For general tax information, click here. Go to www.arkansas.gov/dfa/income_tax/documents/moving_2_arkansas.pdf for a booklet on moving to Arkansas.


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Tax Burden for Maryland Residents ► As Dec 2015

Personal income tax
- Maryland collects income taxes from its residents utilizing eight tax brackets. For single, married filing separately, dependent taxpayers or fiduciaries:
  - 2 percent on the first $1,000 of taxable income.
  - 3 percent on taxable income between $1,001 and $2,000.
  - 4 percent on taxable income between $2,001 and $3,000.
  - 4.75 percent on taxable income between $3,001 and $100,000. (for married joint, qualifying widow(er)s and head-of-household filers, the 4.75 percent rate applies to $3,001 to $150,000)
  - 5 percent on taxable income between $100,001 and $125,000. (for married joint, qualifying widow(er)s and head-of-household filers, the 5 percent rate applies to $150,001 to $175,000)
  - 5.25 percent on taxable income between $125,001 and $150,000. (for married joint, qualifying widow(er)s and head-of-household filers, the 5.25 percent rate applies to $175,001 to $225,000)
  - 5.50 percent on taxable income of $150,001 and $250,000. (for married joint, qualifying widow(er)s and head-of-household filers, the 5.50 percent rate applies to $225,001 to $300,000)
  - 5.75 percent on taxable income of $250,001 and more. (for married joint, qualifying widow(er)s and head-of-household filers, the 5.75 percent rate applies to $300,001 and more)
- Nonresidents are subject to a special nonresident tax rate of 1.25 percent, in addition to the state income tax rate.
- Residents of Maryland must file state tax forms by April 15 or the next business day if that date falls on a weekend or holiday.
- Baltimore and Maryland's 23 counties levy local "piggyback" income taxes at rates between 1.25 percent and 3.20 percent of Maryland taxable income. Local officials set the rates, and the revenue is returned to the local governments quarterly.
- Local income taxes are withheld and collected on the same forms as state income taxes.
- Maryland offers a variety of personal income tax credits and deductions to eligible filers. Refer to http://taxes.marylandtaxes.com/Individual_Taxes/General_Information/Tax_Credits_and_Deductions/Determine_Tax_Credits_and_Deductions.shtml.

Sales taxes
- Maryland's state sales tax is 6 percent.
- There are no general local sales taxes in Maryland.
- Maryland also has a 6 percent use tax, applied to tax-free purchases made out of state and which must be reported and paid by filing the state's use tax return.
**Personal and real property taxes**

- All real property in Maryland is subject to the property tax.
- Generally, properties that are owned and used by religious, charitable or educational organizations or property owned by the federal, state or local governments are exempt.
- Property tax bills are issued in July or August of each year by the 23 counties, Baltimore and the 155 incorporated municipalities in Maryland. Tax bills are rendered for the upcoming fiscal year and are effective as of July 1.
- Real property is reassessed on a three-year cycle by the Real Property Valuation Division. Every year, one-third of all property in Maryland is reviewed, including an exterior physical inspection of the property.
- The amount of the tax bill is determined by two factors: the assessment and the property tax rate. Assessments are based on the fair market value of the property and are issued by the Department of Assessments and Taxation, an agency of state government. Property tax rates are set by each unit of government: the state, counties and cities.
- Property tax rates vary widely. No restrictions or limitations on property taxes are imposed by the state, meaning cities and counties can set tax rates at the level they deem necessary to fund governmental services. These rates can increase, decrease or remain the same from year to year. If the proposed tax rate increases the total property tax revenues, the governing body must advertise that fact and hold a public hearing on the new tax rate. This is called the Constant Yield Tax Rate process.
- The Homestead Property Tax Credit, commonly referred to as the Assessment Cap, limits the taxation of large annual assessment increases on owner-occupied residential property. For state tax purposes, any annual assessment increase for a home that is greater than 10 percent is not taxed. Counties and municipalities may limit assessment increases for local tax purposes to less than 10 percent annually.
- Maryland also offers real property exemptions, credits for property owners and renters and exemptions for historic properties. Details on these programs can be found at Maryland's tax website at http://www.dat.state.md.us/sdatweb/taxcredits.html.
- To find your local property tax official, check the State Department of Assessments and Taxation Web page http://msa.maryland.gov/msa/mdmanual/25ind/html/06asses.html or you can call (410) 767-4433 from the Baltimore area.

**Inheritance and estate taxes**

- A Maryland estate tax return is due for residents who died after Dec. 31, 2001, if the decedent's federal gross estate, plus adjusted taxable gifts, equaled or exceeded $1 million and the decedent was either a resident of Maryland at the time of death or owned real or tangible personal property in the state.
- Maryland imposes an inheritance tax on the value of property passed from a decedent to some beneficiaries.

**Other Maryland Tax Facts**

- With i-File Maryland at https://interactive.marylandtaxes.com/Individuals/iFile_ChooseForm/default.asp, the state's taxpayers can e-file personal income tax returns, along with the most commonly associated schedules and forms.
- Under Maryland law, all persons offering individual tax preparation services must be licensed with the State Board of Individual Tax Preparers. More information is available at the Department of Labor, Licensing & Regulation website http://www.dllr.state.md.us/license/taxprep.

Thrift Savings Plan 2015 ▶ Returns as of 30 DEC 2015

There are currently 10 investment funds in the Thrift Savings Plan. Five are individual stock and bond funds, and the other five are target retirement date funds. The table below summarizes the historical performance and risk characteristics of the five primary TSP Investment Funds. Click on any link in the table header to see performance charts and other details for that fund.

<table>
<thead>
<tr>
<th>TSP Investment Funds 8/31/1990 - 12/30/2015</th>
<th>TSP G Fund</th>
<th>TSP F Fund</th>
<th>TSP C Fund</th>
<th>TSP S Fund</th>
<th>TSP I Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Price (12/30/2015)</td>
<td>14.9146</td>
<td>16.9249</td>
<td>27.8239</td>
<td>35.5126</td>
<td>24.4184</td>
</tr>
<tr>
<td>Change (1-Day)</td>
<td>0.01%</td>
<td>0.06%</td>
<td>-0.71%</td>
<td>-0.82%</td>
<td>-0.23%</td>
</tr>
<tr>
<td>YTD Return</td>
<td>2.04%</td>
<td>0.73%</td>
<td>2.42%</td>
<td>-2.16%</td>
<td>0.83%</td>
</tr>
<tr>
<td>1-Year Return</td>
<td>2.05%</td>
<td>0.88%</td>
<td>1.37%</td>
<td>-2.90%</td>
<td>-0.06%</td>
</tr>
<tr>
<td>3-Year Return</td>
<td>2.08%</td>
<td>1.83%</td>
<td>16.22%</td>
<td>14.12%</td>
<td>5.50%</td>
</tr>
<tr>
<td>5-Year Return</td>
<td>2.03%</td>
<td>3.60%</td>
<td>12.84%</td>
<td>10.72%</td>
<td>4.17%</td>
</tr>
<tr>
<td>10-Year Return</td>
<td>2.94%</td>
<td>4.72%</td>
<td>7.46%</td>
<td>8.12%</td>
<td>3.33%</td>
</tr>
<tr>
<td>Annual Return Since 8/31/1990</td>
<td>4.8%</td>
<td>6.4%</td>
<td>9.9%</td>
<td>10.7%</td>
<td>5.6%</td>
</tr>
<tr>
<td>Annualized Standard Deviation [2]</td>
<td>0.3%</td>
<td>3.9%</td>
<td>18.1%</td>
<td>19.9%</td>
<td>17.9%</td>
</tr>
<tr>
<td>Maximum Drawdown [3]</td>
<td>-</td>
<td>-6.6%</td>
<td>-55.2%</td>
<td>-57.4%</td>
<td>-60.9%</td>
</tr>
<tr>
<td>Sharpe Ratio [4]</td>
<td>0.40</td>
<td>0.35</td>
<td>0.37</td>
<td>0.13</td>
<td></td>
</tr>
<tr>
<td>Value of $1,000 invested on 8/31/1990</td>
<td>$3,317</td>
<td>$4,805</td>
<td>$10,925</td>
<td>$13,275</td>
<td>$3,941</td>
</tr>
</tbody>
</table>

Notes
1. Standard deviation, also known as historical volatility, is used by investors as a gauge for the amount of expected volatility. Volatile TSP funds like the C, S, and I fund have a high standard deviation, while the deviation of the G and F funds is lower. When comparing investments, a low standard deviation is preferable.
2. Drawdown: the peak-to-trough decline in the TSP fund value, measured as a percentage between the peak and the trough. Perhaps best expressed in the historical drawdown charts for each fund, which show the magnitude and duration of each periodic decline. A good investment strategy aims to minimize drawdowns.
3. The Sharpe Ratio measures risk-adjusted performance. It’s calculated by subtracting the risk-free interest rate from the rate of return for a specific fund, and dividing the result by the standard deviation of the fund returns. Since we only track TSP funds on this website, we use the G fund returns as our risk-free investment. When comparing investments, a high Sharpe Ratio is preferable.

The Thrift Savings Plan also offers five Lifecycle Funds. The table below shows their historical performance since they became available for investment on 8/1/2005: [5]

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Price (12/30/2015)</td>
<td>17.8066</td>
<td>23.3216</td>
<td>25.2267</td>
<td>26.7707</td>
<td>15.1556</td>
</tr>
<tr>
<td>Change (1-Day)</td>
<td>-0.11%</td>
<td>-0.28%</td>
<td>-0.38%</td>
<td>-0.45%</td>
<td>-0.50%</td>
</tr>
<tr>
<td>YTD Return</td>
<td>2.04%</td>
<td>1.85%</td>
<td>1.70%</td>
<td>1.48%</td>
<td>1.32%</td>
</tr>
<tr>
<td>1-Year Return</td>
<td>1.86%</td>
<td>1.37%</td>
<td>1.08%</td>
<td>0.78%</td>
<td>0.52%</td>
</tr>
<tr>
<td>3-Year Return</td>
<td>4.34%</td>
<td>7.75%</td>
<td>9.27%</td>
<td>10.33%</td>
<td>11.25%</td>
</tr>
<tr>
<td>5-Year Return</td>
<td>3.95%</td>
<td>6.61%</td>
<td>7.74%</td>
<td>8.51%</td>
<td>-</td>
</tr>
<tr>
<td>Annual Return Since 8/1/2005</td>
<td>4.2%</td>
<td>5.6%</td>
<td>6.1%</td>
<td>6.4%</td>
<td>8.8%</td>
</tr>
<tr>
<td>Annualized Standard Deviation</td>
<td>4.1%</td>
<td>12.0%</td>
<td>14.6%</td>
<td>16.7%</td>
<td>14.0%</td>
</tr>
<tr>
<td>Maximum Drawdown</td>
<td>-11.0%</td>
<td>-36.9%</td>
<td>-43.3%</td>
<td>-48.4%</td>
<td>-19.8%</td>
</tr>
<tr>
<td>Sharpe Ratio</td>
<td>0.30</td>
<td>0.27</td>
<td>0.28</td>
<td>0.28</td>
<td>0.54</td>
</tr>
<tr>
<td>Value of $1,000 invested on 8/1/2005</td>
<td>$1,534</td>
<td>$1,760</td>
<td>$1,849</td>
<td>$1,908</td>
<td>$1,516</td>
</tr>
</tbody>
</table>

TSP Lifecycle Funds

The five TSP Lifecycle Funds are target retirement date funds, invested in a professionally designed mix of domestic and international stocks, bonds and government securities. Each L Fund is invested in the five individual
TSP funds (G, F, C, S, and I Fund). TSP investors choose a fund based on when they expect to retire and start making withdrawals:

- The TSP L 2050 Fund is for participants who will need their money in the year 2045 or later.
- The TSP L 2040 Fund is for participants who will need their money between 2035 and 2044.
- The TSP L 2030 Fund is for participants who will need their money between 2025 and 2034.
- The TSP L 2020 Fund is for participants who will need their money between 2015 and 2024.
- The TSP L Income Fund is for participants who are already withdrawing their accounts in monthly payments, or who plan to need their money between now and 2014.

[Source: http://www.tspfolio.com/tspfunds December 31, 2015 ++]

* General Interest *

**Notes of Interest ➤ 16 thru 31 Dec 2015**

- **Bios Urn.** Let's convert cemeteries into forests! Check out the Bios Urn at https://urnabios.com. It is a fully biodegradable urn designed to convert your ashes into a tree after life. Mainly composed of two parts, the urn contains a seed which uses the nutrients from the ashes to grow in the name of your loved one or yourself.

- **PTSD.** Second-line responders to tragedy—humanitarian workers, therapists, social workers, lawyers, and journalists—can develop traumatic-stress disorders that mimic the PTSD of their clients, patients, and sources, down to the images of violence that can haunt a traumatized mind.

- **Vietnam 50th.** Secretary of Veterans Affairs Robert McDonald has designated March 29, 2016, as the date for our nation’s Vietnam War Commemoration Forgotten Heroes. To view Craig Patrick’s Fox13 series “Forgotten Heroes – The War at Home” go to http://www.bing.com/videos/search?q=video+forgotten+heroes+va+blunders&view=detail&mid=6D1DC5043BB35865DAC96D1DC5043BB35865DAC9&FORM=VIRE1.

- **Seals.** The legendary Navy SEALs have no plans to alter their strenuous physical fitness standards as they open the doors to women in 2016, according to the Navy’s personnel boss.

- **TRICARE.** Medicare-eligible military retirees and their spouses are among the most satisfied users of Tricare, while those enrolled in Tricare Prime — many of whom receive health care at military hospitals and clinics — are less happy with the military health system, according to a recent poll conducted by the Military Officers Association of America.

- **Military Suicides.** The number of suicides among active-duty service members has remained relatively steady in 2015, according to Pentagon data. As of Dec. 15, 275 service members had killed themselves, compared with 273 in 2014 and 253 in 2013.

- **Hanford Nuclear Reservation.** The nation's most polluted nuclear weapons production site is now its newest national park. Thousands of people are expected next year to tour the Hanford Nuclear Reservation, home of the world's first full-sized nuclear reactor, near Richland, about 200 miles east of Seattle in south-central Washington.

- **SecDef.** Defense Secretary Ash Carter has ordered U.S. Navy leaders to buy fewer ships so the service can spend more on jets such as the F-35 as well as munitions and upgraded systems for electronic warfare.
• **Toxic Exposure.** The Department of Veterans Affairs says it will take at least a year to formulate regulations enabling Camp Lejeune veterans to receive automatic benefits for any of eight diseases linked to contaminated drinking water at the base.

• **Islamic State.** The cost of battling the Islamic State came to about $11 million a day between SEP 2014 and NOV 2015, totaling about $5.36 billion, according to data released by DoD. The Air Force is spending the most at 69%, followed by the Army with 13%, the Navy with 11% and Special Operations Command at 7%.

• **Response time.** If you drive go to https://www.justpark.com/creative/reaction-time-test to see what age driver your braking response time correlates to.

• **History Quiz.** Take the 30 question multiple choice quiz at http://history.howstuffworks.com/historical-events/us-history-expert-quiz.htm to see how well you know American history.

• **Trump.** Check out https://www.youtube.com/embed/MOKi5YeNtRI to view a 25 year old video on Donald Trump discussing his views on running for president.

• **WWII Sex Slaves.** An apology from Japan's prime minister and a pledge of more than $8 million sealed a breakthrough deal 28 JAN on a decades-long impasse with South Korea over Korean women forced into Japanese military-run brothels during World War II.

• **ReWalk Exoskeleton.** The Department of Veterans Affairs has announced coverage of the ReWalk powered exoskeleton for qualified veterans who have lower-limb paralysis, marking the first federal coverage decision for the technology.

• **Arms Sales.** The US made $36.2 billion in foreign arms sales in 2014, a jump of about 35% over 2013, according to a congressional study. Russia was a distant second in arms sales, netting $10.2 billion, followed by Sweden ($5.5 billion), France ($4.4 billion) and China ($2.2 billion). US ally South Korea was the biggest buyer with $7.8 billion, followed by Iraq with $7.3 billion and Brazil with $6.5 billion.

• **USS Nimitz (CVN-68).** The carrier which is scheduled for a deployment after it gets out of the yard this summer, is going to stay in Bremerton through its 2018 maintenance availability, the Navy announced 22 DEC.

[Source: Various | December 31, 2015 ++]

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**Medical ID Theft ► 100 Million Records in 2015**

There’s nearly a 1 in 3 chance that your medical records were compromised in 2015, according to Caleb Barlow, vice president of IBM Security. Barlow tells CNBC that retailers had their best year in the past five years in terms of information security. He says that it’s evidence that retailers are working hard to solve the problem with new security tools and technology like the chip and PINs. In the health care sector, however, high-profile breaches of major insurance companies like Anthem and Blue Cross made headlines this year. In fact, 100 million records were compromised by hackers, Barlow says.

[Image of a hospital bed]
The current U.S. population is about 323 million. Barlow adds: “This represents basically about 1 in 3 Americans have had their health care records compromised over the course of this year.” The rise in medical identity theft is especially bad news for consumers. Barlow explains: “It’s stuck with you for the rest of your life, so this information in the health care record could be used 20 years from now to establish credit, file a tax return on your behalf, or file a false medical claim.” Medical data is also more valuable to hackers than financial data, according to the nonprofit Medical Identity Fraud Alliance. While stolen credit cards sell for a few dollars on the black market, electronic health records sell for as much as $50. To learn about how you can guard against medical identity theft, check out:


[Source: MoneyTalksNews | Karla Bowsher | December 29, 2015 ++]

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US Voter Data Breach ► Information on 191 Million Voters

An independent computer security researcher uncovered a database of information on 191 million voters that is exposed on the open Internet due to an incorrectly configured database, he said on 28 DEC. The database includes names, addresses, birth dates, party affiliations, phone numbers and emails of voters in all 50 U.S. states and Washington, researcher Chris Vickery said in a phone interview. Vickery, a tech support specialist from Austin, Texas, said he found the information while looking for information exposed on the Web in a bid to raise awareness of data leaks. Vickery said he could not tell whether others had accessed the voter database, which took about a day to download.

While voter data is typically considered public information, it would be time-consuming and expensive to gather a database of all American voters. A trove of all U.S. voter data could be valuable to criminals looking for lists of large numbers of targets for a variety of fraud schemes. “The alarming part is that the information is so concentrated,” Vickery said. Vickery said he has not been able to identify who controls the database, but that he is working with U.S. federal authorities to find the owner so they can remove it from public view. He declined to identify the agencies. A representative with the Federal Bureau of Investigation declined to comment. A representative with the U.S. Federal Elections Commission, which regulates campaign financing, said the agency does not have jurisdiction over protecting voter records.

Regulations on protecting voter data vary from state to state, with many states imposing no restrictions. California, for example, requires that voter data be used for political purposes only and not be available to persons outside of the
United States. Privacy advocates said Vickery's findings were troubling. "Privacy regulations are required so a person’s political information can be kept private and safe," said Jeff Chester, executive director of the Washington-based Center for Digital Democracy. The leak was first reported by CSO Online and Databreaches.net, computer and privacy news sites that Vickery said helped him attempt to locate the database's owner. CSO Online said the exposed information may have originally come from campaign software provider NationBuilder because the leak included data codes similar to those used by that firm.

In a statement, NationBuilder Chief Executive Officer Jim Gilliam said the database was not created by the Los Angeles-based company, but that some of its information may have come from data it freely supplies to political campaigns. "From what we've seen, the voter information included is already publicly available from each state government, so no new or private information was released in this database," Gilliam said. [Source: Reuters | Jim Finkle and Dustin Volz | December 29, 2015 ++]

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**Federal Holidays** ★ 2016

Federal law (5 U.S.C. 6103) establishes the public holidays listed below for federal employees. Please note that most Federal employees work on a Monday through Friday schedule. For these employees, when a holiday falls on a non-workday -- Saturday or Sunday -- the holiday usually is observed on Monday (if the holiday falls on Sunday) or Friday (if the holiday falls on Saturday).

<table>
<thead>
<tr>
<th>Date</th>
<th>Holiday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday, January 1</td>
<td>New Year's Day</td>
</tr>
<tr>
<td>Monday, January 18</td>
<td>Birthday of Martin Luther King, Jr.</td>
</tr>
<tr>
<td>Monday, February 15*</td>
<td>Washington's Birthday</td>
</tr>
<tr>
<td>Monday, May 30</td>
<td>Memorial Day</td>
</tr>
<tr>
<td>Monday, July 4</td>
<td>Independence Day</td>
</tr>
<tr>
<td>Monday, September 5</td>
<td>Labor Day</td>
</tr>
<tr>
<td>Monday, October 10</td>
<td>Columbus Day</td>
</tr>
<tr>
<td>Friday, November 11</td>
<td>Veterans Day</td>
</tr>
<tr>
<td>Thursday, November 24</td>
<td>Thanksgiving Day</td>
</tr>
<tr>
<td>Monday, December 26**</td>
<td>Christmas Day</td>
</tr>
</tbody>
</table>

* This holiday is designated as "Washington's Birthday" in section 6103(a) of title 5 of the United States Code, which is the law that specifies holidays for Federal employees. Though other institutions such as state and local governments and private businesses may use other names, it is our policy to always refer to holidays by the names designated in the law.

** December 25, 2016 (the legal public holiday for Christmas Day), falls on a Sunday. For most Federal employees, Monday, December 26, will be treated as a holiday for pay and leave purposes. (See section 3(a) of Executive order 11582, February 11, 1971)


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**War on Xmas** ★ House Resolution 564

It’s the most uncomfortable time of the year. A group of conservatives in Congress do not want Christmas traditions and symbols to recede from public life. They have banded together in their fight to keep nativity scenes on display in town squares and the words “Merry Christmas” in our conversations this season. Republican Colorado Rep. Doug
Lamborn introduced a resolution in the House of Representatives on 11 DEC that would affirm the body’s “sense” that Christmas should be protected House Resolution 564, which invokes the First Amendment, posits that references to religion or God should not be prohibited in civic dialogue: “Now, therefore, be it Resolved, That the House of Representatives — (1) recognizes the importance of the symbols and traditions of Christmas; (2) strongly disapproves of attempts to ban references to Christmas; and (3) expresses support for the use of these symbols and traditions by those who celebrate Christmas.”

The resolution has been referred to the House Committee on Oversight and Government Reform. According to Lamborn, seasonal religious expression must be protected for all Americans, and efforts to remove religious aspects of Christmas from the public space are not merely misguided — they are unconstitutional. “Christmas is a wonderful time of year when a majority of Americans take time to remember the humble birth of Jesus Christ on a holy night more than 2,000 years ago. The message of Christmas is one of love, hope, and peace,” Lamborn said in a statement. “It is a message that our country and this world needs more than ever in the midst of ever increasing conflict and chaos.” He takes issue with the “troubling effort by some in America” to eliminate “any and all Christmas celebrations and traditions from the public arena.”

First lady Michelle Obama, accompanied by first dog Bo, reads “Twas the Night Before Christmas” to children at the Children’s National Health System in Washington on 14 DEC.

Lamborn sent a letter to his colleagues in the House encouraging them to co-sponsor the resolution. The proposed resolution is only the latest volley in the annual so-called “War on Christmas.” Every year, social conservatives lament what they consider secular attempts to suppress the Christian holiday. Many others, however, contend that there is no such “war” and that Americans have simply become more culturally inclusive. Earlier this month, the University of Tennessee, Knoxville’s Office of Diversity and Inclusion released a statement urging students not to throw Christmas parties because they might offend some students. “Holiday parties and celebrations should celebrate and build upon workplace relationships and team morale with no emphasis on religion or culture. Ensure your holiday party is not a Christmas party in disguise,” read the message, which has since been altered, according to the Daily Beast.

University Chancellor Jimmy G. Cheek apologized for the statement after it was roundly criticized in the media as tone deaf and an affront to free speech. “As an educational institution, it’s our job to listen and to learn,” he said in a news release. “We are sorry that we did not communicate very well. We’ve learned a lesson from this. We want to move forward and to focus on the big picture and our goals for creating and sustaining a learning environment where all community members and all points of view are valued and respected.” [Source: https://www.yahoo.com/politics | Michael Walsh | December 15, 2015 ++]
Lo and behold, Congress actually got some big things done this year. By just about any standard, the House and Senate passed more significant pieces of legislation in 2015 than at any point since President Obama’s first two years in office, when Democratic majorities gave him a raft of landmark policy achievements. The laws Congress enacted this year were not as expansive, but with Republicans controlling Capitol Hill for the first time since 2006, they were all bipartisan. The list of major congressional actions includes:

- The first rewrite of federal education law since the passage of No Child Left Behind in 2002.
- A five-year, $305 billion infrastructure bill—the longest reauthorization of federal transportation programs in a decade.
- A long-term fix to the Medicare payment system, partially paid by modest reforms to entitlement programs.
- Enactment of Trade Promotion Authority, which grants both Obama and his successor additional power to negotiate trade deals that can’t be revised by Congress.
- Passage of a $1.15 trillion spending bill, which loosens budget caps and lifts a 40-year-old ban on the export of U.S. oil.
- A $622 billion tax package, which makes permanent dozens of tax breaks aimed at businesses and low-income individuals and families.

Using the last four years as a point of comparison is admittedly setting a low bar for judging the first session of the 114th Congress. As anyone paying even occasional attention to Washington politics could tell you, not much made it out of the Capitol between 2011 and 2014. The Republican-controlled House bickered with a Senate run by Democrats, and lawmakers lurched from one crisis to the next. Most of the noteworthy legislation that did pass—a deficit-reduction bill in 2011, the fiscal-cliff deal in 2013—were significant merely because they forestalled a calamity of Congress’s own making, not because they established new law or proactively addressed a national problem. And so although none of the legislation passed in 2015 matches, say, the Affordable Care Act or the 2009 economic stimulus package in scope, this year saw the House and Senate return to a semblance of normal governance. “They’ve really nailed down some festering issues that have been on the agenda for quite a while,” said Sarah Binder, a senior fellow who studies Congress at the Brookings Institution. “And they’ve done it in this sort of remarkably bipartisan way.”

What changed? The first and most obvious difference is that Republicans took over the Senate majority. While this could have been the recipe for even more gridlock, new Majority Leader Mitch McConnell made a deliberate decision to demonstrate in his first year that Republicans could run, in his words, a “responsible, right-of-center governing majority.” The imperative, as he described to reporters early on, was to lay the groundwork for the 2016 election and to show voters that they needn't be frightened of giving Republicans both the Congress and the White House. McConnell got off to a slow start, and GOP leaders stumbled in an early showdown with Democrats by withholding funds for the Department of Homeland Security in a standoff over immigration. But ultimately, McConnell delivered on his promise, and during year-end interviews and press conferences, he took a victory lap on leading a more open and productive Senate. “By any objective standard,” he said after the chamber closed up for the year, “the Senate is clearly back to work.”

Yet because the Republican majority is not filibuster-proof, McConnell needed Democratic cooperation. For the most part, he got it. In the closing weeks of the year, Democrats pointed out that the issues on which Congress made progress—particularly the infrastructure and education bills—came out of the large backlog that had built up when they were in the majority. “All the things that my friends boast about, my Republican friends, we could have done years ago, but they obstructed them,” lamented Harry Reid, the former majority leader whom Republicans relegated to the minority. Senator Charles Schumer took the argument a step further: “The bills we’re passing reflect Democratic values,” he told reporters. “Even though we’re in the minority, we’re passing a program that we’ve been for all along.”

Victory, of course, has a thousand fathers—or at least a couple hundred when a bill passes Congress. And much of the backslapping in the Capitol reflected the kind of credit-taking you’d expect from members of an institution held
in low-esteem by most of the American public. Democrats may have helped Republicans pass bills that aligned with their priorities, but they were frustrated that the GOP took no action to combat climate change, address gun violence, raise the minimum wage, or overhaul the nation’s immigration—all key parts of Obama’s agenda.

The final flurry of legislation came after a period of intense turmoil in the House, when Speaker John Boehner resigned rather than face a revolt by conservatives in the Republican conference. While most of the significant bills were in the works before Boehner left, lawmakers said his departure created more political space for Paul Ryan to steer them over the finish line. “Over a period of time, Speaker Boehner had lost some gravitas within the conference, and Paul hasn’t,” said Representative Reed Ribble, a Wisconsin Republican. If nothing else, Ryan made productive use of the honeymoon afforded him by the conservatives who would raise objections whenever Boehner brought legislation they didn’t like to the floor. Binder said the combination of McConnell and Ryan in the two leadership posts “probably greased the skids.” There was, she said, “a little more willingness to clean out the barn, get it going, and put these behind them to focus on 2016.”

Will the bipartisan bonhomie continue in the new year? Expectations for major legislative action are always low in a presidential-election year. The ripest area for bipartisanship is criminal-justice reform, which has attracted the interest of lawmakers from across the political spectrum. Obama has listed it as a priority, and advocates believe they have a small window early in the year before the presidential and legislative primary campaigns make a major bill impossible. But despite passage of Trade Promotion Authority earlier this year, there is a dwindling likelihood that Congress will approve the Trans-Pacific Partnership before the election. Obama also is expected to press Congress to act on his plan to finally close the detention center at Guantanamo Bay, to formally authorize the use of military force against the Islamic State, and to address gun violence. In a year-end news conference, he sounded realistic about the low chances that lawmakers will move on any of those priorities.

Yet as he considered a legislature that has so often frustrated him, the president added, “Every once in a while, they’ll surprise you.” They certainly did in 2015. [Source: The Atlantic | Russell Berman | December 23, 2015 ++]

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Household Tips Update 03 ➤ Alternate Use Items

Can’t get rid of that funky odor from your mudroom? Out of laundry detergent and paper towels, too? A trip to Walmart beckons…or does it? As it turns out, you don’t need Lysol to freshen the air, nor do you need paper towels to clean your bathroom mirror. Dig through your cabinets and you’ll find some little-known (and in many cases, better) uses for something you already have.

1. **Ketchup** - A little bit of ketchup removes tarnish and stains from pots and pans.

2. **Aluminum foil** - Believe it or not, aluminum foil is not only safe to put in the dryer, it’s also a good replacement for dryer sheets.

3. **Coffee filters** - Coffee filters are lint-free and typically work better than paper towels when it comes to cleaning your windows or mirrors. Obviously, filters aren’t cheaper than paper towels, but in a pinch they could save you a trip to the store.

4. **White vinegar** - Practically a wonder-substance. Sure, it’s a great coffee pot cleaner, but it can relieve sunburn pain, athlete’s foot, a sore throat, and hiccups. It’s also a remedy for acne and body odor.

5. **Rubbing alcohol** - Did the kids get a hold of the permanent markers again? Don’t fret. Rubbing alcohol will remove those drawings from tabletops and walls.

6. **Cat litter** - Rice is commonly used to cure a wet phone, but if there’s none in the pantry, cat litter will also do the trick.
7. **Cinnamon** - Cinnamon acts as a natural repellent for mice and ants. Simply dip a few cotton balls in cinnamon and place them in problem areas.

8. **Baking soda** - Commonly known as an alternative to toothpaste (though not one that should be used every day), it also acts as an antacid. Simply mix ½ teaspoon of baking soda with a few ounces of water.

9. **Coffee grounds** - What do you do when the awful odor of leftover food won't leave your fridge? You'll obviously have to dispose of the culprit, but after it's banished, stick some coffee grounds in a plastic container and punch a few holes in the top. Put the container in the fridge and after a few hours, the odor will vanish.

10. **Grocery bags** - Most of us have a stash of plastic bags from the grocery store, though we hate to admit it. Make use of the bags when you send a fragile package – they're a great alternative to bubble-wrap.

11. **Hair dryer** - Hair dryers have a surprising multitude of purposes, including removing dust from your keyboard, stretching out your new shoes, and removing the Disney stickers that make it onto your toddler's wall.

12. **Nail polish remover** - Ink stains on your skin or scuff marks on your patent leather shoes will go away with a cotton ball and some nail polish remover.

13. **Bread** - Break a glass? Bread will easily and safely pick up tiny glass your vacuum missed.

[Source: MoneyTalksNews | Amanda Geronikos | July 03, 2015 ++]

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**Scandals of 2015 ▶ 15 of the Biggest**

In a year marked by private email shenanigans and undercover videos, political scandals that might have shocked the public any other time seemed relatively tame. But public figures from all levels were up to no good in 2015, wasting taxpayer money and trying to cover their tracks at every turn. While this timeline of scandals doesn't begin to cover all the political bad behavior that transpired in Washington this year, it does provide a window into what some leaders will do when they think no one is watching.

**First lady of Oregon's conflict of interest.** Oregon Gov. John Kitzhaber was forced from his post in February after months of scrutiny over the role of his fiancee, Cylvia Hayes, in his official administration. Hayes, an environmental activist, ran a private consulting firm that represented clients whose business intersected with the state government. Critics accused Kitzhaber of allowing his fiancee to use her access to Oregon's highest office in service to her clients, a practice many saw as a blatant conflict of interest. Oregonians heightened their calls for the Democratic governor's resignation after Hayes refused to release emails related to her role as the state's first lady even though the attorney general had ordered her to make them public. Four days before Kitzhaber stepped down, the attorney general announced she had opened a criminal investigation into the allegations of corruption surrounding the governor's office. That was in addition to a review already in progress by the Oregon Government Ethics Commission. Kitzhaber made history by becoming the only Oregon governor to resign amid scandal, in addition to his standing as the state's longest-serving governor.

**Shocking Expenses.** Aaron Schock resigned in March over questions about his office decorations that spiraled into a national scandal. The Illinois Republican's woes began in February when a Washington Post reporter inquired about the "Downton Abbey" theme of Schock's lavishly-appointed office. "[S]ometimes, a friendly outsider can inadvertently ruin a communications director's day," wrote Ben Terris, the Post reporter who touched off the firestorm that cost Schock his seat, in a 2 FEB story about an awkward encounter with the congressman's press wrangler. Journalists soon began poring over Schock's financial records for evidence of impropriety. They raised questions about his use of taxpayer and campaign funds to charter jets, purchase concert tickets and to reimburse himself for driving more miles in his official capacity than were even on his car's odometer. While Schock initially attempted to make
amends for his frivolous spending by hiring a third party to track his expenses, he folded under the pressure of a congressional ethics probe and a seemingly endless onslaught of headlines about his political expenditures.

**Tax-delinquent feds.** An Internal Revenue Service report made public in March revealed more than 100,000 federal employees had evaded all or part of their taxes in 2014, costing taxpayers $1.4 billion. The amount of revenue loss to tax-delinquent government workers had hit a ten-year high, according to the controversial report. Yet all 113,805 civilian government employees named in the review kept their taxpayer-funded jobs despite failing to pay their own taxes. The report sparked widespread outrage and prompted House Republicans to put forward a bill that would have given federal officials the power to fire government employees who are delinquent on their taxes. That bill failed to clear the House in April. Democrats reportedly argued that the bill unfairly targeted federal employees over private ones.

**Hillary’s email-gate.** Hillary Clinton’s email scandal eclipsed every other political controversy this year in interest and intensity after the slow drip of revelations about her use of a private email server threatened to hobble her presidential campaign. Critics contend Clinton used a personal server to hide her communications from the public, although the former secretary of state first argued in March that she had set the system up at her Chappaqua, N.Y. home because she wanted to carry just one device for both personal and official emails. Within hours, reporters had dredged up photographs of Clinton using multiple mobile devices, rendering her defense useless. She has not offered an alternative explanation. Even so, the public’s appetite for stories about the Clinton email saga has waned. Thousands of pages of her emails have been published by the State Department at the end of each month since May, but her poll numbers have bounced back from the hit they took at the height of the controversy in the summer and early fall. Clinton’s campaign has attempted to muddy the water on the issue of the classified materials found within her records. While her campaign has argued the hundreds of classified emails released so far were only designated as such after they were sent or received, the intelligence community maintains several were classified when they were written. Clinton also faces an FBI investigation into whether she mishandled classified material on her personal server, a charge she denies. She remains the Democratic frontrunner for president.

**Clinton Foundation’s foreign funds.** Just as new information about her private email use was bubbling to the surface on a daily basis this spring, Clinton began taking heat on an unrelated matter: contributions to her family’s philanthropic empire. The controversy over Clinton Foundation donors, many of whom had business before the State Department while Clinton served as secretary of state, reached a fever pitch with the publication in May of Clinton Cash by Peter Schweizer. The highly-anticipated book explored connections between State Department actions and large donations to the Clinton Foundation, revealing a pattern of seemingly favorable treatment for some of the charity’s largest donors. Amid the scrutiny, other reporters uncovered evidence that the Clinton Foundation had not disclosed all of its foreign donations during Clinton’s diplomatic tenure, as it had been required to do under an agreement with the White House. Clinton has repeatedly denied her family’s charity ever engaged in improper behavior.

**Hastert’s hush money.** Former Speaker of the House Dennis Hastert was indicted in May for his alleged attempts to conceal a trail of money he paid to cover up a separate, more sinister scandal from decades earlier. Law enforcement officials said Hastert paid more than $3 million to a student he molested when he was a teacher in Illinois. Although authorities said they did not have enough evidence to bring charges in the molestation case, they did have indications that the former Republican lawmaker withdrew a large sum of cash in small increments in an attempt to flout banking laws that flag major withdrawals for review. The scandal has effectively destroyed the reputation of the longest-serving Republican House speaker in history.

**Disgraced watchdog.** Todd Zinser, former inspector general for the Department of Commerce, resigned in June after lawmakers began pushing President Obama to remove the watchdog. Zinser was accused of retaliating against whistleblowers in his office, hiring and then promoting his girlfriend, spying on the emails of employees he regarded as enemies and hiding official records from investigators. Zinser even spent $250,000 of taxpayer money on a private attorney to protect himself from the legal firestorm.
Another private email dust-up. Three months after Rafael Moure-Eraso stepped down from his position as head of the Chemical Safety Board in March, lawmakers called for a criminal investigation into his conduct as head of the agency. Moure-Eraso was accused of using a personal email account to hide official communications, then lying about it to a congressional committee. The embattled official was also accused of secretly spying on the emails of two of his employees, as well as attempting to hide records from inspector general investigators.

Obamacare loses billions. Federal officials lost track of $2.8 billion in insurance subsidies issued through Obamacare from January to April 2014 alone, the Department of Health and Human Services inspector general found in June. The watchdog discovered HHS had not set up a system to prevent major payment errors, nor had it established a way to keep track of mistakes. The findings this summer added to a tough year for Obamacare and its exchanges, many of which suffered from high-profile failures as co-ops around the country shut their doors.

VA mess. The Department of Veterans Affairs weathered a number of controversies this year, from refusing to fire a pair of officials who had stolen $400,000 from the agency to blocking thousands of combat veterans from receiving their promised benefits. On Veterans Day, the VA fended off criticism about its decision to award millions of dollars in employee bonuses the same year it was caught covering up long delays in care with fake patient waiting lists at facilities across the country. In July, a whistleblower made public documents that showed one in three veterans had died while waiting to be enrolled in the VA’s benefits program. The backlog of applicants had reached nearly 850,000 by this summer, even as administration officials vowed to cut the long list down.

Planned Parenthood videos. A series of undercover videos recorded by the Center for Medical Progress shed light on a little-known Planned Parenthood policy of providing fetal tissue from abortions to researchers. The videos, which were released sequentially starting in July, showed Planned Parenthood employees casually discussing the harvest and sale of fetal organs. Republicans in Congress quickly seized on the issue, ordering investigations and demanding the federal government pull its funding of the massive abortion provider. Critics argued the footage showed illegal activity because the sale of fetal tissue for profit is against the law, while Planned Parenthood supporters contended the prices negotiated on camera covered the health care group’s overhead costs only.

Pennsylvania’s scandal-plagued attorney general. Kathleen Kane, the attorney general of Pennsylvania, hit a new low in the months-long controversy surrounding her conduct in office when the state supreme court suspended her law license in September. The month before, she was was charged with perjury and leaking information from a 2009 grand jury investigation in what critics called an effort to hurt her adversaries. The slow-brewing scandal began early last year after the Philadelphia Enquirer published a story indicating Kane had shut down an investigation that had successfully caught several Democratic politicians accepting kickbacks on tape. That investigation was led by Republican-appointed prosecutor Frank Fina, who reportedly disagreed with the decision to stop the probe. Kane allegedly leaked sealed information about a 2009 case on which Fina had worked, suggesting Fina had ignored leads and failed to take action in an investigation of a civil rights leader. By November of last year, Kane had hired Lanny Davis, a former attorney for Bill Clinton during his impeachment trial, to defend her against a grand jury investigation into whether she had improperly leaked the information about the 2009 case in order to get back at Fina. She testified that she had broken no laws, although prosecutors argued she had illegally leaked the information and then lied about it because she suspected Fina was behind the original story about her decision to shut down the political probe of Democrats. Despite losing her law license and facing multiple criminal charges, including obstruction, Kane has repeatedly dismissed calls for her resignation and remains in position as Pennsylvania’s Democratic attorney general.

Secret Service shenanigans. The Secret Service has been under near-constant fire since September of last year, when an intruder hopped the White House fence and scrambled across the front lawn undetected in a high-profile security lapse. A report made public earlier this month by the House Oversight and Government Reform Committee found the agency had allowed a series of breaches over the past several years and that Secret Service agents had solicited prostitutes on official travel, among other acts of debauchery. But the probe got personal for Rep. Jason Chaffetz, Oversight Committee chairman, when dozens of Secret Service officials conspired to leak potentially embarrassing information about the Utah Republican as his committee’s investigators closed in. A watchdog report
released in September found Secret Service agents had planted a story about Chaffetz's unsuccessful 2003 application to become an agent himself. Following the publication of the Oversight Committee's scathing review of the agency on Dec. 3, Chaffetz called the Secret Service an "agency in crisis."

**VW cheats.** Environmental Protection Agency officials discovered Volkswagen had been cheating on emissions tests by programming engines in some of its cars to manipulate readouts during mandatory emissions tests. The EPA's announcement in September touched off a barrage of criticism from public figures both in Germany, where Volkswagen is based, and in the U.S.

**Rahm's cover-up.** Rahm Emanuel, embattled mayor of Chicago, presently faces a growing chorus of calls for his resignation amid allegations that his city government concealed a controversial videotape during his re-election campaign. The dashboard-camera footage in question appears to show a police officer shooting an unarmed black teenager repeatedly. Laquan McDonald, the 17-year-old in the video, was killed in the Oct. 2014 incident, but the officer who pulled the trigger was not charged with any wrongdoing until November of this year. In the 13 months between the shooting and the state attorney's decision to bring charges against Officer Jason Van Dyke, the city of Chicago entered into a $5 million settlement with McDonald's family and reportedly fought off 15 separate Freedom of Information Act requests for the video. It was not until November 24, when a FOIA lawsuit filed by a freelance reporter finally pried the footage loose, that the Cook County state attorney decided to charge Van Dyke with first-degree murder. Observers wonder why the city waited to charge the officer until the same day as the release of the video, which sparked widespread protests, and why officials waged such a protracted war to keep the clip under wraps. Emanuel's critics suggest the perceived delay in justice was due to his tough re-election fight earlier this year. Six months after McDonald was killed, Emanuel won a mayoral run-off that was seen as historically contentious. While some of the former White House chief of staff's allies have stuck by him through the controversy, others, such as the Reverend Al Sharpton, have called for his resignation. Emanuel is presently weathering the winter scandal in Cuba, where he is on vacation.

[Source: Washington Examiner | Sarah Westwood | December 29, 2015 ++]

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**Internet Speed ➤ How fast should your high-speed connection be?**

Consumer Reports suggests verifying that you are getting the speed you need, especially if you’re paying for better performance than you’re receiving. The popular movie and TV show streaming service Netflix recommends a download speed of 5 megabits per second for HD-quality video. However, Consumer Reports says that is insufficient for a multiple-person household: Given how much data Americans consume, 5 Mbps isn’t going to cut it since performance can suffer as your broadband speed is split among more simultaneous users and/or activities. You can check your Internet speed on websites like Ookla’s Speedtest.net (http://www.speedtest.net). Consumer Reports recommends testing it multiple times over the course of a few days, including at varying times of day.
For streaming video, it’s important to focus on the download speed. If you upload a lot of photos or videos or play games online, pay close attention to the upload speed. If your Internet isn’t delivering the speed you need, Consumer Reports offers the following tips:

- To help determine if an older modem or router is part of the problem, verify that your router supports the 802.11n standard “at the very least,” Consumer Reports says. If not, ask your Internet service provider about getting a newer model that supports a newer standard, called AC, that is capable of faster speeds.
- To determine whether your wireless connection is part of the problem, switch to a wired connection and retest your Internet speeds.
- If your wireless connection is spotty, try moving your router to a more central location. Also make sure it’s away from obstructions like walls or ceilings, and never keep it in a closet or cabinet.
- If you suspect interference from a microwave oven or cordless phone system, for example, consider switching to a dual-band router that can operate on both the 2.4 GHz and 5 GHz frequencies. “Switching to the higher 5 GHz band can help avoid interference from other devices that operate in the 2.4 GHz range,” Consumer Reports explains.
- For intermittent problems, try rebooting your modem and routers by unplugging their power connections for about 30 seconds. “Sometimes simply restarting these devices will help clear up any issues,” Consumer Reports says.

[Source: MoneyTalksNews | Karla Bowsher | June 18, 2015 ++]

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Photos That Say it All ► Losing A Friend 2

![Losing A Friend 2](image)

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Most Creative Statues ► Prague, Czech Republic | Man Hanging Out

![Man Hanging Out](image)
Interesting Inventions ► Spoke-less bicycle

Moments of US History ► Coney Island New York 1940
Brain Teaser  ► Do You Know 1?
1. What is greater than God
   More evil than the devil
   The poor have it
   The rich need it, and
   If you eat it, you'll die?
2. If you look at the number on my face you won't find thirteen anyplace.
3. Tear one off and scratch my head what was red is black instead.
4. The eight of us go forth not back to protect our king from a foes attack.
5. There are three men in a boat with four cigarettes but no matches. How do they manage to smoke?
6. What room can no one enter?
7. What is it that's always coming but never arrives?
8. When is a man drowned, but still not wet?
9. Who makes it, has no need of it.
   Who buys it, has no use for it.
   Who uses it can neither see nor feel it.
   What is it?
10. Feed me and I live, yet give me a drink and I die.
11. A man is pushing his car along the road when he comes to a hotel. He shouts, "I'm bankrupt!" Why?
12. How many of each species did Moses take on the ark with him?
13. Forward I am heavy, but backward I am not. What am I?
14. He has married many women, but has never been married. Who is he?
15. Take off my skin - I won't cry, but you will! What am I?

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**Have You Heard? ➤ Butch the Rooster**

Sarah was in the fertilized egg business. She had several hundred young pullets and ten roosters to fertilize the eggs. She kept records and any rooster not performing went into the soup pot and was replaced. This took a lot of time, so she bought some tiny bells and attached them to her roosters. Each bell had a different tone, so she could tell from a distance which rooster was performing. Now, she could sit on the porch and fill out an efficiency report by just listening to the bells.

Sarah’s favorite rooster, old Butch, was a very fine specimen but, this morning she noticed old Butch’s bell hadn’t rung at all!

When she went to investigate, she saw the other roosters were busy chasing pullets, bells-a-ringing, but the pullets hearing the roosters coming, would run for cover.

To Sarah’s amazement, old Butch had his bell in his beak, so it couldn't ring. He’d sneak up on a pullet, do his job, and walk on to the next one.

Sarah was so proud of old Butch, she entered him in the Dowerin Show and he became an overnight sensation among the judges.

The result was the judges not only awarded old Butch the "No Bell Peace Prize" they also awarded him the "Pulletsurprise" as well.

Clearly old Butch was a politician in the making.

Who else but a politician could figure out how to win two of the most coveted awards on our planet by being the best at sneaking up on the unsuspecting populace and screwing them when they weren't paying attention?

Vote carefully in the next election.
You can't always hear the bells.
If you don't send this on, you're chicken, no yoke!

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**Have you Heard? ➤ What Confucius Did Not Say**

Man who wants pretty nurse must be patient.
Passionate kiss, like spider web, leads to undoing of fly.
Lady who goes camping with man must beware of evil intent.
Squirrel who runs up woman's leg will not find nuts.
Man who leaps off cliff jumps to conclusion.
Man who runs in front of car gets tired, but man who runs behind car gets exhausted.
Man who eats many prunes get good run for money.
War does not determine who is right; it determines who is left.
Man who fight with wife all day get no piece at night.
It takes many nails to build a crib, but only one screw to fill it.
Man who drives like hell is bound to get there.
Man who stands on toilet is high on pot.
Wise man not keep sledge hammer and slow computer in same room.
Man who live in glass house should change clothes in basement.
And, CONFUCIUS DID NOT
SAY. . .
A lion will not cheat on his wife, but a Tiger Wood

Help!!! ► Things that might make you say it (03)

Brain Teaser Answer ► Did You Know Any?
1. Nothing.
2. A clock.
3. A matchstick.
5. They throw one cigarette overboard and made the boat a cigarette lighter.
6. A mushroom.
7. Tomorrow.
8. When he's trapped in quicksand.
10. Fire.
11. He was playing Monopoly.
12. None, Moses wasn't on the ark Noah was
13. Forward I am ton, backwards I am not.
15. An onion.
WARRANT OFFICER RANKS EXPLAINED

WO1
Is very happy to be saluted by Enlisted soldiers and called "Sir", but is not too happy that higher ranking Warrants refer to him as "SPOT". "Where is my coffee, Spot?" is usually the brunt of most jokes.

CW2
Is very happy after 2 long years to finally be rid of the moniker "SPOT". Is still quite intimidated by CW3 and higher, but not so much now that he too is called "Chief". Is responsible for making sure SPOT puts the coffee on in the mornings.

CW3
Pay and allowances have finally become comfortable. Acts as intermediary between CW4 and Junior Warrants, as well as Lieutenants. Thinks it is hilarious when ELs call him "Sir", but will slap the Junior Warrants around if they call him or any other Warrant "Sir".

CW4
Is irritated since 1991 this is no longer the top Warrant Officer rank and there is one more promotion board to sweat. Loves to pick on "SPOT" in the name of "Professional Development". Tells Lieutenants to refer to CW3 and above as "Sir".

CW5
The "CHIEF" is God. Rule 1, the Chief is right. Rule 2, Rule 1 becomes effective at any point you think differently. Rule 3, the Chief is NEVER late, he is Delayed elsewhere. Annoyed that CW4 is such a bad influence on his Lieutenants.

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"Your calculations were correct, sir... We're stuck in Nebraska."
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Notes:
1. The Bulletin will be provided as a website accessed document until further notice. This was necessitated by SPAMHAUS who alleged the Bulletin’s former size and large subscriber base were choking the airways interfering with other internet user’s capability to send email. SPAMHAUS told us to stop sending the Bulletin in its entirety to individual subscribers and to validate the subscriber base with the threat of removing all our outgoing email capability if we did not. To avoid this we have notified all subscribers of the action required to continue their subscription. This Bulletin notice was sent to the 20,040 subscribers who responded to that notice. All others are in the process of being deleted from the active mailing list.

2. Anyone who no longer wants to receive the Bulletin can use the automatic “UNSUBSCRIBE” tab at the bottom of this message or send a message to raoemo@sbcglobal.net with the word “DELETE” in the subject line.

3. Bulletin recipients with interest in the Philippines, whether or not they live there, can request to be added to the RAO's Philippine directory for receipt of notices on Clark Field Space ‘A’, U.S. Embassy Manila, and TRICARE in the RP.

4. New subscribers and those who submit a change of address should receive a message that verifies their addition or address change being entered in the mailing list. If you do not receive a message within 7 days it indicates that either I never received you request, I made an error in processing your request, or your server will not allow me to send to the email adddee you provided. Anyone who cannot reach me by email can call (858) 432-1214 to ask questions or confirm info needed to add them to the directory.

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6. Past Bulletin articles are available by title on request to raoemo@sbcglobal.net. Refer to the RAO Bulletin Index alphabetically listing of article and attachment titles previously published in the Bulletin. The Index is available at
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