

RAO

BULLETIN

1 January 2017

PDF Edition



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1. The page number on which an article can be found is provided to the left of each article's title

2. Numbers contained within brackets [] indicate the number of articles written on the subject. To obtain previous articles send a request to raoemo@sbcglobal.net.

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DoD



DoD Military & Discharge Records ► Vet Review Policy

The Department of Defense on 30 DEC announced a renewed effort to ensure veterans are aware of the opportunity to have their discharges and military records reviewed. Through enhanced public outreach, engagement with Veterans Service Organizations (VSOs), Military Service Organizations (MSOs), and other outside groups, as well as direct outreach to individual veterans, the department encourages all veterans who believe they have experienced an error or injustice to request relief from their service's Board for Correction of Military/Naval Records (BCM/NR) or Discharge Review Board (DRB). Additionally, all veterans, VSOs, MSOs, and other interested organizations are invited to offer feedback on their experiences with the BCM/NR or DRB processes, including how the policies and processes can be improved.

In the past few years, the department has issued guidance for consideration of post-traumatic stress disorder (PTSD), as well as the repealed "Don't Ask, Don't Tell" and its predecessor policies. Additionally, supplemental guidance for separations involving victims of sexual assault is currently being considered. The department is reviewing and consolidating all of the related policies to reinforce the department's commitment to ensuring fair and equitable review of separations for all veterans. Whether the discharge or other correction is the result of PTSD, sexual orientation, sexual assault, or some other consideration, the department is committed to rectifying errors or injustices and treating all veterans with dignity and respect. With this announcement, the department is reaffirming its intention to review and potentially upgrade the discharge status of all individuals that are eligible and that apply. Veterans who desire a correction to their service record or who believe their discharge was unjust, erroneous, or warrants an upgrade, are encouraged to apply for review.

- For discharge upgrades, if the discharge was more than 15 years ago, the veteran should complete DD Form 293 (<http://www.dtic.mil/whs/directives/forms/eforms/dd0293.pdf>) and send it to their service's DRB (the address is on the form).
- For discharges over 15 years ago, the veteran should complete the DD Form 149 (<http://www.dtic.mil/whs/directives/forms/eforms/dd0149.pdf>) and send it to their service's BCM/NR (the address is on the form).

- For corrections of records other than discharges, veterans should complete the DD Form 149 and submit their request to their service’s BCM/NR (the address is on the form).

Key information to include in requests: There are three keys to successful applications for upgrade or correction. First, it is very important to explain why the veteran’s discharge or other record was unjust or erroneous—for example, how it is connected to, or resulted from unjust policies, a physical or mental health condition related to military service, or some other explainable or justifiable circumstance. Second, it is important to provide support, where applicable, for key facts. If a veteran has a relevant medical diagnosis, for example, it would be very helpful to include medical records that reflect that diagnosis. Third, it is helpful, but not always required, to submit copies of the veteran’s applicable service records. The more information provided, the better the boards can understand the circumstances of the discharge.

BCM/NRs are also authorized to grant relief on the basis of clemency. Veterans who believe their post-service conduct and contributions to society support an upgrade or correction should describe their post-service activity and provide any appropriate letters or other documentation of support.

Personnel records for veterans who served after 1997 should be accessible online and are usually retrievable within hours of a request through the Defense Personnel Records Information Retrieval System (DPRIS). To obtain one’s personnel records from DPRIS, go to <https://www.dpris.dod.mil/>, then select “Individual Veteran Access” on the left side of the website and follow the instructions. Veterans will need to register for a logon and verify their current mailing address before requesting records. The whole process usually takes less than 10 minutes. Those who served prior to 1997 or for whom electronic records are not available from DPRIS, can request their records from the National Personnel Records Center (NPRC) using the eVetRecs website at: <http://www.archives.gov/veterans/military-service-records> .

To submit feedback on policies or processes: Send an e-mail to osd.pentagon.ousd-p-r.mbx.legal-policy@mail.mil, or mail your feedback to Office of Legal Policy at: Office of Legal Policy, Office of the Under Secretary of Defense (Personnel & Readiness), 4000 Defense Pentagon, Washington, DC 20301-4000

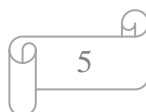
For other information or assistance:

- Air Force BCMR: Website: <http://www.afpc.af.mil/board-for-correction-of-military-records> | Phone: 240-612-5379 | E-mail: usaf.pentagon.saf-mr.mbx.saf-mrbc@mail.mil
- Air Force DRB: Website: <http://www.afpc.af.mil/board-for-correction-of-military-records> | Phone: 240-612-0995 | E-mail: usaf.pentagon.saf-mr.mbx.saf-mrb@mail.mil
- Army BCMR: Website: <http://arba.army.pentagon.mil> | E-mail: army.arbainquiry@mail.mil
- Army DRB: Website: <http://arba.army.pentagon.mil> | E-mail: army.arbainquiry@mail.mil
- Navy BCNR: Website: <http://www.secnav.navy.mil/mra/bcncr/Pages/home.aspx> | Phone: 703-607-6111 | E-mail: BCNR_Application@navy.mil
- Navy DRB: Website: <http://www.secnav.navy.mil/mra/CORB/Pages/NDRB/default.aspx> | Phone: 202-685-6600 | E-mail: NDRB@navy.mil

[Source: DoD Press Release No: NR-459-16 | December 30, 2016 ++]

DFAS 1099-R Update 08 ► Tax Year 2016 Availability

The IRS Forms 1099R for the 2016 tax year became available online in mid-December 2016. You can access yours on *myPay* (<https://mypay.dfas.mil>). DFAS will also mail hard copy versions of the 1099R to those of you who have chosen that option. Keep in mind that hard copy versions of the 1099R are issued later and will take a while to reach you. If you have elected hard copy, you may not receive it until mid-January 2017. Note that 1099Rs are not



automatically issued for deceased members. If you want to receive a 1099R on the behalf of a member who passed away, a certificate of death must be on file, and you must request that a 1099R be issued. If you would like to make this request, or have questions regarding a 1099R for a deceased member, contact DFAS using one of the methods described in the link <http://www.dfas.mil/dfas/retiredmilitary/about/aboutus/customer-service.html>. [Source: <http://www.dfas.mil/retiredmilitary/newsevents/newsletter/1099ravailability.html> | December 16, 2016 ++]

Concurrent Receipt Status Update 02 ► CBO Proposes Elimination

Congressional researchers say that eliminating the ability of nearly 600,000 military veterans to collect retirement pay and disability compensation simultaneously could save billions and contribute to deficit reduction. The Congressional Budget Office, a federal agency that provides lawmakers with budgetary and economic information, says doing so could save the government \$139 billion between 2018 and 2026. The CBO's report was published online 8 DEC as part of a series of options for reducing the federal deficit from 2017 and 2026. The practice is called "concurrent receipt." By law, veterans are eligible to collect both sets of pay if they meet specific criteria. Vets who sustained career-ending combat injuries are eligible for combat-related special compensation, while those veterans who received a disability rating of 50 percent or more after at least 20 years of service are eligible for what is termed concurrent retirement and disability pay.

Until 2003, disabled veterans had to select either their full retirement compensation from the Department of Defense or their disability benefit from Veterans Affairs with a reduced retirement annuity. This penalty became known as the "VA offset." In its argument for eliminating concurrent receipt, the GAO states, "Disabled veterans would no longer be compensated twice for their service, reflecting the reasoning underlying the creation of the VA offset. However, military retirees who receive VA disability payments would still receive higher after-tax payments than would non-disabled retirees who have the same retirement annuity because VA disability benefits are not taxed." But many veterans groups have long argued that the two payments should be completely uncoupled.

"For decades, [the Military Officers Association of America] has sought legislation providing full relief from the 19th-century law that required a dollar-for-dollar offset of military retired pay for VA disability compensation," wrote retired Air Force Col. Mike Hayden, then MOAA's director of government relations, in 2015. "MOAA's position is that career service members earn their retired pay by service alone and those unfortunate enough to suffer a service-caused disability in the process should have any VA disability compensation from the VA added to, not subtracted from, their service-earned military retired pay." Congress authorized some veterans to take both as military personnel began to sustain grievous wounds in Afghanistan and Iraq. Since then the number of veterans receiving both retirement pay and disability compensation has risen drastically — from 33 percent in 2005 to more than 50 percent in 2015. Last year, about 55 percent of the 2 million or so military retirees were subject to the VA offset penalty. Of those, about half — 575,000 retirees — took both payments totaling \$10 billion, according to CBO estimates.

Not all military retirees who also earn VA disability compensation benefits, and thus have a VA offset, are eligible for concurrent receipt, the CBO explains. Rising personnel costs continue to concern members of Congress and the Pentagon. In 2012, the last year CBO studied the expense, the Defense Department spent \$150 billion on compensation, including \$90 billion for food, housing and pay plus another \$16 billion set aside for future retirement annuities. The new CBO report cites a common argument suggesting the VA's retirement and disability system has a dual purpose, to reward those who spend their careers in uniform while recognizing the impact of military service on the human body.

It remains to be seen how the next Congress and the incoming administration will respond to CBO's recommendation. President-elect Donald Trump has promised to bring the U.S. debt to zero in eight years, although

he also touts a massive — and potentially costly — military expansion. [Source: MilitaryTimes | Shawn Snow | December 22, 2016 ++]

Military Benefit Proposals Update 03 ► What Will Congress/Trump Do?

For the first time since 2013, military personnel in January will see a “full” pay raise equal to the expected increase in private sector wages. But it remains unclear whether this is a sign of better benefits and compensation in years to come. How Congress and the new president treat military pay and benefits will be an issue worth service members’ attention in the year ahead, since the moves will directly affect their families’ finances. President-elect Donald Trump has already promised to boost military spending, including more personnel and equipment. He has also promised that the country will “take care of the military” better than under President Barack Obama. Outside advocates hope this means protecting military compensation.



In recent years, Pentagon leaders trimmed expected increases for housing stipends and basic pay to instead redirect hundreds of millions of dollars to modernization and training efforts. Military officials have said it’s a distasteful but necessary tradeoff, given shortfalls in the defense budget. But troops’ advocates and some lawmakers have said it needlessly burdens troops and their families. They successfully fought a lower pay raise proposal for 2017, and pushed back against plans for a complete overhaul of housing stipends which could have taken away thousands of dollars annually from some troops. With the new administration they’ll push Trump’s Pentagon to hold personnel costs separate from major weapons purchases, and hope to recoup some of the lost trims in the years to come.

Editor’ Note: The first indication of this could be how President-elect Trump reacts to the CBO budget saving proposals of eliminating 7 VA compensable disabilities without grandfathering for 716,000 vets and Concurrent Receipt for 600,000 vets. Savings of \$29.6B and \$140B over the next 8 years will be very useful in assisting him to keep his pledge to reduce the deficit.

[Source: MilitaryTimes | Leo Shane | December 27, 2016 ++]

National Resource Directory Update 01 ► Enhanced

The National Resource Directory (www.nrd.gov), a website that provides access to services and resources at the national, state and local levels, unveiled an updated design and layout this week. The updates were implemented to make the site more user- friendly for the thousands of service members, veterans and family members who use the Directory each month. “The National Resource Directory has been an invaluable collection of resources for our service members, veterans and their families,” said James Rodriguez, deputy assistant secretary of defense, Office of Warrior Care Policy. “Improving the site and expanding its capabilities was an easy decision.”

Enhancements to the Directory include a refreshed appearance, updated search engine, and behind the scenes software updates that will improve the speed and accuracy of managing the programs and services listed. Also included in the redesign is the addition of widgets-, a stand-alone application that organizations can use to enable access to Directory functions through their own websites. “The National Resource Directory is a great place for everyone to find vetted and organized resources, but it can be particularly helpful for those professionals and other organizations helping to coordinate care for our wounded, ill and injured service members,” said Rodriguez. “For our Recovery Care Coordinators, those men and women who are working each day to support wounded, ill and injured service members, the updates to the National Resource Directory will allow them to find and connect service members with appropriate resources more efficiently.”

The Directory continues to be one of the largest online collections of government and nongovernment resources specifically designed for service members, their families, military caregivers and veterans. With a unique collection of more than 18,000 organized and vetted resources, the Directory provides information covering a variety of topics, including benefits and compensation, education and training, family and military caregiver support, health, homeless assistance, housing, and other services and programs. The Directory’s participation policy uses crowdsourced data points from watchdog organizations in addition to government data sources to ensure the quality of resources on the site. [Source: Health.mil | December 14, 2016 ++]

Spratly Islands Dispute ► Weapons Installed on 2 Reefs

China signaled on 15 DEC that it had installed weapons on disputed South China Sea islands and would use them like a “slingshot” to repel threats, compounding tensions with the incoming Trump administration. The Chinese message, in a Defense Ministry statement, suggested that China was further watering down a pledge made by its president, Xi Jinping, to not militarize the islands. The comments left little doubt that such installations were part of China’s plan to deepen its territorial claim over the islands, which has raised tensions with its neighbors over their rival claims and with Washington over freedom of navigation in the South China Sea, one of the world’s busiest commercial waterways. They were also likely to further complicate China’s already testy relations with President-elect Donald J. Trump. China’s rapid creation of artificial islands in the South China Sea, expanding former reefs and outcrops into guarded permanent outposts, has already become a major source of tension with Washington.

Fiery Cross Reef



Johnson Reef



Weapons systems are visible on Chinese outposts in the South China Sea.

Repeatedly this year, the Chinese have accused the United States of making “provocative” moves by sending warships near some of these islands, known as the Spratlys. The Chinese have been creating harbors, runways and reinforced hangars big enough for military aircraft on the islands. But new satellite images made public in mid-DEC appeared to reveal weapons emplacements for the first time. The Center for Strategic and International Studies in Washington, which released the images through its Asia Maritime Transparency Initiative, said they showed “large anti-aircraft guns and probable close-in weapons systems,” which can theoretically thwart cruise missile attacks. The Defense Ministry statement, posted on its website in response to the images, did not specify what kinds of weapons the images showed but said any military hardware on the islands was reasonable. It repeated China’s contention that its construction on the islands is mainly for civilian purposes.

“As for necessary military facilities, they are primarily for defense and self-protection, and this is proper and legitimate,” the Defense Ministry said. “For instance, if someone was at the door of your home, cocky and swaggering, how could it be that you wouldn’t prepare a slingshot?” There was no immediate comment from Mr. Trump or his transition team. Mr. Trump recently angered Chinese officials by holding a phone conversation with Tsai Ing-wen, the president of Taiwan, an island that Beijing deems a breakaway province of China. It had been nearly four decades since a United States president or president-elect had such direct contact with a Taiwanese leader. In an interview broadcast on 11 DEC, Mr. Trump also criticized China over its trade imbalance with America, its military activities in the South China Sea and its ties to North Korea. China was “building a massive fortress in the middle of the South China Sea, which they shouldn’t be doing,” he said in the interview on Fox News. During his campaign, Mr. Trump dwelled on accusations that China had systematically sapped American industrial might, and he has indicated that trade issues will be a priority in dealings with Beijing. But the latest disclosures suggest how seemingly remote islands in the South China Sea could become a source of serious tensions, even military strife.

The Spratlys, which China calls the Nansha Islands, are the subject of an especially volatile mix of competing claims. Parts of the archipelago are also claimed by the Philippines, Malaysia, Vietnam, Brunei and Taiwan. And the possibility of undersea oil and gas deposits has exacerbated the rivalries. President Rodrigo Duterte of the Philippines has moved in recent months to ease tensions with China, and to distance his country from Washington. Even so, the Philippines keeps defense treaties with the United States. But China, with the world’s second-biggest economy and a swelling military budget, has established an intimidating dominance across much of the South China Sea. And the latest satellite images appeared to confirm its deepening military grip on the Spratlys.

The steps “show that Beijing is serious about defense of its artificial islands in case of an armed contingency in the South China Sea,” the Asia Maritime Defense Initiative said in its report about the images. “Among other things, they would be the last line of defense against cruise missiles launched by the United States or others” against air bases that may soon go into operation on the islands, it said. The images showed that the facilities were in place before Mr. Trump’s comments. The Obama administration sought to play down both the images and the Chinese Defense Ministry’s response. “We watch Chinese naval developments very carefully, and we urge all parties in the South China Sea to avoid actions that raise tensions,” said Capt. Jeff Davis, a Pentagon spokesman. The images elicited a far more contentious response from hawkish Republicans, who do not necessarily share Mr. Trump’s views on China trade policy but see Beijing’s actions in the South China Sea as an aggressive challenge to the United States.

Senator John McCain, chairman of the Senate Armed Services Committee, said the images confirmed “what has long been evident: China is militarizing the South China Sea, its leaders continue to lie about that fact, and Beijing is paying little to no price for its behavior.” Some American military officials suggested privately that the anti-aircraft emplacements were purely defensive in nature, with a limited range, useful only if the outposts were under attack. Of greater concern, they said, was the possibility that China could one day install more advanced anti-aircraft missile systems on the islands, which can fire at targets hundreds of miles away. Adm. Harry B. Harris Jr., head of the United States Pacific Command, said on 14 DEC that America would not abandon its military presence across the Asia-Pacific region. He indicated that American naval ships would continue passing through the South China Sea to

show that the United States “will not allow the shared domains to be closed down unilaterally, no matter how many bases are built on artificial features in the South China Sea.”

The Chinese government has said it respects freedom of civilian passage in the South China Sea but also called American naval “freedom of navigation operations” dangerous meddling. The Chinese navy has not tried to block the operations. The latest images raised new doubts about the intent of comments made by China’s president, Mr. Xi, after he met President Obama in the White House in September last year. With Mr. Obama at his side, Mr. Xi told reporters that “China does not intend to pursue militarization” of the islands. Previous satellite pictures of the islands, released by the Asia Maritime Defense Initiative in August, already indicated that China was building military facilities there. Those images appeared to show reinforced aircraft hangars at the Fiery Cross, Subi and Mischief Reefs, all part of the disputed parts of the archipelago. A spokesman for China’s Ministry of Foreign Affairs said Thursday that his government had been entitled to take such steps and said they did not count as “militarization.” The spokesman, Geng Shuang, said he could not confirm the precise findings from the latest satellite images but disputed they indicated any change on China’s part. “If China constructing normal facilities on its own islands and deploying necessary territorial defense facilities counts as ‘militarization,’” he said, “then what about sending fleets through the South China Sea?” [Source: The New York Times | Chris Buckley | December 15, 2016 ++]

DFAS Fraudulent Emails ► Beware myPay Customers

BEWARE! Several myPay customers have informed DFAS that fraudulent SmartDocs email messages are being sent that could put your information and finances at risk. The reported invalid emails contain what appears to be from a valid SmartDocs email address. The originators of these emails have “spoofed” their messages to hide their true origin and placed the SmartDocs address in the “From” line to make the email appear legitimate.

Valid SmartDocs messages from DFAS are always sent in plain text, do not include attachments and do not ask you to send any information in response. Your email program may automatically convert a valid SmartDocs message into HTML and convert some text into clickable links. We recommend that you do NOT click on any links within any email message. To access a site referenced in an email, open your browser and type the link (URL) directly into the browser.

Don’t get fooled. If you receive a SmartDocs message that contains a link, don’t click on it. If a URL is listed in the message type it in manually within your browser. Delete unexpected or unsolicited messages that contain attachments or that request you to send information back. Becoming a victim is easy. Utilizing a few basic precautions with email handling are critical to protecting your information, finances and identity. [Source: TREA Update | December 19, 2016 ++]

Supreme Court RFRA Petition ► Isaiah 54:17 in Military Workspace

A Marine lance corporal who was given a bad conduct discharge in 2014 for offenses including refusal to remove printed Bible passages from her work station is now petitioning the Supreme Court to review her case, arguing she wasn't given appropriate protection under religious freedom laws. On 23 DEC the Texas-based First Liberty Institute filed a petition for a writ of certiorari on behalf of Lance Cpl. Monifa Sterling, a key step in pursuing Supreme Court review of the case. Mike Berry, director of military affairs for the institute, told Military.com they hope the highest court in the land will make a decision as to whether to take the case sometime early next year.

Since her court-martial, Sterling has become a controversial figure. She has been hailed by some as a champion for religious liberty and dismissed by others as a Marine who displayed a pattern of insubordination and deserved her punishment. According to a 2015 decision by the Navy-Marine Corps Court of Criminal Appeals [NMCCA] upholding her conviction, Sterling, an administrator, was taken to court after a series of run-ins with authority over a series of months, including refusal to wear the uniform of the day because it interfered with her back brace and declining to help distribute vehicle passes to family members when ordered to do so by a senior enlisted Marine and an officer. At issue for the religious liberty groups who support her, however, is an incident in which she was ordered by her supervisor to remove three paper strips taped to her computer and elsewhere on her desk containing a personalized version of Isaiah 54:17: "No weapon formed against me shall prosper."

In May 2013, the supervisor, a staff sergeant, told her to remove the verses because she "didn't like their tone," according to the petition. When Sterling refused, the staff sergeant removed them herself. And when Sterling re-posted them above her desk, the staff sergeant again removed them. To date, both NMCCA and the highest military appeals court, the Court of Appeals for the Armed Forces [CAAF] have upheld Sterling's conviction. But First Liberty Instituted contends that CAAF ruled incorrectly by finding religious protections only apply to behavior compelled by religious beliefs, such as abstaining from certain foods and wearing special headwear, and not to behavior motivated by religious beliefs, as Sterling's posting of the verses was. Circuit appeals courts have so far been split on this issue, Berry told Military.com, but CAAF went with the minority, which defined religious protections more narrowly.

Having the Supreme Court take the case "would send a clear message that religious liberty in the military is protected by federal law," Berry said. "Secondly and relatedly, this would give the Supreme Court the opportunity to clarify a deep circuit split." The law in question, the Religious Freedom Restoration Act, or RFRA, is designed to apply to military members as well as civilians. While it doesn't guarantee a favorable outcome for the individual practicing their religion, it should grant a careful review to make sure the religious person was not substantially burdened without a compelling reason, Berry said. According to the petition, the ambiguities in the case make it a strong candidate for Supreme Court review. "Federal courts have no tools to discern the 'subjective importance' of a practice or whether a practice is religiously compelled, as opposed to just religiously-motivated," the plaintiffs write in the petition. "Are Christians 'compelled' to read the Bible, or is reading the Bible merely 'motivated' by faith? ... Indeed, the whole notion of having clear prohibitions, precepts, and tenets, is itself a religious judgment on which different religions have different perspectives."

For Sterling, the prospect of the highest court taking the case leaves open a wide range of outcomes. The Supreme Court could uphold the original conviction, it could order new action to be taken, or it could send the case back to a lower court with instructions to incorporate additional considerations. A favorable decision for Sterling could result in an upgraded discharge or even a new trial, with the possibility of re-entering the Marine Corps. "Lance Cpl. Sterling was never given the benefit of RFRA protection," Berry said. [Source: Military.com | Hope Hodge Seck | December 27, 2016 ++]

Commissary Prices Update 07 ► 2017 Fundamental Changes

Next year brings fundamental changes to the military commissary benefit as Defense Department officials test price changes on some groceries in an effort to offset the \$1.4 billion it costs to operate the stores each year. Commissaries currently sell products at cost, plus a 5 percent surcharge. And while officials contend the taxpayer subsidy can be reduced without affecting customers' bottom-line savings, the National Military Family Association says it remains "skeptical that the Defense Commissary Agency has the expertise to implement these changes while still preserving the savings military families rely on." Pilot programs expected to start at the end of January or in early February will use two approaches: one focused on grocery item categories, the other on store locations.

Officials are negotiating with suppliers to lower prices on about 8,000 items that the commissaries, in turn, will mark up, using the additional revenue to pay for operating costs. Additionally, officials will adjust prices on about 1,000 items across about 10 test stores, lowering prices on goods that commercial stores market aggressively: bananas, for example, milk, detergent and soda. The aim is to be more competitive with prices military consumers may find off base, raising prices on other items that have traditionally offered a bigger savings than those found in commercial stores. Again, the difference would go toward offsetting operations costs. Beginning in May, the commissary agency also will start offering its own private label products, sometimes called generics, comprising an initial assortment of about 400 products. Meanwhile, defense officials have been exploring other expense-reduction ideas, including a plan to privatize all or part of the commissary system. [Source: MilitaryTimes | Karen Jowers | December 24, 2016 ++]

DoD Fraud, Waste & Abuse ► Reported 16 thru 31 DEC 2016

San Diego CA -- Two contractors for the Navy have been charged in separate cases with reporting bogus bomb threats around ships in the San Diego area. The federal indictments, which could bring each man five years in prison, were announced 15 DEC by the U.S. attorney. In one case, prosecutors allege 26-year-old contractor Joshua Rice told Navy security that he saw the word "bomb" written inside a portable toilet near three vessels docked at Naval Base San Diego on May 17. The report caused evacuations and shut down work on all the surrounding ships. In the other case, prosecutors say 22-year-old Robert Rubio was working as a welder on Sept. 24 when he wrote "9-24-16 400 bomb" on a wall inside the USS Cowpens while it was undergoing repairs. Both men were arraigned, but it's not clear whether they entered pleas. Prosecutors did not suggest a motive for either man. [Source: Associated Press | December 16, 2016 ++]

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Pentagon -- Sen. John McCain (R-AZ) is blasting what he says is more than \$13 billion of waste at the Pentagon, \$12 billion of which was for 26 Littoral Combat Ships with "no proven combat capability." "As our Armed Forces confront the most diverse and complex array of national security challenges since the end of World War II under extraordinarily constrained fiscal resources, we simply cannot afford to waste our precious defense dollars on unnecessary or poorly performing programs," McCain, chairman of the Senate Armed Services Committee, said in a statement Monday. The Pentagon expenses are outlined in the latest of McCain's "America's Most Wasted" reports and also include \$458 million in improper travel reimbursements, \$375 million for unused or faulty Missile Defense Agency targets and \$1 million for unauthorized expenses at strip clubs and casinos.

At the top of the report's targets is the Littoral Combat Ship (LCS), which the report calls "an unfortunate and classic example of acquisition gone awry." When first proposed, the LCS program was expected to cost \$220 million per ship and to deliver its first combat capability in mine countermeasures in 2008. But the LCS program has more than doubled to \$478 million per ship, and the mine countermeasures capability is now not expected to be operational until 2020, according to the report. The costs stabilized in 2010 and the Pentagon has proposed curtailing the program to 40 ships, but the ships continue to experience engineering failures, the report adds. "Amazingly, despite nearly no proven LCS combat capability and persistent debilitating engineering issues, the Navy is charging ahead with an ambitious plan that keeps most ships deployed more than half the time, stationed around the world far from support facilities in the United States," the report says. "The LCS continues to experience new problems, but it is not a new program," the report adds. "That is why the Navy must not delay in reconciling their aspirations for the LCS with the program's troubled reality." Additional items of waste/abuse noted in the report are:

- \$458 million in fiscal year 2014 that was improperly paid by the Pentagon because officials approved reimbursements for airfare, hotels and rental cars without receipts, incomplete vouchers or vouchers with amounts that did not match the receipt.
- \$1 million charged to Pentagon work credit cards by department personnel at strip clubs and casinos, at least some of which may have been reimbursed. “Until DOD holds personnel at all levels accountable—including management responsible for overseeing the program and approving the transactions for reimbursement—its travel card program and millions of taxpayer dollars will remain vulnerable to abuse and a focus of further Congressional oversight,” the report says.
- \$375 million the Missile Defense Agency spent to develop test targets that simulate enemy missiles while testing the Ballistic Missile Defense System. The agency only received two targets, and the one that was tested failed, according to the report. The program has since been scrapped.
- \$58.6 million to invest in alternative energy for the Navy's Great Green Fleet. While the Pentagon's large fuel consumption make looking at alternative energy “prudent,” the report says, the Navy's efforts “have given way to dogma” as the alternative fuel has cost more than petroleum. Other expenses slammed by the report include \$12.3 million for defective spare aviation parts, \$150 million for shipbuilders to fix defects that were their own mistakes, \$352 million on graduate degrees for people with no further obligation to the Pentagon and \$48 million on satellite communications that the report says could be purchased for cheaper if the Pentagon planned better.
- \$1.3 million to study the mating habits of African giant pouched rats, which some research has indicated may be good at detecting mines. “While the pursuit of enhanced mine detection is an important goal,” the report says, “it is unacceptable in light of current budget constraints that limited defense resources are being used to conduct genetic sequencing, cross breeding, and behavior analysis on large rodents, especially when they do not demonstrate a substantially greater capability than the dogs we already have.”

[Source: The Hill | Rebecca Kheel December 19, 2016 ++]

POW/MIA Update 79 ► **WWII 1st Lt. Ben Barnes' Recovery Effort**

On Dec. 5, 1944, 1st Lt. Ben B. Barnes flew his P-51 aircraft as part of the 361st Fighter Squadron, 356th Fighter Group on an escort mission to Berlin, Germany, to protect U.S. bombers. He had only been in the European theater of operations for less than six months when he took off that day. On the return flight, Barnes, along with other aircraft in his unit, encountered the enemy. His plane was last reported northeast of Berlin over Eberswalde, Germany. At the time, the area where he was last seen was a Russian-occupied zone, making it impossible for an American Graves Registration team to further investigate. Because of this, Barnes was considered missing in action, and later presumptively declared deceased.



The political situation in that area did not change after the war, still prohibiting the American government from searching for Barnes' remains. Unsure that he would ever be recovered, his name was inscribed on the Walls of the

Missing at Cambridge American Cemetery, along with more than 5,000 other Americans. American Battle Monuments Commission (ABMC) World War II cemeteries around the world include the names of those considered missing in action, lost or buried at sea. The cemetery where the name is etched is based on the area where the individual went missing, or near the airfield from which they flew. The U.S. government chose to do this as a permanent way to honor those that rest in unmarked graves. For more than 60 years, Barnes remained one of the many names on the wall—one of more than 82,000 Americans from World War II whose remains have never been recovered.

But in 2010 the Department of Defense had a lead they hoped would result in a recovery. A Joint POW/MIA Accounting Command (now a part of Defense POW/MIA Accounting Agency, DPAA) investigation team went to Germany in 2010 to conduct field research and interview an eye witness to the crash. The witness led investigators to the location of the wreckage, which was consistent with records from German investigators in the 1950s. With this evidence in hand, DPAA brought a recovery team to the site in 2015 to excavate. They recovered two .50-caliber machine guns as well as possible human remains, personal equipment and material evidence. The serial number on the machine guns matched those on Barnes' aircraft. With the use of mitochondrial DNA, as well as dental and anthropological analysis and circumstantial evidence, DPAA was able to identify the remains as Barnes'.

His next of kin decided to have his remains returned to Miller, South Dakota, his hometown, for permanent burial. On Oct. 15, 2016, nearly 72 years after he took his last flight, Barnes was buried with full military honors. That same month, staff at Cambridge American Cemetery in Madingley, England, placed a bronze rosette next to his name on the Wall of the Missing to denote that he had been recovered, identified and accounted for. Honoring Barnes did not end there; The Martlesham Heath Aviation Society and Control Tower Museum specifically honored him during their Remembrance Sunday ceremony on Nov. 13, 2016. To this day, the local citizens consider it a duty to honor men such as Barnes, who were based out of Martlesham Airfield during the war.



1st Lt. Ben Barnes' name appears with a bronze rosette on the Wall of the Missing at Cambridge American Cemetery in Madingley, England. The recently placed rosette denotes that Barnes has been recovered, identified and accounted for. Barnes was a pilot of a P-51 aircraft when he went missing near Eberswalde, Germany during World War II.

[Source: The Quest | American Battle Monuments Commission | Fall 2016 ++]

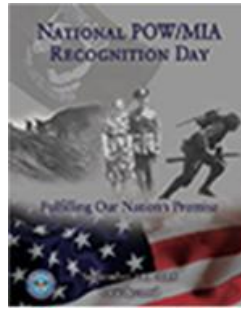
POW/MIA Recoveries ► Reported 16 thru 31 DEC 2016 | Thirteen

"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:

== Mail: Public Affairs Office, 2300 Defense Pentagon, Washington, D.C. 20301-2300, Attn: External Affairs

== Call: Phone: (703) 699-1420

== Message: Fill out form on <http://www.dpaa.mil/Contact/ContactUs.aspx>



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

None

Korea

The Defense POW/MIA Accounting Agency announced the identification of remains and burial updates of six U.S. servicemen who had been previously listed as missing in action from Korea. Returning home for burial with full military honors are:

-- **Army Cpl. Gerald I. Shepler** was the lead scout on a reconnaissance patrol for Company K, 3rd Battalion, 187th Airborne Infantry Regiment, 7th Infantry Division, near Hajoyang-ni, North Korea, when his patrol was ambushed by enemy forces. Shepler was unaccounted for after the mission, and the U.S. Army declared him deceased on Nov. 29, 1950. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1027031/soldier-missing-from-korean-war-identified-shepler/>.

-- **Army Sgt. Homer R. Abney** was a member of Company A, 1st Battalion, 9th Infantry Regiment, 2nd Infantry Division, when his unit was engaged in heavy fighting with Chinese forces on the road from Kunu-ri to Sunch'on, North Korea — later named "The Gauntlet." After several days of fighting, his regiment declared Abney missing on Nov. 30, 1950. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1027019/soldier-missing-from-korean-war-identified-abney/>.

-- **Army Cpl. James T. Mainhart** served with Company I, 31st Infantry Regiment, 7th Infantry Division, part of the 31st Regimental Combat Team deployed east of the Chosin Reservoir in North Korea. The RCT was attacked by an overwhelming number of Chinese forces in late November, 1950. Mainhart was among 1,300 members of the RCT killed or captured in enemy territory. He was reported missing as of Nov. 30, 1950. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1027973/soldier-missing-from-korean-war-identified-mainhart/>.

-- **Army Cpl. Edward Pool** was reported missing in action on Nov. 30, 1950, while serving with 31st Heavy Mortar Company, 31st Infantry Regiment, 7th Infantry Division. His unit was part of the 31st Regimental Combat Team deployed east of the Chosin Reservoir in North Korea. Pool could not be accounted for after several days of intense

fighting. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1027047/soldier-missing-from-korean-war-identified-pool/>.

-- **Army Cpl. Jules Hauterman** was a medic with the Medical Platoon, 1st Battalion, 32nd Infantry Regiment, 7th Infantry Division, attached to the 31st Regimental Combat Team deployed east of the Chosin Reservoir in North Korea. The RCT was attacked by an overwhelming number of Chinese forces in late November, 1950. Mainhart was among 1,300 members of the RCT killed or captured in enemy territory. He was reported missing as of Dec 2, 1950. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1030834/soldier-missing-from-korean-war-identified-hauterman/>.

-- **Army Cpl. George A. Perreault** was part of Support Force 21, assigned to Headquarters Battery, 15th Field Artillery Battalion, 2nd Infantry Division, near the Central Corridor in South Korea. While supporting Korean-led attacks on Chinese forces, they were caught in a massive Chinese counterattack on Feb. 11, 1951. Perreault was declared missing on Feb. 13, 1951. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1029293/soldier-missing-from-korean-war-identified-perreault/>.

World War II

The Defense POW/MIA Accounting Agency announced the identification of remains and burial update on seven U.S. servicemen who had been previously listed as missing in action from World War II. Returning home for burial with full military honors are:

-- **Navy Seaman 2nd Class Floyd F. Clifford** was assigned to the USS Oklahoma, which was moored off Ford Island in Pearl Harbor, Hawaii, when Japanese aircraft attacked his ship on Dec. 7, 1941. Clifford was one of 429 crewmen killed in the attack. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1030547/sailor-missing-from-world-war-ii-identified-clifford/>.

-- **Navy Fireman 3rd Class Kenneth L. Holm** was assigned to the USS Oklahoma, which was moored off Ford Island in Pearl Harbor, Hawaii, when Japanese aircraft attacked his ship on Dec. 7, 1941. Holm was one of 429 crewmen killed in the attack. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1030832/sailor-missing-from-world-war-ii-identified-holm/>.

-- **Navy Seaman 1st Class Harold W. Roesch** was assigned to the USS Oklahoma, which was moored off Ford Island in Pearl Harbor, Hawaii, when Japanese aircraft attacked his ship on Dec. 7, 1941. Roesch was one of 429 crewmen killed in the attack. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1030550/sailor-missing-from-world-war-ii-identified-roesch/>.

-- **Navy Yeoman 3rd Class Edmund T. Ryan** was assigned to the USS Oklahoma, which was moored off Ford Island in Pearl Harbor, Hawaii, when Japanese aircraft attacked his ship on Dec. 7, 1941. Ryan was one of 429 crewmen killed in the attack. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1026982/sailor-missing-from-world-war-ii-identified-ryan/>.

-- **Army Air Forces Staff Sgt. Byron H. Nelson** was a nose gunner aboard an American B-24G Liberator bomber with the 721st Bomb Squadron, 450th Bomb Group, 15th Air Force. During a bombing run near Varese, Italy, on April 25, 1944, Nelson's aircraft and two others were separated from the formation due to dense clouds and later attacked by German fighters. Of the 10 crewmen, six parachuted from the aircraft and escaped capture, two parachuted and were captured by German forces, and two perished in the crash. Nelson was reported to be one of the two who perished. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1027977/airman-missing-from-world-war-ii-identified-nelson/>.

-- **Army Air Forces Capt. Albert L. Schlegel**, of Cleveland, Ohio, disappeared Aug. 28, 1944, while piloting his P-51D Mustang on a ground strafing mission near Strasbourg, France. In his final communication, the fighter "ace"

radioed he'd been hit by heavy anti-aircraft fire and would need to bail out. Interment services are pending. Read more at: <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Article/1027011/airman-missing-from-world-war-ii-identified-schlegel/>.



Albert L. Schlegel

The Defense POW/MIA Accounting Agency (DPAA) announced today that the remains of a U.S. serviceman from World War II have been identified and will be returned to his family for burial with full military honors.

-- **Navy Water Tender 1st Class Walter H. Sollie**, 37, of Myrtlewood, Alabama, will be buried Jan. 6, 2017, in Pensacola, Florida. On Dec. 7, 1941, Sollie was assigned to the USS Oklahoma, which was moored at Ford Island, Pearl Harbor, when the ship was attacked by Japanese aircraft. The USS Oklahoma sustained multiple torpedo hits, which caused it to quickly capsize. The attack on the ship resulted in the deaths of 429 crewmen, including Sollie. No single vessel at Pearl Harbor, with the exception of the USS Arizona, suffered as many fatalities.

From December 1941 to June 1944, Navy personnel recovered the remains of the deceased crew, which were subsequently interred in the Halawa and Nu'uano Cemeteries. In September 1947, tasked with recovering and identifying fallen U.S. personnel in the Pacific Theater, members of the American Graves Registration Service (AGRS) disinterred the remains of U.S. casualties from the two cemeteries and transferred them to the Central Identification Laboratory at Schofield Barracks. The laboratory staff was only able to confirm the identifications of 35 men from the USS Oklahoma at that time. The AGRS subsequently buried the unidentified remains in 46 plots at the National Memorial Cemetery of the Pacific (NMCP), known as the Punchbowl, in Honolulu. In October 1949, a military board classified those who could not be identified as non-recoverable, including Sollie. In April 2015, the Deputy Secretary of Defense issued a policy memorandum directing the disinterment of unknowns associated with the USS Oklahoma. On June 15, 2015, DPAA personnel began exhuming the remains from the NMCP for analysis.

To identify Sollie's remains, scientists from DPAA and the Armed Forces DNA Identification Laboratory used mitochondrial DNA analysis, which matched two great nieces, as well as circumstantial evidence and laboratory analysis, to include dental comparisons, which matched Sollie's records.

[Source: <http://www.dpaa.mil> | December 31, 2016 ++]

*** VA ***



VA Medical Benefits Package Update 03 ► Opt Out Option On the Table

President-elect Donald J. Trump is considering a plan to allow military veterans to opt out of medical care at Veterans Affairs hospitals and instead see private doctors of their choosing, a senior transition official told reporters 28 DEC. Mr. Trump met with several executives of private hospital systems at his Mar-a-Lago estate on that day. After the meeting, Mr. Trump called out to reporters, saying he wanted to describe his ideas for changes to the Department of Veterans Affairs, but then quickly directed one of his senior aides to describe the proposals under consideration. The official, speaking on the condition of anonymity, provided no details about how the plans would work, how much they would cost, or the possibility of unintended consequences from privatizing part of the V.A.'s sprawling medical system.

As a candidate, Mr. Trump repeatedly seized on reports of long waits for doctor visits at V.A. hospitals to criticize Hillary Clinton and President Obama. On Wednesday evening, Mr. Trump told reporters that he was concerned about the impact on veterans' health. "We're working on something to make it great for the veterans," he said, adding: "People are dying. We're going to fix it properly." The ideas described by the transition aide on Wednesday echoed vague promises Mr. Trump made on the campaign trail that veterans would get timely care from either a V.A. facility or a private doctor. The transition official said that Mr. Trump had discussed the possibility of a "public-private option" with the hospital executives. "Some vets love the V.A.," the official said, and "some vets want to go to the V.A." The official added that "the idea is to come up with a solution that solves the problem."

Asked whether the president-elect was "advanced" in his thinking on how to confront the V.A.'s problems, the official said, "Of course." The official then added, referring to the possibility of private care: "It's one of the options on the table. Definitely an option on the table to have a system where potentially vets can choose" to receive a combination of public and private care or simply opt to go to private doctors. The Department of Veterans Affairs has struggled to provide timely care to many veterans, and even its supporters say it needs an overhaul. News reports in 2014 said that dozens of veterans had died while waiting for care at a V.A. hospital in Phoenix, and that leaders of the agency had hidden delays and collected bonuses. Eric Shinseki, Mr. Obama's first secretary of veterans affairs, resigned after a White House investigation found similar manipulations at dozens of hospitals.

But veterans groups and Democrats strongly oppose any move toward privatization. In an August speech to the Disabled American Veterans, Mr. Obama warned that ideas like the ones floated by Mr. Trump should be rejected. "We cannot outsource and privatize health care for America's veterans," Mr. Obama said to applause. "Now, there are folks who keep pushing this. They don't always come out and say the word 'privatize,' but you read what they say, that's what they mean. And these radical proposals would begin to dismantle the V.A. health care system that millions of veterans depend on every day. And that would hurt veterans."

Mr. Trump met on Wednesday afternoon with John H. Noseworthy, the president of the Mayo Clinic; Paul Rothman, the chief executive of Johns Hopkins Medicine; David Torchiana, the chief executive of Partners HealthCare; Delos Cosgrove, the chief executive of the Cleveland Clinic; and several others. The transition official said Mr. Trump was considering asking members of that group to form an advisory committee to help him reshape the V.A. [Source: The New York times | Michael D. Shear | December 28, 2016 ++]

VA Performance Update 10 ► Gingrich Urges War on VA

If President-elect Donald Trump takes former speaker of the House Newt Gingrich's (R-GA) advice to attack the federal bureaucracy, body armor could be needed. "It's got to be a straight-out war," Gingrich said 16 DEC during a

Washington Post Live interview with James Hohmann. Department of Veterans Affairs (VA) feds might need helmets, too. VA has a bull's eye because Gingrich considers it the “archetype of — of disaster.” “You can't fix it unless you change the civil service laws,” he said. “You can't change the civil service laws within the normal framework of Washington.”



To win over recruits to this crusade, Gingrich said, Trump should keep his message about VA simple and violent: “Do you think people who kill veterans should stay in their jobs? ... [Should] we make the government union people happy and keep their jobs, people who we know broke the rules and killed veterans?” Trump’s 10-point plan to reform VA includes using “the powers of the presidency to remove and discipline the federal employees and managers who have violated the public’s trust.” Civil service protections have already been significantly weakened for VA senior executives. Gingrich’s vicious accusations about supposedly homicidal VA employees, many of whom are veterans serving veterans, demonstrate a particularly aggressive attitude toward the workforce. It ignores the noble work of many VA health-care professionals, including whistleblowers who exposed the scandal over the cover-up of long patient wait times.

Yet, his frustration with VA is reasonable, even as his rhetoric and the public policy it implies are not. With justifiable disgust, he spoke about workers in Los Angeles who deleted 3,000 reservations to make their record look better and the veteran laying in the shower, dead, for 24 hours. “It is embarrassing that the senior veterans’ organizations endorse the current Secretary because he has failed totally to clean it up,” Gingrich said. To back up the 3,000 figure, Gingrich, in a 18 DEC email, cited an article from the conservative Daily Caller website that said the Los Angeles VA hospital would get 3,000 requests for medical exams a month but could accommodate only 800. The rollover would create a backlog. The article did not say how many requests were canceled. In 2014, the Los Angeles Times reported that in the Los Angeles, Long Beach, Loma Linda and San Diego VA systems, 2,667 new patients had been told that no appointments were available within 90 days, according to a VA audit. Asked to document the 24-hour allegation, Gingrich acknowledged it was a case involving a veteran’s body left for nine hours in a Pines, Fla., VA facility shower. Still disgraceful. The California and Florida situations occurred before Robert A. McDonald, another Gingrich target, took office as VA secretary.

“But if he truly wants to see improvements and reform at the VA, Mr. Gingrich should look to empower the working people who care for our veterans and speak out when problems arise, as VA employees have for years,” said J. David Cox Sr., president of the American Federation of Government Employees (AFGE). Without civil service laws protecting federal employees, “we would have never known about the serious shortage of mental health professionals at the Wilmington VA Medical Center that was leading to longer-than-usual wait times for veterans,” Cox added, providing one example. “AFGE is proud to represent the brave rank-and-file VA employees who speak up and knowingly risk their jobs and reputation to do what’s right by our veterans. We hope Mr. Gingrich would give them the same courtesy.” He didn’t, at least not during the interview. A VA statement defended Obama

administration actions, saying they have “resulted in irrefutable progress in one of the largest government agency transformations in history. ... VA welcomes the opportunity to brief Mr. Gingrich on the transformation of VA called myVA.”

Pugnacious as ever, Gingrich even lashed out at veterans organizations that praised McDonald last week. Commending McDonald’s leadership, a letter to Trump from six large veterans organizations said that “a close partnership and open rapport between the current administration” and the organizations “were key to bringing about significant changes, such as reducing the claims backlog, improving access to health care, and crafting strategies to eliminate the appeals backlog.” Then 20 veterans-related groups urged Trump to retain McDonald. They said his efforts to improve the agency are “showing early signs of success” and “we believe they have the potential to eventually make VA a model agency.” Gingrich, fancying himself more informed about VA health care than veterans organizations, slandered their motives. “You know, the Veterans Administration (*VA’s former name*) is a total disgrace, and it’s embarrassing that the senior veterans organizations endorse the current secretary, because he has failed totally to clean it up. And they did it because they prefer the current status, where they have access to Veterans Administration offices, rather than making sure that veterans are taken care of.”

Garry Augustine, executive director of Disabled American Veterans, which has called for McDonald’s retention, was comparatively kind in his response. “It is a shame that Newt Gingrich is focused on pushing an ideological agenda instead of taking care of our nation’s heroes,” Augustine said by email. “We suggest Speaker Gingrich learn about the measurable progress VA has made under Secretary McDonald’s leadership and review the recent independent report by Rand which indicated that VA healthcare is as good, and oftentimes better, than private sector systems.” Augustine is right. Gingrich could learn from disabled vets. It’s unlikely that the former speaker knows more about VA care than organizations representing veterans, because he is not one. [Source: Washington Post | Joe Davidson | December 21, 2016 ++]

VA Performance Update 11 ► Impressive Progress

During a period of growing Republican criticism and eagerness for major changes at the Department of Veterans Affairs, officials there might find some solace in two recent independent reviews of an agency that dishonored itself. A Harvard Business School case study, published in November and updated this month, concludes that the team assembled by VA Secretary Robert A. McDonald has “made impressive progress over the past year.” In July, a literature review in the Journal of General Internal Medicine found “the VA often (but not always) performs better than or similarly to other systems of care with regard to the safety and effectiveness of care.”

Neither article is a blanket endorsement of VA health care, which remains tainted by the scandal that erupted in 2014 over the covering up of long patient wait times. Neither article deals with the many cases of management retaliation against VA whistleblowers, who exposed much of the wrongdoing. Yet each shows the nation’s largest integrated health-care system performs far better than Republican rhetoric indicates. Just in the past few days, GOP Sens. Ron Johnson (Wis.) and Charles E. Grassley (Iowa), called for new agency leadership as they told President-elect Donald Trump “it is clear that not all veterans are receiving the high-quality care they deserve.” Former House speaker Newt Gingrich used spiteful language when he asked whether federal employees “who kill veterans should stay in their jobs.”

McDonald, appointed by President Obama after the scandal led to the resignation of Eric Shinseki as VA secretary, has made significant changes. Trump, nonetheless, acted as if nothing had been done as he made shaking up the department a pillar of his presidential campaign. “Our most basic commitment — to provide health and medical care to those who fought for us — has been violated completely,” he said at the Veterans of Foreign Wars national convention in July. “The VA scandals that have occurred are widespread and inexcusable.” In September, he told the American Legion a “total reform of the Veterans Administration” is required. Trump didn’t get the

department's name right, but he's correct about the scandals having been widespread and inexcusable. I'd add disgraceful. But Trump and those who continue to attack VA might not be aware of the ongoing reforms under Obama and McDonald, or perhaps the critics choose to ignore that side of the story.

The Journal of General Internal Medicine review, prepared by a team of researchers from the Rand Corp., a non-partisan think tank, identified 69 articles that examined one or more Institute of Medicine quality indicators that apply to VA health care. Among the findings:

- Safety: 22 of 34 articles found VA generally performed as well as or better than other systems
- Mortality: "VA facilities generally performed comparably or favorably relative to other settings."
- Morbidity: VA had mixed results compared with non-VA facilities.
- Complications: "Surgical complication rates were similar among VA patients and non-veterans."
- Effectiveness: 17 of 24 studies "showed better performance in VA facilities."
- Outpatient care: "was generally strong in VA facilities. ... VA patients also received more effective care than non-veterans based on 10 of 11 quality measures in the first study year and all 12 quality measures in the second study year assessing diabetes, cardiovascular, and cancer screening care."
- Non-ambulatory care: VA and non-VA care were "generally of similar quality."
- Medication management: "Elderly VA patients were less likely to receive inappropriate medication than were patients in Medicare HMOs."
- Availability of services: "VA centers were less likely to offer extensive reproductive services but more likely to offer mental health care" than 13 Department of Health and Human Services Centers of Excellence. "VA patients and Medicare/Medicaid-insured patients were less likely to receive kidney transplants than were patients with private insurance."

The Harvard article begins by noting that 14 of the department's 17 top leaders were eventually replaced after the scandal. The transgressions have totally overshadowed a number of points that McDonald has tried to emphasize, with limited success. According to Harvard, VA:

- Provided some training to 70 percent of U.S. doctors, "making VA a pillar of the nation's health care system."
- Researchers have earned three Nobel Prizes in medicine.
- Did the first successful liver transplant.
- Developed the nicotine patch and the cardiac pacemaker.

Despite steadily growing budgets, the report said, VA funding has been "outstripped by the growing veteran population, mounting costs, and increasing complexity of care." The report's authors are Professors Ryan W. Buell and Robert S. Huckman and independent researcher Sam Travers. After McDonald's team took over, they "uncovered a department in disarray," Harvard reported. "For example, roughly 500,000 veterans were waiting for appointments system-wide, but there weren't systems in place to identify how many of those veterans needed to be seen urgently and how many required routine care." McDonald dubbed his set of reforms "MyVa." One of its "most significant new programs was the Diffusion of Excellence Initiative, which solicited innovative health care practices from VA employees across the enterprise and helped spread these practices to other VA facilities," the Harvard article said.

VA101 and Leaders Developing Leaders are training programs designed, Harvard said, "to help transform VA's culture." Progress has been made, but that generates other issues. As service improved, wait times for patients increased. The reason: Better service attracted more patients. "In some ways," according to Harvard, "making service better was making service worse." If VA must have a service problem, that's the one to have. [Source: The Washington Post | Joe Davidson | December 22, 2016 ++]

VA Debt Billing Policy Update 01 ► DOT Cross Servicing Program Now in Use

Beginning as early as December 20, 2016, VHA will begin using the Department of the Treasury's Cross-Servicing program to collect unpaid debt on any first party copayments for non-service connected care. VA Medical Centers (VAMCs) will have 30 days to comply with the technical enhancements required to roll-out the program in their facilities. Communication about the program began last year to encourage Veterans to satisfy their first party delinquent copayment debt before they are referred to Treasury for collection.

VHA's current process provides Veterans with three monthly billing statements in increments of 30, 60 and 90 days in an attempt to collect first party copayments. Under the new Cross-Servicing program, first party debts that are not paid after 90 days will automatically transfer to VA's Debt Management Center (DMC) for offset of VBA benefits (if available). If VBA benefits are not available, Veterans will have an additional 30 days to make payment arrangements to satisfy the debt. If arrangements to pay the debt are not made, VHA will automatically refer it at 120 days to the Treasury Cross-Servicing program who issues official notification letters to Veterans. If the letters go unanswered, Treasury will use the Treasury Offset Program (TOP) collect delinquent debt. The Treasury Offset Program (TOP) is used to offset any federal payments to include federal tax refunds, Social Security benefits, military pay, retirement pay, and other federal payments that are not exempt by law.

Beginning in May 2017, Treasury will also employ the following collection methods as part of the Cross-Servicing Program:

- Administrative Wage Garnishment (AWG) - Treasury issues a wage garnishment order to the employer to deduct up to 15 percent of the Veteran's disposable income until the debt is paid in full. "
- Private Collection Agency (PCA) - Accounts are referred to a contracted PCA to attempt to collect the debt. Treasury provides significant oversight to ensure Veterans are well protected and treated properly in their interaction with PCAs.

Veterans may receive copayment assistance through the following methods:

- In Person: Visit the West Palm Beach VAMC Billing Office located in Room 1A-170, Monday - Friday, 8:00 to 4:30 pm, EST
- By Phone: Call the West Palm Beach VAMC Billing Office at (561) 422-3587 Monday - Friday, 8:00 to 4:30 pm, EST or the Health Resource Center at (866) 793-4591, Monday through Friday, 7:00 am to 7:00 pm, EST
- Online: Visit www.va.gov/healthbenefits/cost

If a Veteran is already 90 days or more delinquent on their copayments they must contact the Department of Treasury's Debt Management Services toll free at (888)-826-3127 between 7:00 a.m. to 9:00 p.m. CST, Monday through Friday to speak with a representative. [Source: VFW Post 10132 | Rich McMeekin | [December 24, 2016](#) ++]

VA DHP ► Cloud-Based Digital Health Platform Plan

The Department of Veterans Affairs has developed a blueprint for a cloud-based technology platform that will integrate veteran data from VA, military and commercial electronic health records, as well as apps, devices and wearables, so that the information is available to providers in real time. While the VA is still finalizing plans for how it implements the Digital Health Platform (DHP), the agency has a strategy in place that is seen as the future path for providing next-generation healthcare to millions of the nation's veterans.

According to LaVerne Council, the VA's CIO and assistant secretary for information and technology, DHP is meant to provide a comprehensive dashboard covering a veteran's complete medical record, enabling a holistic

approach to healthcare that supports patient-centric care and stresses customer relationship management. “It moves beyond just the normal looking at an electronic health record and provides so much more than the EHR’s static point of view,” says Council, who oversees the VA’s \$4 billion IT budget and more than 8,000 IT employees. “In order to provide great healthcare, we have to have analytics. We have to understand our responsiveness. We need to understand the environment. And, we need to be able to engage veterans in a way that is seamless, easy for them, and at the same time ensures that we are addressing their needs.” The whole concept around the Digital Health Platform is that “you never see the system, the system just knows you,” she adds.

The VA’s Office of Information and Technology (OI&T) gave a sneak peek of DHP in July when it released its Midyear Transformation Review. However, the VA has now launched a new website laying out additional details about the platform’s envisioned capabilities and benefits. “DHP leverages a network of application programming interfaces (APIs) to integrate military and commercial health data, while unifying VA’s data stores, connecting patient to provider in real-time, and predicting the most successful care to provide a better experience to the veteran,” according to a VA fact sheet posted on the DHP website.

Council notes that the Digital Health Platform uses open-source standards such as HL7’s Fast Healthcare Interoperability Resources (FHIR) application programming interface to integrate the more than 130 instances or versions of the VA’s legacy EHR system—the Veterans Health Information Systems and Technology Architecture (VistA)—as well as military and commercial EHRs. “A veteran’s data and full health record is currently housed in many different, complex systems, each holding discrete records,” states the website. “Our DHP liberates this data, connecting to each health record and enabling a wrap-around platform that continuously gathers this discrete data, analyzes each clinical interaction, and prescribes precision, proven care.” Council contends that the Digital Health Platform will better support veterans throughout the healthcare continuum by creating a new paradigm for the delivery of services with a modern, integrated health system that incorporates best-in-class technologies and standards to give it the look, feel, and capabilities users have come to expect in the private sector but will now receive from the VA.

She adds that system-wide cloud integration will be one of DHP’s defining features and that cloud computing is the “critical linchpin” for its capabilities, which just a few years ago would not have been possible because of concerns about the maturity of cloud technology and security. Further, now that consumers are able to track their health through mobile apps, smartwatches and other wearable technology, Council says that DHP will also capture this valuable information and combine it with other medical records to better treat veterans—especially the rapidly growing number of women veterans—to improve their healthcare outcomes. “Imagine if every piece of health data a veteran recorded—the number of steps she took, the flu shot she received at her local pharmacy, her vital signs at her annual physical, and her treatment at a community provider—were available to the veteran and her provider in one place, with a personalized plan for treatment. DHP realizes this vision,” states the VA’s website.

The VA’s current EHR modernization efforts focus on delivering the tools for clinicians to provide more comprehensive, patient-centered care. While Council says the VA is committed to VistA 4, the next iteration of its decades-old legacy EHR system, she believes that it alone does not have all of the capabilities required to meet the needs of veteran healthcare in the first half of the 21st century. VistA 4, which will include improvements in efficiency and interoperability in fiscal year 2018, is meant to make the system more capable and agile. However, OI&T’s Midyear Transformation Review makes the point that the VA’s “aggressive timeline for upgrading VistA cannot match the accelerating trends of both technology and veterans’ needs.” As a result, the document concludes that it is the Digital Health Platform that ultimately “will support the next-generation VA—and veteran—into the future.”

In July, Council testified before a Senate subcommittee that the VA was looking beyond what VistA 4 will deliver in FY 2018 and was evaluating options for the creation of a Digital Health Platform to “ensure that we have the best strategic approach to modernizing our EHR for the next 25 years.” She told lawmakers that DHP will be a “system of systems” that is not dependent on any particular EHR, giving the VA the flexibility to integrate new or

existing resources into the system without sacrificing data interoperability. Fast forward five months, Council maintains that VA's VistA is a clinical EHR that "works," although she is quick to add that it is a 40 year-old system and isn't "moving us forward" as aggressively as the agency needs. Still, Council says: "We are looking at leveraging our current EHR capability." Nonetheless, the VA recently issued a request for information seeking industry feedback on how it might transition from VistA to a commercial EHR. However, the agency emphasized that it was an "RFI only" for planning purposes and should not be considered a formal solicitation for vendor bids or proposals.

Whether or not the VA's path forward is to continue with VistA or shift to a commercial EHR remains an open question. What is certain is that with the transition from the Obama administration to the incoming Trump administration, Council's days at the VA are coming to a close. In the meantime, she said her team will continue to brief members of Congress and update them on how the agency plans to implement the Digital Health Platform. "As the President moves on, so will I," concludes Council, who has been in her position since July 2015. "My objective was to leave the organization with a firm approach and how best to do it." Working with the VA's Under Secretary for Health David Shulkin, MD, she believes they have accomplished that goal for the VA, the country's largest integrated healthcare system. [Source: HealthData Management | Greg Slabodkin | December 16, 2016 ++]

PTSD & TBI Update 02 ► **Possible Differentiating Breakthrough**

A recent VA study points to a possible breakthrough in differentiating between post-traumatic stress disorder (PTSD) and mild traumatic brain injury (mTBI), otherwise known as a concussion. The two disorders often carry similar symptoms, such as irritability, restlessness, hypersensitivity to stimulation, memory loss, fatigue and dizziness. Scientists have tried to distinguish between mTBI and PTSD in hopes of improving treatment options for Veterans, but many symptom-based studies have been inconclusive because the chronic effects of the two conditions are so similar. If someone is rating high on an mTBI scale, for example, that person may also rate high for PTSD symptoms. The researchers used electroencephalogram, or EEG, a test that measures electrical activity in the brain. The size and direction of the brain waves can signal abnormalities.

Analyzing a large set of EEGs given to military personnel from the wars in Iraq and Afghanistan, the researchers saw patterns of activity at different locations on the scalp for mTBI and PTSD. They saw brain waves moving slowly in opposite directions, likely coming from separate places in the brain. The researchers emphasize that these effects don't pinpoint a region in the brain where the disorders differ. Rather, they show a pattern that distinguishes the disorders when the EEG results are averaged among a large group. "When you're looking at an EEG, you can't easily tell where in the brain signals associated with TBI and PTSD are coming from," said Laura Manning Franke, Ph.D., the study's lead researcher and research psychologist at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia. "You get kind of a coarse measure – left, right, anterior, posterior. We had a different distribution, which suggests that different parts of the brain are involved. In order to determine what patterns are tracking their TBI and PTSD, you need an average to do that," Franke added.

The study linked mTBI with increases in low-frequency waves, especially in the prefrontal and right temporal regions of the brain, and PTSD with decreases in low-frequency waves, notably in the right temporoparietal region. The differences in the levels of the waves may explain some of the symptoms of the two disorders, suggesting a decline in responsiveness for someone with mTBI, for example, and more anxiety for someone with PTSD.

Franke also noted that more low-frequency power has also been linked to cognitive disorders such as Alzheimer's disease and less low-frequency power to problems such as drug addiction. Additionally, spotting distinct patterns of mTBI and PTSD in separate parts of the brain is key for two reasons: the possibility these conditions can be confused with each other is reduced. That can help improve diagnosis and treatment and the patterns show that electrical activity appears to be affected long after combat-related mTBI, suggesting long-term changes in neural

communication, the signaling between cells in the nervous system. “That could help, in part, explain the reason for persistent problems.”

The study included 147 active-duty service members or Veterans who had been exposed to blasts in Iraq and Afghanistan. Of those, 115 had mTBI, which accounts for nearly 80 percent of all traumatic brain injuries. Forty of the participants had PTSD, and 35 had both conditions. Despite the new findings, Franke and her team believe more work is needed to better explain the differences in the patterns of both conditions in the brain's electrical activity. Researchers need to analyze the differences in scans from larger numbers of patients. Meanwhile, though, she said she hopes the research will play a role in helping medical professionals better diagnose someone's condition through an individual EEG—whether that person has PTSD, a brain injury, or a combination of the two.

"That's the holy grail," said Franke. "We want to use the EEG to differentiate the problems, but also to predict recovery and be able to measure how people are doing in a more biological way than just measuring symptoms, although those are still relevant. But symptoms are also problematic because they're influenced by so many things that aren't the disease that we're interested in." For more information about VA research on PTSD and TBI, visit Posttraumatic Stress Disorder and Traumatic Brain Injury <http://www.research.va.gov/topics/tbi.cfm>. At the International Journal of Psychophysiology <https://www.ncbi.nlm.nih.gov/pubmed/27238074> can be found. information about Franke's study. [Source: VA News Release | December 20, 2016 ++]

VA Crises Hotline Update 34 ► Program's Capacity Doubled

Veteran Affairs officials on 20 DEC officially opened the new Atlanta office for the department's Veteran Crisis Line, nearly doubling the program's capacity to aid suicidal veterans and servicemembers. The move comes amid growing demand on the service but also scrutiny over its operations. The round-the-clock hotline has fielded more than 2.6 million calls and intervened with emergency services more than 67,000 times in the program's nine-year history, and department leaders are hailing the expansion as a critical need. “The work at the Veterans Crisis Line is some of the most important work we do in VA,” department Deputy Secretary Sloan Gibson said in a statement. “Today we follow through on our commitment to give those who save lives every day at the Crisis Line the training, additional staff and modern call center technology they need to make the Veterans Crisis Line a gold standard operation.”

The second site for the program -- until recently, all operations were handled through Canandaigua VA Medical Center in New York -- will mean a boost in call responders from 310 to more than 500 and an increase in social service assistants from 43 to nearly 80. Callers should not notice any difference in operations, but will be more likely to talk to specialists trained in military and veterans issues with the additional staff on hand. During times of heavy use, callers to the veterans line are transferred to mental health professionals at the National Suicide Prevention Hotline, but those specialists may not have access to some VA program and resource information. Department officials said the second office is part of the broader MyVA initiative, the bureaucratic restructuring plan created by VA Secretary Bob McDonald. Plans for the expansion were announced earlier this year.

The opening also comes just days after Congress passed new legislation titled the “No Veterans Crisis Line Call Should Go Unanswered Act,” requiring VA officials to develop plans for improving response times and rates for the service. In June, the program's director abruptly resigned amid reports that high numbers of calls to the veterans line were going unanswered by VA staffers, and instead being routed to backup specialists. In fiscal 2016, the Veterans Crisis Line answered more than 510,000 calls, 53,000 chat requests and 15,000 texts. VA statistics show roughly 20 veterans a day nationwide commit suicide. Of those, only six are active users of VA services. To contact the Veteran Crisis Line, callers can dial 1-800-273-8255 and select option 1 for a VA staffer. Veterans, troops or their families members can also text 838255 or visit VeteransCrisisLine.net for assistance. [Source: MilitaryTimes | Leo Shane | December 20, 2016 ++]



VA Home Loan Update 45 ► 2017 Loan Limits

The Department of Veterans Affairs has announced new loan limits for 2017, according to the Military Times. The maximum amount for the VA Home Loan Guaranty Program for next year will be \$424,100 in most counties. In higher-cost counties, the loan limit will range from \$425,500 to \$721,050, according to the Military Times. The new limits will take effect on 1 JAN. Veterans eligible for VA home loans can borrow amounts higher than the loan limits, but lenders might require them to make a down payment for the excess borrowed, according to the Military Times. The VA calculates loan limits using counties' median home values as reported by the Federal Housing Administration. Some counties' limits will increase in 2017, while others will remain the same. A few counties will see decreased, the Military Times reported. [Source: Mortgage Professional America | Ryan Smith | December 19, 2016 ++]

VA Organ Transplants Update 01 ► Obstacles Still in Place

Nearly five months after an Atlanta 11Alive investigation exposed problems with a federal organ transplant program, veterans across the country continue to complain about the distance they're forced to travel for life-saving operations. After the Investigators broke the story in August, it appeared the Department of Veterans Affairs planned to help at least some veterans. As 11Alive Investigator Andy Pierrotti explains, many veterans still face obstacles seeking transplants.



Eugene Cypress is recovering from leukemia after a bone marrow stem cell transplant at a VA hospital in San Antonio. Cypress served in Vietnam and believes agent orange used in the war contributed to his cancer.

One of those veterans includes Eugene Cypress. He's recovering from leukemia after a bone marrow stem cell transplant at a VA hospital in San Antonio. Cypress served in Vietnam and believes agent orange used in the war contributed to his cancer. He lives in New Orleans, but the VA required the Marine veteran to travel 544 miles to

San Antonio for the transplant. For months, his sister, Lisa Cypress flew, from Atlanta to San Antonio to take care of him. "I was really upset about that," Lisa, an Atlanta nurse, told 11Alive. "I felt like if you're going to try to help someone who suffered this injury due to serving their country, why wouldn't you make it as convenient to them as possible or the best place possible." While the veteran appreciates the agency's help and care, he would have rather received his transplant at a hospital in New Orleans. "It's stressful to be taken out of your comfort zone and out of your environment, put in a situation where you're put in a hotel and an unfamiliar place," Eugene said.

Over the past year, the 11Alive Investigators found veterans in Atlanta, Minneapolis, Austin, San Antonio and California denied transplants or forced to travel thousands of miles for operations. The VA will only pay for transplants if veterans use one of its 13 approved VA transplant centers. David Brayton, an Air Force veteran in California, thinks VA should pay local hospitals to perform transplants. Brayton has a terminal lung disease. "My lungs are hardening right now," he said. "They're effectively turning into rock." Instead of paying for his transplant at one of two nationally ranked hospitals near his L.A. home, the VA told Brayton and his wife they'll have to travel to one of two VA transplant centers --1,200 miles away to Seattle or 2,000 miles to Madison Wisconsin. "It makes no sense at any level to have to move 2,000 away," Brayton said in an interview with KNBC. "Logically, it's just insane to me."

Dr. David Goldberg co-authored a university of Pennsylvania study which found there's a greater risk among veterans living farthest from designated VA transplant centers. "Veterans that were more than 100 miles away from the closest transplant center are disadvantaged. They have less access to lifesaving transplants, which directly then correlates to a higher chance of dying," said Goldberg in an interview with 11Alive. In September, the VA's national director of surgery, Dr. William Gunnar, defended the transplant policy. He claims the study his agency conducted, but isn't releasing to yet, found distance doesn't matter. "Regardless of where you live -- across the street or 500 miles away -- there was no difference in the time difference to transplant," Gunnar said.

Lisa Cypress disagrees with Dr. Gunnar. "I don't think the stress of all of this is any good for anyone undergoing this type of therapy," she said. "It's stressful enough having cancer and being afraid and thinking I could be gone and it might not work. Just the treatment alone is devastating and dangerous." After 11Alive's interview with the director, the VA's transplant policies remain largely in place. In September, it first appeared that the VA would start implementing changes. Then, according to a VA transplant supervisor-turned-whistleblower in San Antonio, the agency agreed to pay local hospitals to perform transplants for a few veterans. A few weeks later, the agency changed its mind. In November, a VA whistleblower in Texas met with lawmakers to discuss the agency's policy and how it impacts veterans.

The San Antonio VA transplant supervisor is now negotiating with local hospitals to perform transplants. That's not set in stone and it would not be implemented nationally if it happens. [Source: WXIA | 11Alive | December 2016 ++]

VA Glioblastoma Claims ► Agent Orange Link Obstacles

Pegi Scarlett had just returned from her husband's grave this past Memorial Day — the first since his death — when, on a whim, she decided to search online whether other Vietnam vets had died of the same aggressive brain cancer. With a few keystrokes, she found a Facebook group with a couple hundred widows like herself, whose veteran husbands had died of glioblastoma. She also found an intriguing article: A widow in Missouri had fought for almost eight years before convincing the U.S. Department of Veterans Affairs that she was entitled to benefits for her husband's fatal brain cancer because of his exposure to the toxic defoliant Agent Orange. "Shocked is probably the word," Scarlett said, describing her reaction to what she found. "Story after story after story."

Many Vietnam veterans are battling the VA to compensate them for a growing list of ailments they believe are caused by their exposure to Agent Orange. But because of the seriousness of glioblastoma multiforme — which is often fatal within months — widows are the ones left to fight. “There’s not a lot of people who fully understand what we’ve all gone through,” said Scarlett, who is now one of the leaders of the Facebook group, where women trade stories and help each other build their cases for benefits. Scarlett, who lives outside Sacramento, brought an important skillset. As a certified tumor registrar, the 64-year-old spends her days searching through patients’ medical records, logging details about their lives and cancer diagnoses to help the state of California look for patterns. Now, in her off hours, she gathers information about veterans who’ve died of glioblastoma, hoping to persuade the VA it should provide benefits to their widows. They believe dioxin, a contaminant of Agent Orange, caused their husbands’ cancers.

VA data shows that more than 500 Vietnam-era veterans have been diagnosed with glioblastoma at VA health facilities since 2000. That doesn’t include the unknown number diagnosed at private facilities. But brain cancer isn’t included on the VA’s list of diseases presumed to be connected to Agent Orange exposure. Instead, widows must navigate a complicated claims and appeals process to show the cancer was “at least as likely as not” linked to the chemicals. Proving exposure and harm is difficult for veterans; it’s perhaps even more challenging for widows, many of whom don’t have full command of their husbands’ service histories and have never had to deal directly with the VA bureaucracy.

The way the VA works, every benefits appeal is fought anew as if no others preceded it. So just because one widow succeeds, that doesn’t mean others will. “How can they approve one claim and deny another one with the same information?” Scarlett said. “There’s no rhyme or reason.” Cases can drag out for six, eight, 10 years. One New York widow filed a claim in 1993, a month or two after her husband died of brain cancer. It’s still pending. The VA did not answer questions about its handling of glioblastoma claims for this story. Despite the obstacles, some widows have found a way to win. While the VA cites studies that don’t show an association between brain cancer and Agent Orange, the widows have found other studies that do, as well as a 1990 report written by Adm. Elmo R. Zumwalt Jr., the commander of naval forces in Vietnam who authorized the spraying and later chronicled its harmful effects.

If a widow is able to convince the VA her husband died from an illness caused by his military service, she is eligible for thousands of dollars each year in survivor benefits. Because the compensation is retroactive to when the initial claim was filed, some widows stand to receive tens of thousands of dollars, or more, upon winning their cases. That’s proven challenging for most. Since 2009, the Board of Veterans’ Appeals has issued more than 100 decisions in cases in which widows have appealed benefits denials related to their husbands’ brain cancer, according to a ProPublica analysis of board decisions. About two dozen have won. Laurel Holt, 65, was one of them. She had to sell her house and borrow money from relatives after her husband, Kenneth, died in September 2011, after a 19-month struggle with glioblastoma. In Vietnam, Kenneth Holt had sprayed Agent Orange from inside an Army helicopter. His uniform was routinely soaked in the toxin, he’d told her.

She won her appeal this July, nearly five years after his death, and has become a leader of the widows support group on Facebook, assisting three dozen women file claims and appeals. “It’s a horrendous illness and death, for the wife, too, because she’s right in there in the thick of it with her husband,” Holt said. “And nobody should have to turn around after that and have to fight another battle. No widow should have to do that on her own.” If a veteran can prove he served in Vietnam and has one of 14 conditions linked to Agent Orange, including diabetes, ischemic heart disease and some other types of cancers, he is automatically eligible for VA benefits. Since brain cancer isn’t on the list, the onus falls to recently diagnosed vets or their widows to prove their conditions are linked to their exposure. This often involves having a doctor write a letter to the VA asserting a possible connection and attaching some scientific support. One veteran’s widow submitted a letter from a prominent epidemiologist who works for the New York State Department of Health. Another turned in a letter from a neuro-oncologist at the Preston Robert Tisch Brain Tumor Center at Duke University. She wrote that Agent Orange was a “significant factor in causing, contributing to, or aggravating brain tumors in Vietnam veterans.”

Some say the VA's default position is to reject claims for conditions not on the agency's presumptive list. "They're still supposed to consider each case on an individual basis. That's not what happens," said Rory Riley-Topping, a consultant and former staff director for the House VA Subcommittee on Disability Assistance and Memorial Affairs. "You end up in that hamster wheel." The wait for a hearing before the Board of Veterans' Appeals is growing ever longer. In the 2015 fiscal year, the board held 12,738 hearings; the number of veterans waiting for a hearing topped 81,000. The number of hearings has gone up slightly since fiscal year 2009, but the waiting list has doubled.

Among those whose cases have been heard, a growing number of widows have found support from judges in the past few years. "The weight of the evidence supports a finding that the veteran's exposure to herbicides in service contributed substantially to the development of his fatal brain cancer," wrote one judge in September 2014. Another wrote in March 2015: "There is support in the evidence for the [widow's] contention that there is a link between Agent Orange and brain tumors." [Source: ProPublica and The Virginian-Pilot | Charles Ornstein & Mike Hixenbaugh | December 28, 2016 ++]

VA Presumptive AO Diseases Update 24 ► Pending Decisions for 2017

With 2016 drawing to a close and a new presidential administration poised to take over, the U.S. Department of Veterans Affairs faces an array of decisions related to the herbicide Agent Orange, which contained the toxic chemical dioxin and was used to kill vegetation during the Vietnam War. Among them are:

Whether to expand the list of diseases that are presumed to be linked to Agent Orange.

In the past, the VA has found enough evidence to link 14 health conditions, including various cancers, to Agent Orange exposure. In March, a federal panel of scientific experts said there is now evidence to suggest that Agent Orange exposure may be linked to bladder cancer and hypothyroidism. It also confirmed, as previous experts have said, that there is some evidence of an association with hypertension, stroke and various neurological ailments similar to Parkinson's Disease. Since then, a VA-led study has found stronger evidence to link hypertension, more commonly known as high blood pressure, to Agent Orange exposure. But high blood pressure is common as people age, so compensating veterans for the condition could be expensive.

If the VA adds those conditions to its list of diseases connected to Agent Orange, anyone who has them and who stepped foot in Vietnam—even for a day--could be eligible for disability payments from the VA. The VA had planned to make decisions this year, initially as early as August, before the election. But in a recent statement, the agency said, "For this administration, the deadline for proposing new rules for potential new presumptions (of service connection) has passed and this will become work for the new administration to take to completion."

Whether to make naval veterans who served off the coast of Vietnam eligible for benefits.

Though most didn't step foot in Vietnam, some 90,000 Navy vets who served offshore may have been exposed to the Agent Orange and are seeking benefits. Advocates for the so-called Blue Water Navy veterans have been asking the VA for more than a decade to broaden the policy to include them. They say that they were exposed to Agent Orange because their ships sucked in potentially contaminated water and distilled it for showering, drinking, laundry and cooking. Experts have said the distillation process could have actually concentrated the Agent Orange.

The U.S. Court of Appeals for Veterans Claims in April 2015 struck down VA rules that denied compensation for sailors whose ships docked at certain harbors in South Vietnam, including Da Nang. Those ports, the court determined, may have been in the Agent Orange spraying area. The court ordered the VA to review its policy. But in February, the VA largely stood by its old policy and once again asserted that there's no scientific justification or

legal requirement for covering veterans who served off the coast. A bill in Congress to change that had 336 sponsors in the House and 47 in the Senate. But it did not become law. Advocates have said they will try again.

Whether to extend coverage to service members who served along the Korean demilitarized zone during the Vietnam War and who say they were exposed, as well.

Herbicides were not used exclusively in Vietnam. The VA currently provides benefits for Agent Orange-related diseases to veterans who served in or near the Korean DMZ between April 1, 1968 and Aug. 31, 1971. Some veterans, backed by several senators and members of Congress, say the start date should be earlier. They cite a declassified January 1969 document that cited use of herbicides in the DMZ for tests that began on Oct. 9, 1967. “We’re not victims, we’re not heroes,” said Eugene Clarke, the Connecticut veteran pushing for the change. “But we want what we deserve.” a letter this month to Rep. Thomas MacArthur (R-NJ) a VA official said the matter was being reviewed. “We take our obligation to research these matters very seriously and will provide you with a more comprehensive response as quickly as we can,” Principal Deputy Under Secretary for Benefits Thomas Murphy wrote.

Whether veterans’ exposure to Agent Orange can affect their descendants.

For decades, the Department of Veterans Affairs has collected — and ignored — reams of information that could have helped answer that question, an investigation by ProPublica and The Virginian-Pilot has found. Its medical staff has physically examined more than 668,000 Vietnam veterans possibly exposed to Agent Orange, documenting health conditions and noting when and where they served. For at least 34 years, the agency also has asked questions about their children’s birth defects, before and after the war. A recent ProPublica analysis found that the odds of having a child born with birth defects during or after the war were more than a third higher for veterans who say they handled, sprayed or were directly sprayed with Agent Orange than for veterans who say they weren’t exposed or weren’t sure. Experts said more research is needed and that the VA should be taking it on.

This month, Congress passed a bill that requires, among other things, that the VA pay for an analysis of all research done thus far on the descendants of veterans with toxic exposure. It also requires the agency to determine the feasibility of future research and, if such studies are possible, to pursue them. The VA said it recently asked the National Academies of Sciences, Engineering and Medicine to look into whether exposure to Agent Orange could have effects in vets’ offspring. It could be a couple years before any report is issued with recommendations for future research.

[Source: ProPublica & The Virginian-Pilot | Charles Ornstein & Mike Hixenbaugh | December 28, 2016 ++]

Non-VA Facility Care Update 04 ► Q & A

When it is not possible for you to go to a VA Medical Center (VAMC), you should go to the nearest hospital that has an emergency room (ER). If you are in an ambulance, the paramedics will usually take you to the closest emergency room.

What is an emergency? A medical emergency is an injury or illness so severe that without immediate treatment, it threatens your life or health. Your situation is an emergency if you believe your life or health is in danger. If you believe your life or health is in danger, call 911 or go to the nearest ER right away. You do not need to call the VA before calling for an ambulance or going to an emergency room.

When should I contact the VA regarding an ER visit? You, your family, friends or hospital staff should contact the nearest VAMC as soon as possible, preferably within 72 hours of your emergency, so you are better aware of what services VA may or may not cover. Provide VA with information about your emergency and what services are being provided to you. Ask VA for guidance on what emergency charges are covered, so you can plan accordingly.

If the doctor then wants to admit me to the hospital, must I obtain advance approval from the VA? If the admission is an emergency, advance approval is not required although prompt notification to the VA is necessary (within 72 hours). If the admission is not an emergency, then you must obtain advance approval from the VA.

Will I have to pay for transportation to a VA facility? VA will assist with transportation arrangements and may be able to pay for such expenses. Contact the nearest VA Medical Center for guidelines.

If a VA bed is available and I can be safely transferred, do I have to move to the VA hospital? Yes, if you want VA to continue to pay for your care. If you refuse to be transferred, VA will not pay for any further care.

If I am admitted to the hospital as a result of an emergency, how much will VA pay? Depending on your VA eligibility, VA may pay all, some or none of the charges. Some highlights are listed in the next column, and you may ask your local VA Medical Center's Non-VA Medical Care Office for further eligibility guidance.

- For service-connected conditions, some of the criteria that must be met are:
 - Care or services were provided in a medical emergency, AND
 - VA or another federal facility were not feasibly available, AND
 - VA was notified within 72 hours of the admission.
- For non-service-connected conditions, some of the criteria that must be met are:
 - Veteran is enrolled in the VA health care system, AND
 - Veteran has received health care services from VA within the previous 24 months, AND
 - Veteran has no other health insurance coverage.

How do I know if I have a service-connected condition? A service-connected condition refers to an illness or injury that was incurred during or aggravated by military service, and has a rating assigned by the Veterans Benefits Administration.

How long do I have to file a claim for reimbursement for emergency medical care? File your claim with the nearest VAMC quickly because time limits usually apply. For non-service-connected care, the time limit is 90 days. Again, consult your local VA Medical Center for more information.

Will VA pay for emergency care received outside the United States? VA will only pay for emergency care outside the U.S. if your emergency is related to a service-connected condition. For more information about care provided outside the U.S., contact the Foreign Medical Program at 1-877-345-8179, or visit the website at <http://www.va.gov/purchasedcare>.

How do I get more information? Visit the Chief Business Office Purchased Care website at <http://www.va.gov/purchasedcare> for more information.

[Source: VA Fact Sheet | PAO Carrie Seward | December 19, 2016 ++]

VA Compensable Disabilities ► CBO Proposal to Eliminate 7

Not all service-connected medical conditions and injuries are incurred or exacerbated in the performance of military duties. For example, a qualifying injury can occur when a service member was at home or on leave, and a qualifying medical condition, such as multiple sclerosis, can develop independently of a service member's military duties. In 2015, VA paid 716,000 veterans a total of \$3.7 billion, the Congressional Budget Office estimates, to compensate for seven of the medical conditions that, according to the Government Accountability Office (GAO), military service is unlikely to cause or aggravate. Those conditions are arteriosclerotic heart disease, chronic obstructive pulmonary disease (COPD), Crohn's disease, hemorrhoids, multiple sclerosis, osteoarthritis, and uterine fibroids.

Beginning in January 2018, this option would cease veterans' disability compensation for those seven medical conditions GAO identified. Under the option, **veterans now receiving compensation for those conditions would have their compensation reduced or eliminated**, and veterans who applied for compensation for those conditions in the future would not be eligible for it. The option would not alter DoD's disability compensation system, which

focuses on fitness for military duties rather than compensation for disabilities. An argument in support of this option is that it would make the disability compensation system for military veterans more comparable to civilian systems. Few civilian employers offer long-term disability benefits, and among those that do, benefits do not typically compensate individuals for all medical problems that developed during employment.

An argument against this option is that military service is not like a civilian job; instead, it confers unique benefits to society and imposes extraordinary risks on service members. By that logic, the pay and benefits that service members receive should reflect the hardships of military life, including compensating veterans who become disabled in any way during their military service. [Source: U.S. Congressional Budget Office | December 12, 2016 ++]

VA Secretary Update 51 ► Efforts Upped to Keep McDonald

A coalition of 20 veterans groups on 14 DEC upped their efforts to keep Veterans Affairs Secretary Bob McDonald on into the next administration, warning President-elect Donald Trump that “we cannot afford to start over” given department reform progress in recent years. “These efforts to transform and modernize the VA are showing early signs of success in the form of a better veteran experience and, if continued, we believe they have the potential to eventually make VA a model agency,” group members said in a letter to the incoming commander in chief. “It is therefore of the utmost importance that you select someone willing and able to continue prioritization of this work. We believe that person is Sec. McDonald.”

The push, lead by officials at Got Your 6, includes signatures from the leaders at AMVETS, the Marine Corps Reserve Association, the National Military Family Association, Wounded Warrior Project and others. Last week, members of the six largest veterans groups met with Trump’s VA transition team and also pushed for serious consideration of McDonald to stay on in the role. Bill Rausch, executive director of Got Your 6, said the latest letter is designed not to signal any dissatisfaction with the incoming administration, but to let Trump know that they see recent improvements as connected to his promises to clean up the department. “We’re not sure (Trump) knows the current secretary shares many of the same goals,” he said. “Based on the criteria he put forward in his campaign, we’re trying to highlight to him that Bob McDonald is the right man.” VA Secretary McDonald hopes his work serves as a blueprint for the Trump administration.

The letter states that transforming VA “will take a continuous commitment from leadership over the course of many years. As you make your selection for VA Secretary, then, we advocate for an approach that recognizes and builds upon current progress.” Keeping a cabinet secretary from a previous administration -- even from a different political party -- is infrequent but not unusual. When President Barack Obama took office in 2009, he kept Defense Secretary Bob Gates on in that role from President George W. Bush’s administration. One group that has actively pushed back against the idea of retaining McDonald is Concerned Veterans for America, which has repeatedly attacked the 63-year-old Army veteran as took slow to implement health care reforms and unwilling to discipline misbehaving VA employees. McDonald has hinted he would be open to staying on the job, but has said he has not been contacted by president-elect thus far.

Officials with President-elect Donald Trump’s transition team downplayed concerns over uncertainty about the Veterans Affairs secretary post on 15 DEC, saying they are taking great care to find the right person to lead reform efforts in the department. “This is an area that he cares deeply about, reforming VA and making sure the person who comes in has the appropriate skill set to address the many challenges,” said transition team spokesman Sean Spicer, communications director for the Republican National Committee. “This is an area near and dear to his heart.” [Source: MilitaryTimes | Leo Shane | December 14, 2016 ++]

VA Secretary Update 52 ► Been The Greatest Job I Could Ever Have

Veterans Affairs Secretary Bob Mc-Donald believes his department has seen tremendous improvements in just the past two years. He hopes his replacement sees it, too, and continues that work. "This transformation has probably gone farther and faster than any I've been involved in, but also it's not yet far enough," said McDonald, who is preparing to end his tenure leading the department when President-elect Donald Trump takes office next year. "But there's no pride of ownership here. From the very beginning, we've said if someone has a better idea here, we'll build it into the plans. And we've done that." Trump and other critics have attacked McDonald's tenure at VA as a missed opportunity for real change in the massive bureaucracy. The businessman-turned-politician has promised to appoint "a VA secretary whose sole purpose will be to serve veterans" and not "the needs of D.C. bureaucrats." The incoming administration is also vowing major changes to make the nearly \$180 billion department operate more like a private business responsible to its customers.

But those types of goals have been the cornerstones of moves made by McDonald, the former CEO of Procter & Gamble. "What we have done here is what you would do in business," he said. "We created a vision, in this case to be the top federal agency for customer service. We created strategies. We've created new processes. And we've created measurement systems to make sure we're measuring outcomes. "So the principles of running any large organization tend to be the same. The application is what varies." He sees much of the work done in the wake of the 2014 medical wait times scandal as a blueprint for the next administration, including an emphasis on better customer relations and corporate efficiency. Employees are required each year to reaffirm their commitment to the department's "core values," including service to veterans.

McDonald points to a host of metrics as proof it's working, including a long list of statistics provided to USA Today in early December. Internal surveys show 60 percent of veterans trust VA "to fulfill our country's commitment to veterans," up from 47 percent a year before. Seventy-four percent of veterans report they get the services they need, up from 65 percent a year earlier. "We're doing a better job delivering the services and benefits that veterans have earned," he said. "But no one is satisfied with 60 percent trust." Since the 2014 scandal - which led to the resignation of former VA Secretary Eric Shinseki and McDonald's nomination - the number of medical appointments for veterans has grown by more than 4 million. Veterans Health Administration statistics show drops in patient wait times for most illnesses. A Rand Corp. study last summer argued VA performs better than private-sector physicians in 45 of 47 areas. Harvard Business School researchers just used his MyVA transformation initiatives as a case study for positive government reform efforts. "Absolutely, VA is better today," Mc-Donald said. But he acknowledges those successes haven't fully changed the public perception of the department, or blunted the political attacks of critics.

The 63-year-old Army veteran has sparred frequently with lawmakers over rules for firing misbehaving VA employees and has been blasted for the department's slow roll-out of the new Choice Card program in 2014. Republican lawmakers have said too many veterans are still stuck with VA medical centers as their only health care option. McDonald notes that nearly one-third of medical appointments paid for by the department last fiscal year were with private-sector doctors, a ratio he calls "quickly approaching the right balance." Trump and his pick to lead VA are expected to push for more outside care options, based on his campaign promises. Veterans groups have voiced concerns that those proposals could erode program funding or lead the department on a path toward privatization of veterans health care.

For his part, McDonald thinks many of Trump's campaign vows will become tempered once his administration is fully involved with the operations and costs of VA. He's already working with the new administration's transition team, and has told current VA leaders to move ahead with the 2017 goals for his MyVA plans under the assumption those changes will remain a priority. They include appeals reform, expanding program access and improved information technology for the department.

Some of those priorities are carried over from 2016, after Congress was unable to finalize legislation to allow VA to make the changes. He said that inaction and the political side of his post has been the most frustrating part of the job. "What surprised me (in this job) was the way the system caused a race by members of Congress to write me an aggressive letter, to demonstrate they were on top of an issue," McDonald said. "The letter became more important than calling me. They could call, but then they can't give the media or their constituencies a letter." He hopes his successor - who will have a Republican president and a Republican-controlled Congress - sees fewer of those conflicts, but also understands a Cabinet secretary has less flexibility than a corporate CEO because of that congressional oversight.

Some leaders from the major veterans groups have petitioned Trump to consider keeping McDonald on into the next administration, but the president-elect and his team have so far made no such overtures. For his part, McDonald hopes those new leaders build off his work as a foundation for a more streamlined department, no matter how that progress is touted. "I don't spend any time worrying about who takes credit. I don't spend any time at all trying to publicize myself," he said. "I'm inspired by the mission. This has been the greatest job I could ever have. And my measure of success is in the minds of the veterans, whether or not they think I've done a good job." [Source: ArmyTimes | Leo Shane | December 26, 2016 ++]

VA Blind Rehabilitation Service Update 02 ► Orcam Device

As a sniper in the U.S. Army, James O'Neil relied on his sight, so when diabetic retinopathy caused him to go blind in 2009, it was devastating. "I'd never met a blind person, seen a blind person, so I didn't know there was anything for blind people to do," O'Neil said. But then he found the Huntington VA Medical Center. O'Neil was sent to a VA Blind Rehabilitation Center in Alabama and had surgery to partially restore his vision in his left eye, but he was still left reliant on others to help him. A new device, however, has given O'Neil his freedom back. It's called Orcam and is a camera connected to a box with a speaker, which is affixed to O'Neil's glasses.

Like something from a science fiction movie, all O'Neil has to do is point and the device will read back whatever it sees. O'Neil can also program faces into the device, so when he passes that person in the hall, say, it will tell him who that person is. He can also program items from a grocery store into the device so he can easily find them when shopping. "I can do anything you can do; I just can't drive," O'Neil said. "... For someone like me, being a guy, we like our independence. We don't like to ask for help. So this lets you do a lot of those things without asking people. I can go to Wal-Mart or Kroger by myself now."



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It's been about six months since he started using the device, and O'Neil said it's been a tremendous help to him, particularly helping him read the board as he completes a history education degree at Marshall University. "They've got interactive boards and the big-screen TVs now, too, so this reads all of that as well," he said. It even helps with everyday tasks, such as reading a menu at a restaurant. "I have programs that can read stuff, other devices that are bulky (and) you just can't carry around," O'Neil said. "I can take this anywhere." Without the VA, O'Neil would not be able to afford the \$3,000 device. "They are worth it for what it can do," he said. "If you look at kids today, parents don't have the money to go get something like this. We get showered with everything as a veteran, and so-called civilian people can't afford it."



Army Vet James O'Neil demonstrates his new Orcam at the Huntington VAMC

One other veteran who utilizes the Huntington VA has one of the devices. He is totally blind. "It's changed his life, even little things," said Dalene Renfroe, Huntington VA visual impairment program coordinator. "He lives on a farm behind his family and they share a mailbox, and he said, 'Now I can go to the mailbox and pick out my own mail and not wait on anybody.' It's the little things like that we don't think about." To learn more about the Huntington VA visual impairment program, call 800-827-8244, ext. 2847. [Source: Huntington Herald-Dispatch | Taylor Stuck | December 27, 2017 ++]

VA Notice of Disagreement ► How to Submit

If you disagree with the decision VA made on your disability compensation claim, your first step is to formally tell VA that you disagree. "I received my rating and it's wrong" is a statement VA's call center agents hear every day. You may think that VA shouldn't have denied your claim, that you should have received a higher percentage, or that the effective date was wrong, but the odds are against it. That's not to say that VA never makes a mistake, but an overwhelming majority of the time VA makes the correct decision based on the evidence available. In fact, VA's issue-rating accuracy is 95 percent. This high level of accuracy is in part because most of the decision-making is now automated. Medical information is input by the rater, and the rating for each issue is calculated and justification is provided.

So, if you aren't happy with your rating, first carefully read your notification letter and rating decision. These documents should explain, issue-by-issue, why you received your rating, and what is needed for the next higher rating. It should also explain what the effective date is and why. If VA did not service connect your requested condition, the decision letter explains why the condition was not service connected. If you have questions about your rating decision you can always go to your local Veterans Service Organization (VSO), sit down with a representative at your local VA office, or call the VA National Call Center at 800-827-1000. They can explain your rating so that you can decide what to do next. If you've reviewed the claim decision and still think VA is wrong, you should provide additional evidence to support your condition(s) with your NOD. The claim decision becomes certified after 30 days, but it isn't final until one year after the date of the decision. You can file a Notice of Disagreement (NOD) at any time up to one year from the date of decision.

To file the NOD, submit the VA-Form 21-0958, Notice of Disagreement that was included with your claim decision. If you misplaced it go to http://www.va.gov/vaforms/form_detail.asp?FormNo=21-0958. This is your chance to tell VA how you feel the decision is wrong. If you don't feel confident enough to do this on your own, your VSO can help you. The NOD form contains blocks for each issue of contention (the medical conditions for which you filed the claim), for example, knee condition or kidney stones. Only list the conditions on the NOD where you disagree with the rating. For example, if you were rated for three conditions and only disagree with one decision, only list the decision you disagree with. Then check the block indicating what you disagree with (service connection, the rating level, or effective date).

The most important section is the narrative to explain why you feel VA incorrectly decided your claim. Don't leave this blank. It's entirely possible that VA missed something, and if you don't point it out, VA will never know. Tell your story, but be clear and concise. If you need more space, add additional pages and documentation, such as private medical records, to make your point. As explained above, there are three primary issues with your claim decision that you can disagree with: service connection, effective date and evaluation of disability (rating percentage). There is also an option for "other" if these are not appropriate.

- **Service Connection:** If your claim came back "not service-connected," explain why you think the condition should have been service connected. Was it first diagnosed in service? Was there an injury in service? Is this a condition that was caused or aggravated by a service-connected condition? For example, a service-connected knee condition can lead to back strain. The back issues are then secondary to the knee condition and can be service connected. Be specific and provide the date of the initial injury or illness if possible. That helps the rater find the documentation needed in your service treatment or personnel records. If you have copies of official documentation that prove an event happened in service, for example the write-up for a medal, attach a copy. Most illnesses are compensable if diagnosed within a year of leaving active duty. You may have to include private treatment records to prove this. Buddy statements can provide additional evidence. If there is no connection between your illness and your time in service, VA can't legally provide benefits.
- **Effective Date of Award:** Usually the date of award is the date of claim for that specific issue, but there are instances where the date could be earlier. Some of these include, the date after your discharge for claims filed within a year of leaving active duty; date an Intent to File was received by the VA; or the date of diagnosis or eligibility for a higher level of compensation for increases. Your local Veterans Service Organization can help you determine if the effective date should have been earlier.
- **Evaluation of Disability:** The most common area of disagreement is the evaluation of disability. The rating levels are determined by law and are based on your symptoms. In your claim decision letter, look for the description of the rating and the associated legal reference. This reference leads to a listing that shows what symptoms match the rating level for your condition. If you have documented symptoms or test results from your doctor that show you should be in a higher rating level, explain this in your narrative and add copies of the documentation to your submission.

You may want to read over the Schedule for Rating Disabilities (38 CFR, Part 1), which provides all of the information on how claims are rated, how VA math works (38 CFR, Part 1, Section 4.25), and how percentages are based on your symptoms (38CFR, Part 1, Subpart B). Warning: the CFR is dense with legalese and medical information, and it's why we recommend you ask a VSO for assistance. If your symptoms don't meet the next higher rating level, VA cannot increase your rating. In this case, you are better off keeping the current rating, and if your symptoms worsen, you can always file a claim for an increase later. The NOD also asks you to make a choice between the Decision Review Officer (DRO) process, or the traditional appellate review process.

- In the DRO review, an experienced rater will conduct an in-depth review of your claim and any new evidence that you provide. The DRO may schedule you for an additional compensation and pension exam (C&P), or contact you with follow up questions

- In the traditional appellate process, a VA rating specialist will review the prior rating and any new evidence to see if a clear and unmistakable error (CUE) was made on the previous decision.

In both processes, a new decision can be made based upon the evidence of record. If you are uncertain about which option is best for you, check with your VSO for advice.

After the DRO reviews your file, NOD, and any new evidence, they will make a decision. They may either provide a new rating or continue the current rating decision. Then, you will receive a Statement of the Case that describes the information that was reviewed and how the DRO came to their decision. If you disagree with the new decision, the next step would be to file a VA Form 9 and appeal to the Board of Veterans Appeals. Depending on the complexity of your case, the formal appeal process can take several years (and every time you submit new evidence before a decision increases that wait). It is much better to ensure you provide all of the information and evidence to tell your story during the NOD phase since it will resolve your issue the fastest.

If you are considering filing an appeal, we recommend you read this blog series, which goes into more details about the appeal process:

- Appeals and claims are as different as apples and oranges <http://www.blogs.va.gov/VAntage/25611/the-appeals-process-appeals-and-claims-are-as-different-as-apples-and-oranges>.
- Appeals at the regional office level <http://www.blogs.va.gov/VAntage/25738/the-appeals-process-appeals-at-the-regional-office-level>
- Appeals at the Board of Veterans' Appeals <http://www.blogs.va.gov/VAntage/25855/the-appeals-process-appeals-at-the-board-of-veterans-appeals-board>
- When an appeal is remanded <http://www.blogs.va.gov/VAntage/26013/the-appeals-process-remands>
- Your comments and VA's plans <http://www.blogs.va.gov/VAntage/26187/the-appeals-process-your-comments-and-vas-plans>

[Source: VAntage Point | December 27, 2016 ++]

GI Bill Update 217 ► For-Profit Schools Skirting Rules

An analysis by the U.S. Department of Education released 28 DEC found that nearly 200 for-profit schools are skirting federal funding limits by relying heavily on GI Bill tuition funds. The results are reigniting concern from veterans groups and the federal government about targeted recruitment of servicemembers and vets. In a separate statement Wednesday, 10 advocacy groups called on Congress to close a loophole they said encourages for-profit schools to target students using the Post-9/11 GI Bill — a benefit exempt from Congressional caps limiting federal student aid to 90 percent of revenue. Known broadly as the 90/10 rule, the restriction was implemented to force for-profit schools to get at least 10 percent of their revenue from students who pay their own tuition. The Post-9/11 GI Bill pays tuition and fees, along with book and housing stipends, to veterans and troops based on a sliding scale of active-duty service.

The Education Department analyzed Department of Veterans Affairs-provided tuition at for-profit schools to conclude how many would be out of compliance if the loophole were closed and GI Bill funds counted against revenue limits. The 16 JUN audit looked at fiscal ending dates between Dec. 31, 2014, and June 30, 2015. It identified 17 schools that were out of compliance with current laws. **Closing the loophole would increase the number to nearly 200**, according to the Education Department. The department called for a shift to an 85/15 ratio, and for all federal money, including GI Bill funds and Defense Department tuition assistance, to factor into the 85 percent limit. The noncompliant for-profit schools identified were:

- Southern Careers Institute, Austin, Texas. 98.32%

- United Medical and Business Institute, East Point, Ga. 96.51%
- Coast Career Institute, Los Angeles. 94.84%
- Pat Wilson’s Beauty College, Henderson, Ky. 93.92%
- Institute of Professional Careers, Las Vegas. 93.75%
- New Concepts School of Cosmetology, Cleveland, Tenn. 93.53%
- American Institute, Margate, Fla. 93.37%
- Southeast School of Cosmetology, Manchester, Ky. 93.35%
- A & W Healthcare Educators, New Orleans. 91.89%
- Head’s West Kentucky Beauty College, Madisonville, Ky. 91.71%
- Kaplan Career Institute, Brooklyn, Ohio. 91%
- KC’s School of Hair Design, Pontotoc, Miss. 90.77%
- American Educational College, Bayamon, Puerto Rico, 90.30%
- Setting the Standard Barbering and Natural Hair Academy, Shreveport, La. 90.24%
- Cheryl Fell’s School of Business, Niagara Falls, NY. 90.22%
- Bridges Beauty College, Victorville, Calif. 90.03%
- A- Technical College, Los Angeles. 90%

Holly Petraeus, assistant director for servicemember affairs at the Consumer Financial Protection Bureau, said the loophole “gives for-profit colleges an incentive to see servicemembers as nothing more than dollar signs in uniform, and to use aggressive marketing to draw them in,” according to the advocate letter. The results of the analysis provide the first detailed look at how many for-profit schools maximize benefits of the loophole and how many are afloat thanks to billions in GI Bill funds keeping them within the boundaries of the law, advocates said.

“This is very concerning to us,” said Will Hubbard, vice president of government affairs at Student Veterans of America, a Washington advocacy group that signed the letter of support. “Some of the worst actors don’t even pretend they’re not targeting veterans as a source of income,” he said. “These schools say they’re chosen by veterans. And the numbers show that isn’t the case. It’s undeniable at this point.”

For-profit schools have been a regulation target during President Barack Obama’s administration, after widespread allegations of deceptive and aggressive recruitment strategies, misleading job placement statistics and other issues. The industry accounts for 13 percent of all higher education students but 50 percent of all loan defaults, according to a 2014 Department of Education release. A 2012 investigation by Sen. Tom Harkin (D-IA) concluded that GI Bill tuition dollars are especially lucrative to for-profit schools. The industry has collected \$8.2 billion in Post-9/11 GI Bill funds since it became law in 2009, according to an analysis by the Los Angeles Times. There are significant caveats in the analysis in the Education Department report released 21 DEC.

- Calculations show more a dozen schools eclipsing 100 percent revenue from federal student aid and GI Bill funds, which is a mathematical impossibility.
- An explanation on the sheet stresses that conclusions should not be made about individual institutions, and that the information is best used for a general idea of how many schools skirt the law and hover near the 90 percent threshold.
- Career Education Colleges and Universities, a for-profit lobbying and industry trade group, criticized the Education Department’s analysis. “On the way out the door the [Education] department is releasing every bit of faulty and biased data it can generate. The 90/10 rule is not a measure of institutional quality. [I]t is a measure of the amount of money a student has to apply toward education,” said Noah Black, a spokesman for CECU, in a statement to Stars and Stripes on Thursday. Black also said closing the loophole would force community colleges, who receive substantial government funding, into noncompliance.

CECU, formerly the Association of Private Sector Colleges and Universities, represented ITT Technical Institute, which closed this year after it failed to produce \$250 million in guarantees following investigations by the Education Department, the Securities and Exchange Commission and 19 state attorneys general into its marketing and job

placement claims. About 12,500 students used the GI Bill at ITT Tech in 2015, Stars and Stripes reported in September. The group also represented Corinthian College, which closed last year following similar investigations and allegations, leaving thousands of veterans without a school, and dim prospects for transferring credits to another. [Source: Star & Stripes | Alex Horton | December 27, 2016 ++]

VA Health Care ► Trump Considering Public-Private Option

President-elect Donald Trump is evaluating a radical overhaul of veterans health care options even before he finalizes his pick for the next secretary of veterans affairs. In comments to reporters 28 DEC, a transition official said Trump is considering a “public-private option” that would allow some veterans to get all of their medical care from private-sector physicians, with the government paying the bill. “It’s one of the options on the table,” the official said. ”Definitely an option on the table to have a system where potentially vets can choose either or, or all private.”

Trump met with health care executives Wednesday to discuss the future of VA services, among other medical topics. That meeting included Cleveland Clinic CEO Toby Cosgrove, one of the front-runners for the top VA post. Cosgrove has publicly backed plans to expand veterans’ access to care options outside VA, arguing such a move will free up specialists for patients with service-specific injuries while allowing faster appointments for other veterans. But veterans groups have argued against many of those moves, saying it could undermine VA care by shifting resources away from department physicians best suited to diagnose and treat ailments facing veterans. The fight has gotten heated throughout the campaign season, with charges of privatization and politicization being leveled by and against veterans advocates. It’s unclear whether Trump’s latest proposal would cover all veterans, or all veterans currently receiving VA care, or only a smaller segment of that population.

About 9 million veterans — 40 percent of the total U.S. veterans population — use VA medical services or receive veterans benefits. VA officials said nearly one-third of all medical appointments conducted last fiscal year were with physicians outside the department. Congress in 2014 approved a new Choice Card program, which allows veterans facing lengthy wait times or significant travel to visit private-sector clinics instead of VA facilities. But the program has faced mixed reviews, with VA officials saying it has limited use and critics saying department officials have undermined the program with unneeded bureaucracy. During the campaign last summer, Trump promised to “ensure every veteran in America has the choice to seek care at the VA, or to seek private medical care paid for by our government.” Critics questioned how such a plan would work and what the potential costs would be. Transition officials have not said when Trump is expected to make an announcement on his VA secretary pick. [Source: MilitaryTimes | Leo Shane | December 28, 2016 ++]

VA Fraud, Waste & Abuse ► Reported 16 thru 31 DEC 2016



Chesapeake, VA — **Katherine Grobes**, 45, of Chesapeake, pleaded guilty 14 DEC to a charge of conspiracy to commit wire fraud. According to the statement of facts filed with the plea agreement, Grobes owns the College of

Beauty and Barber Culture (CBBC), located in Chesapeake. CBBC was purportedly a barber and cosmetology school approved by the Department of Veterans Affairs to provide education and training to military veterans, including veterans who received tuition assistance under the Post-9/11 GI Bill. Grobes represented to the VA that CBBC provided full-time schooling to hundreds of veteran students beginning in October 2011. In reality, the school was a sham. Most veterans enrolled in CBBC courses received few, if any, hours of instruction from CBBC employees, and there were no tests, exams, or practical exercises given. Rather, students were directed to simply sign in and out of the school each day so that Grobes could report to the VA that they were enrolled and attending. In exchange, CBBC received Post-9/11 GI Bill tuition payments for each veteran from the VA. Based on Grobes' provision of false information to the VA concerning the number of hours of instruction and the manner and quality of the instruction provided to veteran students, CBBC received over \$4.5 million in Post-9/11 GI Bill tuition payments between October 2011 and September 2016. Grobes owns CBBC along with her husband, William Grobes, who pleaded guilty on November 30, 2016, to charges of conspiring to commit wire fraud and money laundering. Grobes was charged by criminal information on December 2, 2016, and faces a maximum penalty of 5 years in prison when sentenced on March 10, 2017. The maximum statutory sentence is prescribed by Congress and is provided here for informational purposes, as the sentencing of the defendant will be determined by the court based on the advisory Sentencing Guidelines and other statutory factors. [Source: DOJ US Attorney's Office | Eastern Dist of VA | December 14, 2016 ++]

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Council Bluffs, IA — A former employee and contractor for the John Cochran VA Medical Center in St. Louis pleaded guilty to a federal felony charge of conspiracy to steal government funds December 15 and admitted involvement in a fraud that cost the government more than \$270,000, prosecutors said. **Scott Geary**, 54, of De Soto, initially worked as an outside contractor for the VA, and conspired with a VA official to bill for unnecessary work, Assistant U.S. Attorney Tom Albus said court. After Geary was hired at the VA with the official's help, he recruited someone else to "step into his shoes," Albus said. All the contracts were intentionally billed at amounts under \$2,500, the level that would have required complex bidding, prosecutors said. Albus said that the conspiracy cost the government more than \$270,000 in unnecessary work. Geary's co-conspirators were named in court but have not been charged. Albus said that the investigation was ongoing. The official apparently no longer works there. A VA spokesman said December 16 that both Geary and the official who is accused of conspiring with him "have not been employed here for some time." Geary could face up to five years in prison at his sentencing on March 15 and will likely be ordered to repay the money. [Source: St. Louis Post-Dispatch | Robert Patrick | December 16, 2016 ++]

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Sacramento, CA — A Department of Veterans Affairs doctor and the owner of a Sacramento, California shoe store face federal fraud charges for allegedly trying to illegally bill the VA for \$1.7 million worth of orthopedic and therapeutic shoes for veterans. The Sacramento Bee reports that the men are accused of billing the VA for specialty shoes costing as much as \$1,682 apiece, while giving the veterans "off the shelf" products. **Anthony Lazzarino**, the 66-year-old former chief of podiatry for VA health care in Northern California, and 58-year-old **Peter Wong**, 58, the founder of Sunrise Shoes in Sacramento, were charged December 16. A grand jury indictment says the six-year scheme started in 2009. Attorneys for both men said the charges were unfounded and they believe Lazzarino and Wong will be vindicated at trial. [Source: The Associated Press | December 15, 2016 ++]

VAMC St. Louis Update 05 ► Mental Health Care Access

St. Louis Veterans Administration health care officials insufficiently investigated the death of a mental health patient who killed himself, according to a report from the VA Office of Inspector General. The OIG launched an investigation in 2014 after concerns were raised by Dr. Jose Mathews, the St. Louis VA's former chief of psychiatry.

Mathews alleged in a federal whistleblower complaint that veterans often waited a month or more for mental health treatment because psychiatrists and other staff members were so lax in their work. The investigation report released 13 DEC found that new patients wait about 17 days for appointments — only about three days above the national average for all VA centers. Investigators also denied Mathews' claims that staff psychiatrists were unproductive; in fact, the report said the St. Louis psychiatrists ranked high in productivity.

VA St. Louis spokeswoman Marcena Gunter said 14 DEC that several recommendations suggested by the report have been implemented, and others are in the works. She said the St. Louis facility is now in the top 20% of all VA medical centers in providing access to mental health services. Perhaps the most alarming finding concerned the VA's response to the suicide of a 69-year-old schizophrenic. The report said the veteran had tried to kill himself at least once before when, in 2014, he told VA medical staff he heard voices urging him to shoot himself. The man even asked for information about a suicide prevention hotline. Nearly three months after the initial visit, unable to reach the veteran by phone, VA officials sent a letter advising him that medical tests showed his kidney function was deteriorating and a prostate test result was "abnormal," especially alarming since the man had prostate cancer. The man fatally shot himself two weeks after receiving the letter.

Soon after the death, a leadership team review member at the VA requested an internal management review, calling the case "a pretty serious miss." But the OIG report said that among other errors, a formal review of the psychiatrist or nurse was not requested until OIG investigators were on site nearly four months later. Corrective action didn't occur until eight months after the man's death, the report said. The report also found "no evidence of any administrative follow-up" of another death, a mental health patient in his mid-20s who died in a car wreck three days after hospitalization amid suicide concerns. The death was ruled accidental but the report said suicide could not be ruled out. The investigation also found that the VA failed to provide timely treatment for a woman who complained of being sexually assaulted in the military, and for a patient suffering from post-traumatic stress disorder.

The St. Louis VA has had other problems in recent years. In 2010, faulty sterilization in the dental clinic could have exposed 1,812 veterans to hepatitis and HIV. Testing eventually found no link to either disease in any of the patients. In 2011, operating rooms at the medical center were shut down after rust stains were found on surgical equipment. Surgeries resumed months later after the faulty equipment was cleaned or replaced. The VA opened a new \$7 million sterile processing lab in May 2012. [Source: Associated Press | Jim Salter | December 14, 2016 ++]

VA HCS Bay Pines FL Update 01 ► Shower Room Body Investigation

The House Veterans Affairs Committee is demanding that Veterans Affairs Secretary Robert McDonald answer questions about a veteran whose body was left in a shower room at the C.W. Bill Young VA Medical Center hospice for more than nine hours in February. The veteran, whose name has not been released, died 1 FEB at the hospice, and an internal investigation found that some staff violated hospital and VA rules, then tried to cover up their mistakes. Two employees were fired and several others were disciplined, according to hospital officials. In response to stories in the Tampa Bay Times, two Florida congressmen — committee Chairman Jeff Miller, a Pensacola Republican, and Gus Bilirakis, the Palm Harbor Republican and committee vice chairman — sent a letter 14 DEC to McDonald seeking detailed records about the veteran's care and efforts to investigate the problems surrounding the removal of his body.

Miller and Bilirakis said they were "horrified" with "these employees' ignorance of VA's policies, their total lack of empathy for veterans and just plain human decency. While media reports now indicate that two individuals have been fired as a result of this incident, we remain concerned about the lack of transparency that VA officials have shown in this case." As a result, the congressmen are asking for the following information by Dec. 22:

- A completed April 1, 2016, memo on the incident from the Administrative Investigation Board.

- The names, job titles and pay grades of the board members.
- Any internal VA police reports or other investigations into the incident.
- The names, job titles and pay grades of any employees who were involved in the incident and in the veteran's hospice care.
- Written copies of proposed and final disciplinary actions for all employees involved.
- The names, job titles and pay grades of the proposing and deciding officials in this case.
- A summary of the actions the VA has taken to inform the deceased veteran's next of kin of this incident.
- A summary of the training provided to the hospice staff to ensure the incident isn't repeated.

VA officials said 14 DEC they would respond to the letter and provided the Times with more detail about disciplinary action taken in connection with the incident. All told, six employees determined to be involved in the case have been removed from patient care, the VA said. The two employees fired in April were probationary workers. Two additional employees may be fired after the outcome of due process procedures. And two employees received disciplinary letters in July and were returned to patient care.



An internal investigation report found that the body was left unattended because hospice staff members didn't make a request through proper channels to have the body removed. Instead, they contacted an individual described as a transporter, who told them to call dispatch. They never did. At first, the body was moved to a hallway, then to a shower room, where it stayed, unattended, more than nine hours. Once the problem was discovered, efforts to understand how it happened were stalled by failures in oversight and by reports that "falsely documented" the incident, the report says. Staffers misrepresented why the problem occurred, attributing it to a communications breakdown that never happened, according to the report. [Source: Tampa Bay Times | Howard Altman | December 14, 2016, ++]

VA HCS Pittsburgh Update 07 ► CDC Disinfection Dispute

The Centers for Disease Control and Prevention has some explaining to do after a series of stories by the Pittsburgh Post-Gazette's Sean D. Hamill raised troubling questions about the agency's handling of an investigation into an outbreak of Legionnaires' disease at the Veterans Affairs Pittsburgh Healthcare System. In the wake of those stories, U.S. Sen. Bob Casey, a Democrat, and U.S. Rep. Tim Murphy (R-Upper St. Clair) have called for inquiries into the CDC's conduct. The six veterans who died from the outbreak, the 16 seriously sickened by it and all Americans who use VA facilities or rely on the CDC's expertise deserve the answers that additional scrutiny may bring.

Above all else, the CDC should strive to keep Americans safe, using the best-available research and scientific practices. However, Mr. Hamill's stories show that some CDC officials seemed less interested in getting to the

bottom of the 2011-12 Legionnaires' disease outbreak than in using the tragedy to discredit a copper-silver water disinfection method they opposed and in undermining two former VA researchers — Victor Yu and Janet Stout — who championed it.

In one of hundreds of emails that Mr. Hamill obtained through a Freedom of Information Act process that took 3½ years — something else that reflects poorly on the CDC — one official noted that Dr. Yu and Ms. Stout had worked at the Oakland hospital where the outbreak occurred and asserted that “doing this investigation will have a bit of poetic justice to it.” There is nothing “poetic” about the deaths of six men who served their country, and how dare someone responsible for the nation’s health take so cavalier an attitude about a disease outbreak?

The CDC approached the investigation with a bias against the copper-silver disinfection method the hospital used to protect its water against Legionnaires' disease and pushed the hospital to switch to the chlorine disinfection system it preferred. In a 2015 article about the outbreak in the journal *Clinical Infectious Diseases*, the CDC said copper-silver disinfection was ineffective in preventing the disease — even though the Oakland hospital had used it successfully for decades before the outbreak. Other hospitals used it successfully, too. The CDC’s question should have been, why did the Oakland hospital’s system fail in 2011? The agency didn’t ask that question, but others did. In 2013, the VA’s inspector general blamed inadequate maintenance of the system, not the system itself. That jibed with the accounts of VA workers, who told the *Post-Gazette* that oversight of the system slipped after the forced departure in 2006 of Dr. Yu and Ms. Stout, who had disagreements not only with the CDC but with VA officials.

In the journal article, the CDC said tests showed that copper-silver in the hospital’s water system had failed to affect the viability of *Legionella*, the bacteria causing the disease, “within” 24 hours. Left out was the finding that the disinfectant showed results “at” the 24-hour mark. Such nuance is the domain of politicians, not scientists. The CDC emails obtained by Mr. Hamill show great animosity toward Dr. Yu and Ms. Stout. That is not appropriate, either. Researchers should challenge each other’s findings in a spirit of collegiality, understanding that better science is the shared goal.

So far, the CDC has added insult to injury, refusing to address Mr. Hamill’s questions or make personnel involved in the Legionnaires’ investigation available for interviews. CDC spokeswoman Kristen Nordlund said the agency stands by its work and has nothing more to say. Sorry, CDC. Hunkering down won’t make this go away. Mr. Casey and Mr. Murphy should put CDC officials on the hot seat and force them to explain themselves. When personal animus becomes so prominent an issue in the investigation of a disease outbreak, the agency’s overall culture must be called into question. A strong disinfectant may be needed here, too. [Source: *Pittsburgh Post-Gazette* | Editorial Board | December 18, 2016 ++]

VA HCS Black Hills SD Update 03 ► Hot Springs Hospital Service Cuts

U.S. Sens. Mike Rounds (R-SD), John Thune (R-SD), John Barrasso (R-WY) and Reps. Kristi Noem (R-SD) and Adrian Smith (R-NE) on 23 DEC wrote the U.S. Department of Veterans Affairs (VA) Secretary Robert McDonald to ask about the VA’s preferred alternative to drastically cut services at the Hot Springs VA facility despite it being rated by the VA as one of only 14 “five star” facilities across the country. “As you continue to overhaul the Veterans Health Administration (VHA) through the MyVA plan, we believe that it is essential to use VA’s top performing facilities as models for others to follow as opposed to targeting them for closure,” wrote the delegation. “Now more than ever, the VA needs to leverage its top medical centers for best practices and lessons learned to replicate their performance throughout VHA. This is critical as the VA continues to rebuild trust with veterans following the high profile scandals of recent years. As one of only 14 rated five-star facilities, we feel that significantly reducing services at Hot Springs would be a grave mistake and a disservice to the veterans it serves.” The full text of the letter is available at <http://rapidcityjournal.com/news/local/communities/hot-springs/congressional-ask-va-for->

*** Vets ***



Enlistment Bonus Payback Update 08 ► No Waiver for IN, KY, MO, PA

Pentagon audits found widespread problems in enlistment bonuses given to soldiers in several National Guard units across the country, but soldiers facing repayment demands in those states won't be eligible for waivers under a new federal law that will apply only to the California National Guard. The bonus mistakes appeared less common than in the scandal that has rocked the California Guard, although the Army Audit Agency looked only at a small sample of the bonuses and only at four states. Agency audits obtained by The Times found "little or no oversight" of bonuses and other financial incentives given to soldiers in Indiana, Kentucky, Missouri and Pennsylvania from 2006 to 2010, the only states reviewed. The audits said those Guard units paid "incentives to ineligible soldiers" and later — like the California Guard — sought to recover the money. The reports did not say how many soldiers were affected in the other states.

In October, following stories in The Times, the Pentagon suspended an aggressive effort to recover improper bonuses from about 9,700 California Guard soldiers and veterans. Congress last week passed a law that is expected to produce waivers for most of them. But the provision, part of the \$619-billion defense authorization bill that President Obama is expected to sign, applies only to the California Guard. Soldiers and veterans from other states facing repayment demands are not covered. Among those ordered to repay their bonuses are soldiers who did not complete their enlistments after they were injured in combat.

Dennis Lang, a former Army reservist from Columbia, Mo., said he received a letter from the Pentagon in March ordering him to repay \$5,000 of a \$20,000 enlistment bonus after he was discharged from the Army because of injuries he received in Iraq. A civil affairs sergeant assigned to a small outpost in east Baghdad in 2007 and 2008, he was injured in a mortar attack. He was later diagnosed with severe post-traumatic stress disorder and memory loss due to his head injuries. He says he first learned that he owed the Army \$5,000 when he got a call from a debt collection agency last year, informing him that he was delinquent. The Pentagon had turned the matter over to a private collection agency because Lang had not responded when it mailed a letter demanding repayment to an address he hadn't lived at for more than a decade, he said. The debt stemmed from his failure to attend training with his Missouri unit after he returned from Iraq. The Pentagon then demanded partial repayment of his bonus. When he refused to pay, they began taking \$300 out of his Social Security disability check every month. "I think it's just disgusting but I haven't really been fighting it," he said Wednesday in an interview.

While California's bonus fiasco has received the most attention, other states were also lax in ensuring that soldiers were eligible for the bonuses they got, according to the audits obtained by The Times. None of the audits blamed fraud for the overpayments. In California, state and federal investigations focused on what prosecutors described as "massive fraud" although only one person who issued improper bonuses was sent to jail. But the audits

revealed other major problems. In the Indiana National Guard, an audit of 130 enlistment bonuses awarded from 2006 to 2011, totaling \$1.7 million, found that 45% were “improperly paid to soldiers that didn’t meet or maintain eligibility requirements” or were paid too much. Since completion of the audit, an additional 1,132 cases where soldiers received improper bonuses have been found, according to Maj. Benjamin Tooley, a spokesman for the Indiana Guard. A total of \$1,693,975 has been recovered from 443 soldiers, with an additional 469 cases still under review, he said.

Tooley said soldiers are facing repayment demands for several reasons, including failing the Army’s physical fitness test or drug and alcohol tests, or because they changed job assignments that invalidated the bonus. He said soldiers could appeal, and that “no instances of criminal intent, to include fraud,” have been found. In the Missouri National Guard, 30% of the enlistment bonuses and 70% of soldiers’ student loan repayments — another incentive used to attract recruits — “were made to ineligible soldiers or weren’t properly processed,” according to the Army audit. The audit looked at only 61 payments, a tiny sample, however. It blamed the errors on relatively minor violations of rules, not on systemic problems. One soldier didn’t have a “bonus control number,” a record-keeping requirement, before he signed his contract, for example. Two others received their bonuses in lump sums, instead of installments, as required under the rules. Nonetheless the audit recommended seeking repayment of the \$45,237.22 paid to the soldiers. The Missouri Guard did not return calls seeking comment on the audit. In the Pennsylvania National Guard, improper bonus payments were rare. All but four of 60 payments reviewed were “properly paid,” a 2011 audit found.

Because problems appeared less acute in other states, the National Guard Bureau, the Pentagon agency that oversees state Guard organizations, decided not to order a full audit of incentive payments around the country. It opted instead to tighten internal controls against fraud, officials said. “We saw very early that there was no evidence of systemic, widespread fraud of the level that was found in California,” said Jack Harrison, a spokesman for the National Guard Bureau. Lt. Gen. Timothy Kadavy, the director of the Army component in the National Guard Bureau told a House Armed Services Committee hearing last week on the California bonus scandal that reforms ordered since the audits, conducted between 2011 and 2013, had largely eliminated most improper bonuses. “There are no issues outside of what we know to be normal” mistakes in paying bonuses, he said. But even states that were not audited are continuing to find large numbers of improper bonus payments. Texas is still trying to recover up to \$4.6 million from 2,252 soldiers it believes violated their bonus contracts over the last decade, according to the Texas National Guard. “Bonus recoupment, directly related to contractual violations, is nothing more than the standard ebb and flow of operations with the National Guard,” Lt. Col. Travis Walters, spokesman for the Texas Guard, said in a statement.

The Pentagon began offering the most generous incentives in its history in the mid-2000s to recruit and to retain soldiers to help fill ranks for the wars in Iraq and Afghanistan. But Guard organizations frequently overlooked strict eligibility requirements in handing out bonuses that ranged to more than \$50,000 in some cases. The Army audits found that authority to issue bonuses was held by state “incentives managers,” who worked with little supervision and were sometimes confused about eligibility requirements. That was the case in California, where Master Sgt. Toni Jaffe, a relatively low-ranking noncommissioned officer, was the sole person in the California Guard responsible for approving bonuses. In 2011, she pleaded guilty in federal court to filing false claims and was sentenced to 30 months in prison. [Source: Los Angeles Times | David Cloud| December 14, 2016 ++]

Vet Health Care Update 04 ► Things to Know About 2017

We are on the precipice of some of the most profound changes in veteran healthcare since the Veterans Administration (VA) was elevated to a cabinet position in 1989. The pent-up reforms needed at the VA combined with the new Administration, have set conditions for massive change. For example,

- There are 12.5 million non-elderly veterans. Among these, two-thirds of veterans are eligible for VA health care, but only one-third are enrolled. What if they decide to take advantage of their VA healthcare and prescriptions?
- Only 1 of 4 veterans receive healthcare at the VA. So the veteran healthcare conversation must include non-VA alternatives, as increasingly veterans are combining private healthcare with the VA based upon their needs.
- Healthcare businesses and government will soon be making very important decisions. These decisions have the potential to improve healthcare for the 23 million military and veterans plus their families.

A 2-part study just released, *Veterans: A Significant Force In The New Health Economy*, provides some of these insights needed for veteran-centric decisions. As you consider 2017, here are 7 things you should know about veterans and healthcare.

1. **The latent veteran healthcare demand** - While the veteran population slowly decreases, the number of veteran patients at the VA is increasing. This is partly a function of increased costs of healthcare. Among elderly American's, 1 in 3 males are veterans. For just the top five chronic illnesses among veterans, almost two thirds (63%) state that the illness was caused by their military service. As the cost of their care increases, many veterans are turning back to the VA for care. In fact, the well-publicized VA claim backlog was less a function of Iraq/Afghanistan veterans, but instead Vietnam veterans filing claims to gain healthcare.

2. **Veterans have incidence of certain chronic conditions with a much higher index compared to the general American population.** You might expect veterans to have a spinal cord injury at a 708 index to the average American. But not that veterans have a 637 index in chronic fatigue syndrome. Veterans are also 3 times as likely to have diabetes. Veterans index 421 to have headaches compared to the general population - this includes a large female veteran population, which is not normally seen in the headache patients. The \$1.275 billion "Internal analgesic" pharmaceutical category might find that interesting. Veterans index at 416 for having Congestive Heart Failure compared to the average American. The \$238 billion industry treating this condition might consider a "shadow target" targeting veterans with beta blockers, ACE inhibitors, and diuretics.

3. **Behind these large veteran populations with chronic conditions are targetable profiles.** Knowing the characteristics of a veteran with a condition increases the ability to target them with information on their options for care. In addition, this insight enables CRM to guide veterans to navigate their options and find the best treatment.

4. **Veterans have more healthcare options, which means they can get products and services through different means.** The average age of a veteran will continue to increase until 2026, when it will start to decrease. As veteran healthcare needs continue to increase, more veterans will take advantage of their VA options. But they won't give up their non-VA care. Veterans will look to offset costs or seek specialists where VA care is strongest. These "hybrids" of VA and non-VA healthcare will grow as veterans are better educated on their options. Right now Veterans have a family physician through Blue Cross, see a specialist through the VA, and get VA prescriptions filled at Walgreens, CVS, Walmart, or the VA. The key will be to keep this experience streamlined for veteran patients to know their options and use the best one for their situation.

5. **Veterans have fundamentally different patient journeys.** The study, *Veterans: A Significant Force In The New Health Economy*, shows that influenced by different options for care, veterans have different patient journeys than the average American. These options plus technology, which has enabled greater access to health-related information, have shaped these patient journeys- which often differ by chronic condition. This can have significant implications on diagnosis and treatment, so healthcare providers and advertisers meet veterans where they are at. These veteran patient journeys become the blueprint for successful communications and treatment for veterans.

6. **Outsourcing of VA Healthcare is a game-changer.** Veterans Choice, the current vehicle enabling VA care outsourcing, allows veterans to go to local providers if they are greater than 30 miles from a VA facility or an appointment is greater than 30-days away. The program is set to expire in a year, but it has had good success-

especially in the areas of specialists (urologists, podiatrists, etc.). So, it may be a safe assumption that some version of Veterans Choice will continue. In addition, the new Administration has already expressed the intent to “ensure our veterans get the care they need wherever and whenever they need it. No more long drives. No more waiting backlogs. No more excessive red tape. Just the care and support they earned with their service to our country.”

7. To treat veteran patients you have to know how to reach them. Veterans are all around us but more camouflaged than ever. Targetable patient profiles help this, but you need to be empowered with veteran insights and military media expertise to reach veterans. In addition to healthcare professionals, technology and veteran communities, word of mouth is more relevant among veterans.

[Source: The Huffington Post | Tom Aiello | December 15, 2016 ++]

Vet Toxic Exposure | Lejeune Update 65 ► More EPA Rule Delays

The federal government has been in no hurry to assess the health impacts of two harmful chemicals found in a water supply that Marine veterans from Camp LeJeune, North Carolina, blame for cancer and other maladies. Nor is it in a hurry to finalize a Veterans Affairs rule that would streamline the process for Camp LeJeune veterans to collect compensation for certain health problems. On 12 DEC, roughly 40 years after passage of the Toxic Substance Control Act and four years after the Environmental Protection Agency declared one of the chemicals — trichloroethylene, or TCE — a known human carcinogen, the EPA announced in the Federal Register that it will begin evaluating degreasing agents TCE and PCE, or perchloroethylene, as well as eight other chemicals for potential risks to human health and the environment.

On 16 DEC, the EPA was vague about how the human health evaluations for TCE and PCE could affect Camp Lejeune veterans’ claims, noting that “it will be up to the next administration to determine how (or) whether to finalize the (EPA) rule.” “We can’t say whether the first 10 chemical risk assessments will impact or bolster claims or what the findings will be,” EPA officials said in response to a Review-Journal query. It’s also unclear why the EPA is even conducting an evaluation of TCE’s health impacts considering that the agency upgraded its status in 2011 from possible human carcinogen to known human carcinogen based on epidemiologic data, experiments and studies. “TCE poses a potential human health hazard for noncancer toxicity to the central nervous system, kidney, liver, immune system, male reproductive system, and the developing fetus,” the review concluded.

Nevertheless, Linda Furrow, the wife of Marine veteran Stanley Furrow, of Las Vegas, said she is losing hope that he will receive compensation from his veterans benefits claim for consuming contaminated water at Camp LeJeune regardless of the EPA’s health risk evaluations for TCE and PCE, a process that is expected to take up to three years “Why are they taking so long?” she said. “I don’t think it’s going to do us any good no matter what. You can’t fight them.” The Furrows believe Stanley’s migraine headaches and neurological maladies are linked to his exposure in the early 1970s to Camp Lejeune’s contaminated water, which contained TCE measuring 1,400 parts per billion, far in excess of the 5 ppb standard for safe drinking water. They believe it also explains why Linda had miscarriages and why birth defects are present in their descendants. Their son was born with only three fingers on his left hand; their daughter has battled cysts and tumors on her head all her life; and their teenage grandson, Joseph, was born with twisted legs.

EPA officials said that when the Toxic Substances Control Act became law nearly 40 years ago it “did not provide adequate authority for the EPA to re-evaluate these existing chemicals as new concerns arose or science was updated.” It wasn’t until 22 JUN when President Barack Obama signed an amendment to the act mandating the EPA to “evaluate existing chemicals with clear and enforceable deadlines” and publish the list of the first 10 chemicals by Monday. Furrow said she was told recently by Veterans Affairs officials that it could take three decades (30 years) for the VA to issue a final rule on “presumptive status,” meaning the VA would automatically grant compensation

for eight diseases related to exposure to volatile organic compounds like TCE and PCE that were improperly disposed of and infiltrated Camp Lejeune's water supply. If the rule is finalized, presumptive status would cover "adult" leukemia, bladder cancer, kidney cancer, liver cancer, multiple myeloma, non-Hodgkin's lymphoma, Parkinson's disease and aplastic anemia.

The proposed rule would modify a 2012 law that provides VA health coverage for veterans who served at the North Carolina base for at least 30 days between Aug. 1, 1953, and Dec. 31, 1981. Among those who stand to benefit by presumptive status is Camp Lejeune Marine veteran Richard Zaccara, of Henderson. He was diagnosed with leukemia in 2003 and says his illness was caused by Lejeune's contaminated water. He is on a registry of veterans exposed to organic solvents when he trained there in 1963. While he recently won a battle over bills for VA health care coverage under the 2012 Honoring America's Veterans and Caring for Camp Lejeune Families Act, he still waits for compensation from the Veterans Benefits Administration. Zaccara found out about a week ago that VA workers won't get around to completing his case until sometime between 2019 and 2023. "That's insane," he said. "That's crazy."

U.S. Sens. Richard Burr and Thom Tillis, both (R-NC) have urged the VA to act quickly to finalize the presumptive status rule. They estimate that from 1953 to 1987, nearly 1 million service members and their families were poisoned by Camp Lejeune's water supply. Retired Marine Master Sgt. Jerry Ensminger has led a crusade for Camp Lejeune veterans and their families through his website, "The Few, The Proud, The Forgotten." He said he still hasn't received a response from the VA from comments he submitted on the presumptive status rule after it was proposed in September. He said he also doesn't understand why the EPA's forthcoming evaluation of TCE's human health effects is necessary given that the agency has already listed it as a known human carcinogen and a year later, in 2012, the International Agency for Research on Cancer followed suit. He said he's also baffled about why TCE is a known human carcinogen yet PCE, with just an additional chlorine atom, isn't. "That doesn't make any sense," Ensminger said. [Source: Las Vegas Review-Journal| Keith Rogers | December 18, 2016 ++]

Burn Pit Toxic Exposure Update 39 ► Registry Grows to 95,593 Vets

VA launched the Airborne Hazards and Open Burn Pit Registry in June 2014 to better understand the long-term health effects of exposure to burn pits and other airborne hazards during deployment. The number of new participants in this registry is climbing steadily, and will soon reach the milestone of 100,000 participants. As of December 9, 2016, the Airborne Hazards and Open Burn Pit Registry includes 95,593 Veterans and Servicemembers. An estimated 3 million Veterans and Service members are eligible to join the registry. "The benefit of the Airborne Hazards and Open Burn Pit Registry for participants is that they can document their exposure to burn pits and other airborne hazards in an online questionnaire and print a copy of their questionnaire to discuss with their health care provider. Also, Veterans can get a free medical evaluation from VA," said Michael Montopoli, MD, MPH, Director of the Post-9/11 Era Environmental Health Program in VA's Office of Patient Care Services.

Veterans and Servicemembers who served in the Southwest Asia theater of operations after August 2, 1990, or in Afghanistan or Djibouti, Africa, after September 11, 2001 are eligible to participate in the registry. Participants complete a survey which asks where the Veteran or Servicemember lives, what type of work they do, and their exposures, health care use, and hobbies. The survey takes about 40 minutes to complete. Many Veterans have reported concerns about their respiratory, cardiovascular, gastrointestinal, and dermatologic health, along with concerns about cancer. VA would like to learn more about the experiences of those who served. "The registry informs VA and DoD about the health concerns, exposures, and health outcomes of Veterans and Servicemembers," said Montopoli. "The registry will help VA provide the right health care services for Veterans in the future."

Are you a Veteran or Servicemember who would like to join the growing number of participants in the burn pit registry? If so, go to <https://veteran.mobilehealth.va.gov/AHBurnPitRegistry>. Additional information about the registry is available at <http://www.publichealth.va.gov/exposures/burnpits/registry.asp>. [Source: Vantage Point | December 20, 2016 ++]

WWII VETS 125 ► Joe George | USS Vestal BM2

Joe Ann Taylor grew up knowing almost nothing about what her dad did during the war. She knew he enlisted in the Navy after turning down a football scholarship at the University of Georgia. She was in the third grade when he retired and most of her memories about his service end with her waving from a dock as her father left on another assignment. “He never talked to me and my sister about it, ever, and very little to my mother,” Joe Ann said from her home in Cabot, Ark. “He would start to cry when he talked about it. We knew he was on the Vestal ... but never did I have the opportunity to listen to what he did.”



In December 1941, Joe George was a boatswain's mate second class on the maintenance ship USS Vestal. On the morning of Dec. 7, as Japanese bombers screamed into the harbor and launched the attack that would propel the U.S. into World War II, the Vestal was tied up to the battleship USS Arizona. In a few short minutes, George would save the lives of six Arizona crewmen, the last to escape the burning ship before it sank. But George, who died in 1996, was never recognized for what he did, in part because he ignored an order from a superior officer. The officer had told him to cut the Vestal loose from the Arizona. George, seeing that he could save those six sailors, had refused. For many years, no one even knew the name of the "unknown sailor" who risked his life in battle. Now his daughter and two of the rescued crewmen are trying to get the Navy to bestow a posthumous medal. “I’m just utterly amazed at what my father did,” said Taylor. “I think there was an instinct for survival. He went on doing what he was supposed to be doing before he ever stopped.”

George had joined the Navy in 1935, partly to show up his older brother, who washed out a year before, and partly for the travel and the steady pay. He was 20 when he reported to Norfolk, Va., for boot camp. “I had no glamorous ideas about any Navy,” he said in a 1978 interview at the University of North Texas. “I knew there were battleships. I knew there was tin cans. But I was one of those kids that just lets nature take its course.” On the morning of Dec. 7, 1941, George was finishing breakfast on the Vestal when he saw was the first Japanese plane tearing across the sky. He heard an explosion somewhere in the harbor. He ran below deck, trying to rouse the rest of the crew. Above the harbor, a line of Japanese bombers dived toward the battleships and dropped their payloads. The ships shuddered. A bomb exploded in the guts of the Arizona, igniting an ammunition store. The shock wave lifted the battleship out of the water. A fireball engulfed the masts and the control towers.

A senior officer wanted to get the Vestal underway, move it back from the sinking battleship and the flames burning oil in the water's surface. He ordered George to cut the Vestal loose from the Arizona. But George had spotted six men still on the Arizona. They were injured badly, trapped on a tower, waving, pleading for help as fire raged on the deck beneath them. Ignoring the senior officer, George found a weighted heaving line and threw it toward the Arizona. The six men secured the line. One by one, they began to crawl over to the Vestal, hand over hand, feeling the heat from the flames on the ship and the water. By the time they reached the Vestal, the sailor who had saved them was gone.

Two of those six men from the Arizona survive still, Lauren Bruner, who is 95, and Donald Stratton, who is 94. "He should have the Navy Cross," said Stratton. "He saved six people's lives. Joe saved six lives and he didn't get crap. As far as he was concerned, he was saving lives. He refused to cut the line no matter what." Stratton and his son, Randy, have taken up the cause of securing some sort of medal for Joe George. Taylor started writing letters to her senator a year or so ago. Lots of military kids think their dads were heroes in the war, but Taylor had the word of two veterans who would swear they escaped the burning USS Arizona because of Joe George.

Before he died, George had begun to tell his story to Taylor's husband, Gary, a veteran of the Vietnam War. George revealed snippets each time they talked, reliving his World War II service in short bursts. In time, Gary was able to piece together the events of Dec. 7, 1941. "He was one of those sailors you read about in the books," Gary said. "He liked to fight, he liked to drink, he got into trouble sometimes. On the morning of the 7th he was on the Vestal because that's where he had to be." [Source: The Arizona Republic | Shaun McKinnon | December 2, 2016 ++]

WWII VETS 126 ► **Gerald Olson | USS Wisconsin**

They're usually meant as a compliment, but even well-intentioned words sometimes become unwelcome reminders for Gerald Olson. "People come up and say, 'Are you really a World War II vet? You don't look old enough,'" said Olson, 89, from his room at the St. Cloud VA Health Care System. "The next thing they'll say is, 'There's not too many of you guys left.'" Olson laughs, shaking the arms of his wheelchair in the process. "Why don't you keep your damn mouth shut?" he said with a wry smile. "I know I'm on the list." It's a dwindling list. And the list of those who were there where it all started — at Pearl Harbor on Dec. 7, 1941 — is even shorter. He was 14 years old when that happened.

Gerald Olson and twin brother Joe were born in 1927 and grew up on a farm near Spring Valley, Wisconsin, about 20 miles from Menomonee. It was a simple upbringing. "When I was a kid, dad never had a car," Olson said. "He used to go to town with the horses and a wagon." Then came Pearl Harbor, and everything changed. "There were four of us boys," Olson said. "I had a twin brother and two younger ones. They'd say to Dad, 'I see you're raising cannon fodder for Japan.'" Olson immediately wanted to join the military. His father made him wait. "I wanted to go on my 17th birthday (May 22, 1944)," he said. "If your folks signed for you, you could go. (Dad) said, 'Why don't you stick around until fall? Then I'll sign for you.'"

There were 28 boys in the Class of 1945 at Spring Valley High School, and the principal signed their diplomas if they made it through the first semester of their senior year. "Out of that 28 there were only two boys sitting in the graduation," said Olson, who was inducted Jan. 17, 1945, and sent to Naval Station Great Lakes in Chicago for training. "The rest were all gone." One of the few stories Olson shared with his kids involved a Navy training lesson. He joined as a nonswimmer. "When he went into the Navy, they made him jump off a diving board," Bennett said. "You either learned how to swim right there, or you drowned. That's how he learned how to swim." Eight weeks later, Olson was assigned to the USS Wisconsin, a 52,000-ton battleship with over 1,900 crewmen. His job was to operate a stabilizer for the ship's 16-inch guns, which fired 2,700-pound shells up to 20 miles. "It's like living

alongside of (Interstate) 94,” Olson said of the noise. “If you’re sitting out there and they’d fire, you’d slap your ass against the wall. “You get used to that.”



Those massive guns got fired a lot. “When I got on (the Wisconsin), they were just finishing up with the Philippines,” Olson said. “Then we went down along the coastline of Okinawa. We’d just line up in the morning like a bunch of ducks and bombard the coastline. “We’d bombard (Japanese fortifications) six days a week, then we’d back out and pick up gas for the little ships,” he said. “In all honesty, we were so dang busy you didn’t worry about what was going on.” The Wisconsin’s primary mission, though, was to protect vital aircraft carriers from kamikaze attacks. “That was almost daily,” Olson said. “They weren’t really after a battleship — they were after the elevators on the aircraft carriers. We were always right alongside of them.” The Wisconsin was never hit by a kamikaze but came perilously close. “One went between the (smokestack) in the back and the fantail,” said Olson, who was stationed directly beneath on the left side of the 16-inch guns in back. “It hit a destroyer alongside us.”

Olson celebrated his 18th birthday on the ship, with the realities of war all around him. “We had a hospital on our ship,” he said. “I saw a few of the boys who didn’t make it get dumped over the side.” Still, Olson always felt he was better off being in the Navy — particularly when he heard stories of ground combat in the Pacific theater. “What made me sure I wanted to go to the Navy was my Uncle Glenn’s brother (who) came back from New Guinea,” he said. “Overnight, the (Japanese) were flying over the top strafing them. The troops were right out in the open swamp, so the only place they had to go was a foxhole. “He said there was a rat he’d stomped to death in his foxhole,” Olson said, “and a poisonous snake.” There are no snakes on a battleship, but it was a grueling tour of duty. “For 66 days we never sighted land,” Olson said. “We were in operation the whole time. Everybody was so dang tired. “But we lived like kings compared to 90 percent of the boys that were in battle. We put in 12 to 18 hours a day when we were bombarding the coastline, but we had hot meals.”

By August 1945, preparations were underway for a land invasion of Japan. Olson could have been involved. “It was all set up,” he said. “I don’t think we thought we were going to escape it. “On board ship, there was some sort of land weapon for every man — no training, but ...” And then the world changed. On Aug. 6, an atomic bomb was dropped on Hiroshima. Crewmen on the Wisconsin found out the following day. “We heard there was such a thing available,” Olson said, “but we didn’t know.” Three days later, a second was dropped on Nagasaki. On Aug. 15, Japan announced its surrender. The Wisconsin was just outside Tokyo Bay when the armistice was signed Sept. 2 on the deck of another battleship, the USS Missouri. “There was a lot of jealousy,” Olson recalled. “The Wisconsin was involved a lot more deeply than the Missouri. But the Missouri rode in there because President (Harry) Truman was born and raised in Missouri. That was the feeling.”

Either way, it was over. Olson spent another six months on the Wisconsin before being discharged in 1946, a World War II veteran at age 18. “We signed up for the duration (of the war) and six months,” he said. “I always felt that I was pretty fortunate to be on there.” Olson looked so young that on one occasion, a stranger called his service

into question. “The most insulting thing was I went into a restaurant (after the war), and he made a regular scene about it,” Olson said. “I had to be a liar — I couldn’t come home with ribbons at that age.” Olson moved to the St. Cloud VA Health Care System hospital two years ago, initially due to a heart problem. His wife is in a nursing home in Watkins, and a son recently had a liver transplant. “We’ve run into a bunch of bad luck,” said Olson, who is confined to his wheelchair. “I fell and broke my hip (last summer). Three weeks later, my wife fell and broke her hip. Gerald Olson served. He survived. He doesn’t dwell on it. [Source: Saint Cloud Times | Dave DeLand | December 3, 2016 ++]

Women Vets ▶ **Miriam Ben-Shalom | Tackles Carjacker @ Age 68**

When a carjacker tried to prey on two elderly women, he didn’t know he had made a very poor decision. It was a night in late October when retired Army drill sergeant Miriam Ben-Shalom and her life partner Karen Weiss went out to see a musical theater performance followed by a nice dinner in Milwaukee. They pulled into the parking lot of Hotel Metro and were preparing to hand off the keys to their Honda CR-V to the valet. Sixty-eight-year-old Ben-Shalom was getting Weiss’ walker from the trunk when she saw a teenager attacking the valet who was assisting them. He was trying to steal their car.



Miriam Ben-Shalom

Ben-Shalom immediately took action. “I think these fools saw Karen with her walker and her cane,” she told The Daily Beast, adding, “[but] we’re not fragile little old ladies.” Ben-Shalom tackled the thief and pinned him to the pavement. “I stood up and put the toe of my boot in a socially significant place,” she said. “I told him if he tried to move or do anything, he would walk very funny for the rest of his life and pee through a tube [and] I have to tell you, I meant every word.”

As Ben-Shalom held him, 69-year-old Weiss used her cane to remove his hoodie so she could identify him. Just when they had their alleged carjacker secured, a black Jeep pulled up, and a passenger jumped out, pulling a gun on the two women. According to Ben-Shalom, the gun-wielding teen said, “Let him go, bitch, or I’ll shoot you.” Not wanting to risk being shot, she loosened her grip, and the assailant escaped in the car with his two accomplices. After speaking with police, the couple proceeded with their dinner and were applauded by hotel employees. The next day, she had a message for the carjackers: “Big brave fuckers, to try to jack a car from a disabled person ... Lesson: don’t jack cars and do not mess with old lady veterans.” [Source: Task & Purpose | Sarah Sicard | December 14, 2016 ++]

Obit: Lawrence Colburn ► 13 DEC 2016

Lawrence Manley Colburn, a helicopter gunner in the Vietnam War who helped end the slaughter of hundreds of unarmed Vietnamese villagers by U.S. troops at My Lai, has died. He was 67. Lisa Colburn, speaking with The Associated Press on 15 DEC, said her husband of 31 years was diagnosed with cancer in late September and died Tuesday. "It was very quick," she said by phone from her Canton, Georgia, home near Atlanta. "He was a very peaceful man who had a great desire for there to be a peaceful world." She also called him "a compassionate person who was a hero in many people's eyes." In an initial Facebook post, Lisa Colburn confirmed the death and wrote: "As most of you know, Larry has been very ill for a while but his suffering ended today, 12/13/16/." She added: "Your friendship meant a lot to him." She added that she and their son, Connor, "appreciate your love and support during this difficult time."

Colburn was the last surviving member of a U.S. Army crew that ended the My Lai massacre of March 16, 1968. According to accounts, pilot Hugh Thompson landed the helicopter between unarmed villagers and American troops and ordered Colburn and crew chief Glenn Andreotta to cover him. Thompson then persuaded members of Charlie Company to stop shooting. The company's soldiers had begun shooting that day even though they hadn't come under attack, authorities later said. They added that it quickly escalated into an orgy of killing that claimed as many as 504 civilians — most of whom were women, children and the elderly.



Trent Angers, the biographer for Thompson, who wrote "The Forgotten Hero of My Lai: The Hugh Thompson Story," said Colburn played an indispensable role in stopping the massacre at My Lai. "He stood up, shoulder to shoulder with Hugh and Glenn, to oppose and stand down against those who were committing crimes against humanity. Without his assistance, Hugh might not have done what he did," Angers said. Colburn and Thompson were nominated for the Nobel Peace prize in 2001 for their actions and received the Soldier's Medal, the highest U.S. military award for bravery not involving conflict with the enemy. Thompson, who lived in Lafayette, Louisiana, died in 2006. Andreotta was killed in the Vietnam War three weeks after My Lai. A memorial service for Colburn is planned for 7 JAN at the Darby Funeral Home in Canton, Georgia, according to the funeral home. It said that in addition to his wife and son, Colburn is survived by three sisters. [Source: NIH News Release | Journal of Pain | December 13, 2016 ++]

Obit: Seth McKee ► 26 DEC 2016 | D-Day General

The highest-ranking survivor of the D-Day invasion during World War II has died. Retired Gen. Seth McKee was 100. He died 26 DEC in Scottsdale, Arizona, according to The Arizona Republic, citing McKee's wife, Sally. Just

two months ago, McKee was awarded the National Order of the Legion of Honor in the rank of Chevalier 5, according to the Air Force. That’s the highest honor France bestows on its citizens and foreign nationals. McKee, who began his military career in 1935, logged more than 190 hours in 69 combat missions in the P-38 Lightning, and is credited with downing two enemy aircraft. He flew cover for the D-Day invasion and was involved in bombing missions at Saint-Lo, the Falaise Gap and the Battle of the Bulge.



Retired Gen. Seth McKee, then a lieutenant colonel, stands next to his P-38 Lightning, named for his wife, during World War II. The two swastikas represent German planes he shot down before D-Day.

After World War II, McKee held positions of increasing responsibility both at home and overseas. He retired in 1973 as commander of the North American Air Defense Command. In a 2014 interview with The Arizona Republic, McKee described his service during the war. “If you were afraid to die, you can’t be a fighter pilot in the war,” he said, the paper reported. “Chances were you were not going to make it.” McKee told the paper he didn’t think about the danger at the time. “It didn’t get to me at the time,” he said. “I knew I was the best fighter pilot in the war, and I was pretty lucky.” McKee also joked about being a leader in the Air Force. “I always liked to be in command,” he told the paper. “I always liked to be in charge. I was able to do it in every place except my marriage.”

McKee was born in 1916 in McGehee, Arkansas, according to his official Air Force bio. He began his military career in 1935 as a member of the Missouri National Guard, and his career as an aviator in 1938. McKee graduated from flight training in February 1939. After the war, McKee served in Florida, California, Alabama, Italy, Georgia, Nebraska, South Dakota and the Pentagon. He also served as commander of U.S. Forces Japan and Fifth Air Force before being appointed assistant vice chief of staff of the Air Force in 1968. McKee’s career culminated at NORAD, where he served from 1969 to 1973. His military decorations and awards include the Distinguished Service Medal, the Silver Star, the Legion of Merit with two oak leaf clusters, the Distinguished Flying Cross, the Air Medal with 10 oak leaf clusters, as well as awards from countries such as France, Belgium, Thailand, Japan and South Korea. [Source: AirForceTimes | December 30, 2016 ++]

Vet Jobs Update 207 ► Law Enforcement

We all know from TV and movies what the police do — tell bad guys they have the right to remain silent, pull you over if you drive too fast, analyze data and make maps. Wait, maps? “There’s a very stereotypical perspective that people have” about law enforcement work, said Officer Alexandra Rambaran of the Tucson Police Department in Arizona. But “there are so many jobs within a law enforcement agency that you could be doing.” Rambaran, who is also an Air Force Reserve staff sergeant, started on patrol. But now she works for the department’s research and

analysis division, mapping crime hotspots, finding stats and coordinating with other agencies. “I actually really enjoy it. It coincides with a lot of the stuff I do in the military,” Rambaran said.

Capt. JT Turner said Tucson officers do everything from research to flying the department’s helicopters to working with dogs as part of K9 units to in-depth investigative work to, yes, the sort of patrol and community policing that you’ll see portrayed on television. “It really runs the full spectrum,” Turner said, adding that the department can often match its veteran and reservist officers up with police department jobs directly related to their military occupations. “There’s really a job that fits most, if not all, of those.” Turner’s department was among the top finishers in Military Times’ Best for Vets: Law Enforcement 2017 rankings. Others include the Cincinnati Police Department, Denver Police Department, Harris County Sheriff’s Office in Texas, Henrico County Police Division in Virginia and Orange County Sheriff’s Office in Florida. Military Time’s survey revealed:

- Service members and veterans accounted for nearly one in five sworn officers at agencies and departments responding to our survey.
- Nearly every agency reported having a current or former service member or military spouse as a senior leader.
- On average, for every \$10 departments spent on recruiting, nearly \$1 was dedicated to military and veteran candidates.
- More than 70% of responding agencies reported attending military-specific job fairs in the past year, with an average of about 11 per agency.
- Roughly half of the agencies have a veteran hiring preference, through extra points on entry exams or other means.
- About six in 10 responding agencies have signed on with the Defense Department’s Employer Support of the Guard and Reserve, and a similar number have instituted training to teach their departments about military career paths, culture and other issues.
- Vets can count their time serving in the military toward their police retirement at nearly two-thirds of agencies, but they must purchase this credit at almost every agency that offers the option.
- All but one agency that made the Best for Vets: Law Enforcement 2017 list said they are hiring right now, and the other one said it expects to start hiring soon.

There are many similarities between police work and military service. Both have tightly regimented structures, can involve high-pressure situations and are focused on serving the public. “It was just another uniform that I could put on, and it wasn’t a complete lifestyle change from being in the military,” said Samuel Edwards, a recruit with the Henrico County Police Division. Edwards, a Virginia Army National Guard second lieutenant, added that the first couple of months he’s spent at the police academy so far haven’t represented a big transition. “I would say that my military training certainly has prepared me for it.” Henrico Sgt. Edward Ross said the division’s military and veteran recruits are typically “ahead of the curve” and immediately take on leadership roles. “They take what they’ve learned [in the military] and do it on a local level,” Ross said. “Their deployment is whatever shift they’re working each day, and they’re home each night.”

Joanne Stanley, a Navy veteran and current recruit with the Orange County Sheriff’s Office, said joining the force gave her back something she lost when she medically retired in 2015: “I just like feeling like I’m a part of something.” Stanley agreed that the military was excellent preparation for joining the police, particularly with regard to the paramilitary structure, but she also warned fellow vets not to go to police academy thinking they’ll just waltz through. “It’s not as easy as I thought it was going to be,” Stanley said, highlighting the agency’s rigorous physical training, or PT, standards. “I was in the Navy. I never went into combat, so PT wasn’t a big thing for me.”

A recent rash of high-profile incidents, in which officers shot unarmed suspects, has put the spotlight on police departments throughout the country. Todd Gardiner, captain over the Orange County Sheriff’s Office Training Section, said in an email that “preventing a lethal force response is a high priority for our agency. ... Some of the

principles we prioritize are valuing the sanctity of human life, de-escalation and development of policies that go beyond the national standard in regard to use of force.”

For the many officers who remain members of the National Guard and reserves during their police careers, the challenges go well beyond PT. Maj. Denise Demps of the Orange County Sheriff’s Office has juggled both responsibilities for well over two decades, joining the Army Reserve in 1988 and the sheriff’s office in 1991. “I’ve had a dual career this entire time,” Demps said. “There are times when you have competing interests, and at some point you have to decide which one is priority.” In order to pull this off, you’ll need to work for an agency that is willing to be flexible when it comes to the demands of reserve duty. “I’ve been to two wars and three peace-keeping missions, and the organization has always been supportive,” Demps said.

Perhaps as important as flexibility for reservists who have to leave an agency to fulfill military obligations is a reintegration program. This training refreshes officers on the agency’s policies and rules when they return from reserve duty. When such troops deploy to combat zones with very different rules of engagement, this is crucial, said Tucson’s Turner, commanding officer of his department’s human resources operations. The department’s academy helps refresh returning troops on procedures, while the behavioral science unit tackles psychological aspects. “When they come back from deployment, we kind of re-acclimate them to civilian policing,” Turner said. Turner added that attracting and retaining service members is a high priority for the department. “We’ve just found that military people really come to the table with the mindset and the skill set to be really highly successful in roles in law enforcement,” he said. Refer to <http://bestforvets.militarytimes.com/law-enforcement/2017> Best for Vets: Law Enforcement 2017 top 20 finishers of Military Times’ survey on law enforcement employment opportunities [Source: MilitaryTimes | George Altman, December 13, 2016 ++]

Vet Jobs Update 208 ► VA Recruitment

Most people know that <https://www.usajobs.gov> is the careers portal to learn about and apply for federal government positions all over the world. As you can imagine, it can be a very busy place. All positions, including those at VA, can be found by conducting simple or advanced searches by occupation, location and other keywords. Typically, there are thousands of open positions listed at any given time. VA Careers also has a presence on the events calendar located at <https://www.usajobs.gov/Notification/Events/#Veterans-Healthcare-Career-Events>. Vets who are only interested in Army opportunities can go to <http://www.goarmy.com> to find information in a more convenient way.

VA recruits and hires over 40,000 full-time employees annually, most of whom are healthcare-oriented. Positions are posted nationwide at <http://www.vacareers.va.gov>. Most healthcare providers are not actively seeking new jobs. That’s why it’s important to remind veterans on an ongoing basis that VA desires people with their skills. Because VA is a highly sought-out employer, offering outstanding benefits, they have little difficulty filling most of the non-healthcare positions. Whenever possible, they hire Veterans, but since most Veterans don’t have a healthcare degree or healthcare experience, many of their healthcare provider hires are non-Veterans. Over 80% of those hires have trained at VA while pursuing their education.

In order to bring awareness to quality healthcare providers, VA Careers conducts a strategic integrated recruitment marketing plan that includes nationwide TV ads, PSAs, online digital communications, job boards, events, emails and many other tactics in order to reach them. Veterans Health Administration is the largest healthcare system in the country, so their critical needs are typically higher than private sector hospitals. [Source: VAntagePoint | December 7, 2016 ++]

Retiree Appreciation Days ► As of 31 DEC 2016

Retiree Appreciation Days (RADs) are designed with all veterans 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 updated schedule for 2017 is available 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

This schedule has been expanded to include dates for retiree\vetterans activity related events such as Seminars, Veterans Town Hall Meetings, Stand Downs, Resource\Career Fairs and Other Military Retiree & Veterans Related Events for all military services. To get more info about a particular event, mouseover or click on the event under Event Location. Please report comments, changes, corrections, new RADs and other military retiree\vetterans related events to the Events Schedule Manager at milton.bell126@gmail.com.

(NOTE: Attendance at some events may require military ID, VA enrollment or DD214. "@" indicates event requires registration\RSVP.)For more information call the phone numbers indicated on the schedule of the Retirement Services Officer (RSO) sponsoring the RAD.

To quickly locate events in your geographic area just click on the appropriate State\Territory\Country listed at the top of the schedule. They will look like this:

AK AL AR AS AZ CA CO CT DC DE FL GA GU HI IA ID IL IN KS KY LA MA MD ME MI MN MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA PR RI SC SD TN TX UT VA VI VT WA WI WV WY Belgium Germany Italy Japan Korea Netherlands Thailand

[Source: RAD List Manager | Milton Bell | December 30, 2016 ++]

Vet Hiring Fairs ► 01 thru 31 JAN 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> . Vet Job Fairs being conducted in the next 30 days in state order include:



Recruit Military Listings

San Antonio Veterans Job Fair	Thursday, January 12
Tampa Veterans Job Fair	Thursday, January 12
Joint Base Lewis-McChord Job Fair	Wednesday, January 18
Sacramento Veterans Job Fair	Thursday, January 19
Oklahoma City Veterans Job Fair	Thursday, January 26
Raleigh Veterans Job Fair	Thursday, January 26

U.S. Chamber of Commerce Foundation Listings

NBC4 Health and Fitness Expo Hiring Fair	Washington, DC January 6 - 8:30 am to 1:00 pm Details Register
Cleveland Hiring Expo with the Cleveland Cavaliers	Cleveland, OH January 19 - 9:30 am to 2:00 pm Details Register
Austin Hiring Fair	Austin, TX January 25 - 10:00 am to 1:00 pm Details Register
Tampa/St. Petersburg Hiring Fair	St. Petersburg, FL January 26 - 8:30 am to 1:30 pm Details Register
Dallas Hiring Expo with the Dallas Stars	Dallas, TX January 31 - 9:30 am to 2:00 pm Details Register

[Source: Recruit Military <https://events.recruitmilitary.com> & <https://www.uschamberfoundation.org/events/hiringfairs> | December 31, 2016 ++]

State Veteran's Benefits & Discounts ► Tennessee 2016

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

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

[Source: <http://www.military.com/benefits/content/veteran-state-benefits/tennessee-state-veterans-benefits.html> Dec 2016 ++]



114th Congress Update 06 ► Closes With a Flourish

Congress finished their urgent business before they left town and sent many bills to the President for his signature.

-- On Dec. 10, 2016, the President signed into law: H.R. 2028, the Further and Continuing and Security Assistance Appropriations Act, 2017. This legislation funds the federal government until April 28.

---On Dec. 13, 2016, President Obama signed into law H.R. 34, the 21st Century Cures Act. The legislation modifies current medical research and drug development and delivery processes; to reauthorize the National Institutes of Health and a number of other HHS programs and activities, including the cancer "moonshot" initiative; to fund State efforts to prevent and treat opioid abuse; make changes to health and justice authorities with respect to mental health and substance use disorders; and to make a variety of updates with respect to Medicare, Medicaid, and health information technology. Part of this bill includes the PATH Act which NAUS worked hard for passage.

-- On Dec. 14, 2016, President Obama signed into law:

- H.R. 3471, the Veterans Mobility Safety Act of 2016, which makes certain changes to the Department of Veterans Affairs' automobiles and adaptive equipment program, and amends requirements for the appointment of hearing aid specialists;
- H.R. 5509, which designates the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the Dr. Otis Bowen Veteran House;
- S. 1555, the Filipino Veterans of World War II Congressional Gold Medal Act of 2015, which provides for the award of a single Congressional gold medal of appropriate design on behalf of the Congress, to the Filipino Veterans of World War II in recognition of the dedicated service of the veterans during World War II;
- S. 1915, the First Responder Anthrax Preparedness Act, which requires the Department of Homeland Security to carry out a 5 year pilot program to make anthrax vaccines available to emergency response providers who are at high risk of exposure to anthrax and who voluntarily consent;
- S. 2234, the Office of Strategic Services Congressional Gold Medal Act, which provides for the award of a Congressional gold medal of appropriate design on behalf of the Congress, to the members of the Office of Strategic Services, in recognition of their superior service and major contributions during World War II;
- S. 2873, the Expanding Capacity for Health Outcomes Act or the "ECHO Act," which requires the Department of Health and Human Services to conduct studies and issue reports examining technology-enabled collaborative learning and capacity building models;
- S. 2974, which allows the Department of Health and Human Services to fund the national human trafficking hotline from appropriations made available to the Department to assist victims of trafficking;
- S. 3076, the Charles Duncan Buried with Honor Act of 2016, which expands the Department of Veterans Affairs authority to furnish a casket or urn for the burial of a veteran;
- S. 3395, the Prescribed Burn Approval Act of 2016, which restricts the U.S. Forest Service from authorizing a prescribed burn on Federal land; and

- S. 3492, which designates the Traverse City VA Community-Based Outpatient Clinic of the Department of Veterans Affairs in Traverse City, Michigan, as the Colonel Demas T. Craw VA Clinic.

NAUS Note: Just a reminder that any bill that has not come up for consideration will be discarded when Congress finally adjourns. If there are bills that you want reconsidered let your elected officials know [Source: NAUS Weekly Update | December 23, 2016 ++]

114th Congress Update 07 ► Cheers to Whispers on Vet Benefits

For a while it seemed 2016 would be the year Congress phased in a \$3 billion plan to give older generations of severely injured veterans the same caregiver benefits enacted six years ago for Post-9/11 injured veterans. It also seemed Congress in 2016 would modernize VA's archaic appeals process for veteran claims, and would impose stiff new accountability requirements on VA employees who are incompetent or misbehave. It even seemed possible this year that lawmakers would strengthen the Veterans Choice program by establishing prompt payment standards and by streamlining requirements for community medical care providers to enter into service agreements with VA. Early election-year cheers of real progress on these issues by leaders of the House and Senate veteran affairs committees became whispers by year's end, due to fiscal realities and disagreements over reform priorities.

The major veterans' bill passed in the 114th Congress is titled The Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016 (HR 6416) to honor the retiring chairman of the House Veterans Affairs Committee and the ranking Democrat on the Senate committee who will step from that position in the next Congress. Signed into law 16 DEC, it is long on ordering more studies of VA issues, and on tweaking current programs, but fails to make truly significant, and costly, program improvements. For proof, follow the money. The Congressional Budget Office projects Miller-Blumenthal will raise VA appropriations by only \$33 million over the next five years. A third of spending is for "reports, studies and surveys." Over the next decade, the new law is projected to lower VA direct spending by \$40 million.

From the perspective of major veteran service organizations, the roadblock to critical reforms of benefits and services are budget controls that the veteran committees must operate under. "Either the House or the Senate passed nearly everything that we, as an organization, felt needed to be accomplished in the 114th Congress," said Raymond C. Kelley, director of National Legislative Service for Veterans of Foreign Wars. "Except they couldn't get it to the finish line — passed by both chambers and onto the President — because of the inability to fund it." VFW and other vet groups "continue to beat the drum for ending [budget] sequestration, realigning budget caps to meet need, and [lifting] most other budgetary triggers pressing on Congress. The authorizers know what needs to be done," said Kelley. But until caps are removed, Congress can only approve major new benefits by making cuts to existing programs.

The Senate committee's much touted Veterans First Act, which a bipartisan majority approved in May, had a host of substantive initiatives. The centerpiece was expansion of the VA caregiver benefit to families of older generations of severely injured veterans back to World War II. The price tag was \$3 billion, however, which the committee proposed to cover by raising interest rates on veterans reusing their home loan benefit, by rounding down disability compensation payments, and by dampening the housing allowance stipend for the Post-9/11 GI Bill benefit. Lawmakers know those are hard tradeoffs for veteran groups to accept. "As a veteran service organization," said Kelley, "we cannot allow Congress to pay for one benefit with another benefit. We just can't go down that road," even though VFW eagerly supports expanding caregiver eligibility.

Another Senate initiative, to consolidate outside provider payments to improve access to community health care, would cost \$34 billion over 10 years, an impossible expense to absorb with existing budget caps. On the House side, Miller, a champion for forcing VA to punish wrongdoers among its workforce, linked reform of the VA claims

appeal process to tougher employee accountability rules, which federal employee unions vehemently opposed and senators rejected. So, in the end, the final catchall Miller-Blumenthal package had no truly major reforms to tout.

Arguably the most welcomed provision bestows honorary “veteran” status on many Reserve and National Guard retirees who, until now, have not been recognized as such. The new law specifically states that no added benefits will flow from the recognition so there’s no budgetary impact. Affected retirees spent careers in reserve components, attending monthly and annual drills, but never having completed a qualifying period of active duty service under Title 10 to meet the legal definition of veteran and receive a DD-214 “Certificate of Release or Discharge from Active Duty.” Today, however, they are able to be call, and to call themselves, veterans. Other provisions take steps to narrowly improve access to health care, disability and education benefits and assistance to the homeless. Sen. Johnny Isakson (R-GA), chairman of the Senate committee, called HR 6416 a “down payment on the debt” owe to veterans. “Though HR 6416 reflects just a fraction of our collaborative efforts, it nonetheless contains many important provisions,” Miller told colleagues.

Blumenthal noted that among 76 separate provisions passed, some allow hiring of more mental health counselors and emergency room doctors while others expand eligibility for homelessness prevention programs and extend some education benefits. The latter refers to a provision extending the deadline for using the full 36-month Fry Scholarship for surviving spouses who lost service members early in the Iraq and Afghanistan wars. They will have until Jan. 1, 2021, instead of April 1, 2017, to obtain their educations using the benefit. CBO estimates the added cost at \$16 million. The original Fry Scholarship program gave the children of service members who died in the line of duty after September 10, 2001, full Post-9/11 GI Bill benefits. Congress extended it to surviving spouses in 2014. Other highlights of Miller-Blumenthal will:

- Require VA to enter into an agreement with the National Academy of Medicine to conduct an assessment on scientific research relating to the descendants of individuals exposed to toxins including Agent Orange. Estimated cost is \$16 million over five years.
- Relax a rule that VA staff physicians can’t work more than 80 hours in any two-week period, which has handcuffed the department in using its full-time doctors more efficiently.
- Direct VA to provide, in lieu of a headstone or marker, a medallion to be affixed to a privately purchased headstone or marker of an individual, signifying their status as a veteran, if they served in the Armed Forces on or after April 6, 1917. Estimated cost is \$5 million over the next decade.
- Require VA to arrange for an independent assessment of exams it gives individuals seeking disability compensation for traumatic brain injury. Estimated cost: \$2 million over five years.
- Authorize contract physicians to conduct compensation and pension examinations at any location in any state as long as exams are within the scope of the authorized duties under the contract.
- Expand the U.S. Court of Appeals for Veterans Claims from seven judges to nine through 2020 to help address a backlog of claim appeals. Estimated cost: \$3 million.

[Source: Military.com | Tom Philpott | December 22, 2016 ++]

NDA 2017 Update 25 ► H.R.4909 & S.2932 Signed Into Law

President Obama signed the annual defense authorization act into law on 23 DEC, finalizing a 2.1 percent pay raise for troops next year and a overhaul of military medical care in years to come. The annual budget legislation includes defense spending priorities and guidelines for fiscal 2017, but does not allot money for those items. That comes with the annual appropriations bill, which Congress does not expect to finalize until this spring, nearly halfway through the fiscal year. But short-term budget extensions passed by Congress in early December will cover most of the gaps in military spending until then. Lawmakers approved the 2.1 percent pay raise as part of that deal,

giving troops their largest pay raise since 2010. The pay boost, which goes into effect Jan. 1, will mean about \$550 more a year for most junior enlisted troops and around \$1,800 annually for mid-career officers.

Congress also included plans to significantly boost the number of service members in the military. Under the authorization bill, Army end strength is set at 476,000 soldiers, about 16,000 more than the White House had requested for fiscal 2017. The Marine Corps will rise to 185,000 troops, an increase of about 3,000 over requested levels. The Air Force will go to 321,000 airmen, around 4,000 more than Obama wanted. The Navy would remain at 324,000 sailors. The \$619 billion bill is about \$3.2 billion more than Obama's request, a complaint that prompted veto threats from the White House in recent months. But the measure passed both the House and Senate with veto-proof margins and significant Democratic support. Obama threatened to veto all eight of the defense authorization bills sent to him during his two terms, but followed through only one time.

In a statement, Obama said he was "disappointed" in the final measure, noting that "Congress again failed to enact meaningful reforms to divest unneeded force structure, reduce wasteful overhead, and modernize military healthcare. Instead, the Congress redirects funding needed to support the warfighter to fund additional end-strength that our military leaders have not requested at a time when our troops are engaged overseas supporting the fight against the Islamic State of Iraq and the Levant and against al-Qaida." Still, the president said he signed the measure because "this act authorizes fiscal year 2017 appropriations principally for the Department of Defense and for Department of Energy national security programs, provides vital benefits for military personnel and their families, and includes authorities to facilitate ongoing operations around the globe."

The authorization bill includes a restructuring of Tricare, with new fees and costs for troops who enter the service in 2018. It also extends care hours at military clinics across the country, consolidates management for those facilities and expands partnerships with private-care physicians. Lawmakers also used the policy bill to enact a number of acquisition reform plans but rejected proposals to overhaul how housing stipends are calculated. The legislation also includes a prohibition on base closing efforts favored by the Pentagon and language restricting the closing of detention facilities at Naval Base Guantanamo Bay in Cuba. [Source: MilitaryTimes | Leo Shane | December 23, 2016 ++]

*** Military ***



Navy Enlisted Rating Titles Update 07 ► Job Titles Restored

Navy leaders are reversing their controversial decision to eliminate sailors' ratings and will restore job titles across the fleet, according to a Navy message set for release 21 DEC. Effective immediately, enlisted sailors will officially regain their ratings, the traditional job titles that have inspired a deep cultural loyalty and that have defined enlisted career tracks for generations, Navy officials said. The move comes three months after the Navy stunned sailors around the world in September by eliminating ratings titles, including those such as boatswain's mate that dated back

to the founding of the service. The extraordinarily rare move comes after a fierce backlash from the fleet that became a distraction from the Navy's broader effort to reform the antiquated personnel system, Navy officials said.

Adm. John Richardson, the chief of naval operations, called it a “course correction” and acknowledged the overwhelmingly negative reaction from the fleet was a key factor in the decision. “We have learned from you, and so effective immediately, all rating names are restored,” Richardson wrote in a Navy message set for release Wednesday. A copy of the message was obtained by Navy Times on 20 DEC. Cmdr. Chris Servello, Richardson’s spokesman, confirmed that the Navy planned to restore ratings and that a fleet-wide message from the CNO would be released online along with more details from CNO and Master Chief Petty Officer of the Navy Steven Giordano.

Though the ratings have been restored, change still lies ahead as the Navy plans to press ahead with its broader effort to fundamentally change the rigid personnel system and make career paths more flexible in the future. “The feedback from current and former Sailors has been consistent that there is wide support for the flexibility that the plan offers, but the removal of rating titles detracted from accomplishing our major goals,” Richardson wrote. “There is a way to have the benefits of the rating modernization program without removing rating titles,” the CNO wrote in the message. “This course correction doesn’t mean our work is done – rating modernization will continue for all the right reason,” Richardson wrote. “Modernizing our industrial-age personnel system in order to provide Sailors choice and flexibility still remains a priority for us.” These changes will ultimately mean that sailors’ titles may have to change in the future, Richardson continues, but he’s going to solicit sailor feedback.

As early word of the restoration spread on social media, many sailors celebrated the news, both because they welcomed the return of the traditional titles but also because the decision showed that the Navy’s leadership was responsive to the concerns of sailors. “Nobody wanted to see ratings taken away. The traditions and identities associated with them are undeniable. My sailors will be relieved and gratified that their voices appear to have been heard,” said one East Coast command master chief who spoke to Navy Times and asked not to be named to speak candidly about a high-level decision. “And I’m just glad I don’t have to open a manual to find out what kind of Sailor I’m getting the next time orders cross my desk,” the command master chief said. The reversal did not surprise many sailors, though many believed it would come after a new Navy secretary takes over early in 2017. “I genuinely believe sailors expected this. I think we’ve all been waiting and watching to see if someone was going to take a step back and determine that an interesting idea had been pushed too quickly,” the master chief said.

Despite the return of the rating titles, Navy officials say the underlying effort of the change in the first place – to give sailors greater flexibility in their careers to go from job to job – is still a top priority for Navy leaders. The broader goal is to allow more sailors to qualify for more skills and even advance in multiple ratings. To get there, the Navy is still planning to redraw community lines that distinguish skills by specialty today. “Today we have 12 career fields that group the [over 90] Navy enlisted ratings we have today,” Vice Adm. Robert Burke, chief of naval personnel, told Navy Times in an October interview. “Most sailors will be hard pressed to tell you what they are because they are outdated for the most part.”

The plan is to establish new career fields that are more broadly defined, Burke said, which should allow Navy leaders to tailor training within the fields and identify gaps that a sailor might need filled in order to take a specific billet that they would otherwise be qualified for, rating or no rating. For example, he gave a hypothetical example of a future career field that might be called “aviation maintenance.” “We’d like to get to the point in the first step where we can move sailors between types of engines, and then maybe move between engines and airframes and into avionics, too — then possibly move between maintaining combat systems on an aircraft to combat systems on a ship.” This system is being designed to offer training throughout a sailor’s career, instead of in a lump at the beginning as many ratings have today.

It’s also designed so it could also be adapted to qualify sailors in new skills to cross them into a related field. “You might have to go to a brick and mortar schoolhouse for a couple weeks, but it will be at a fleet concentration area so you are not going to have to leave home,” Burke said. “You might only need enough training that could be accomplished through an app on a smart device, or through a distance learning course — or even by acquiring an

additional certification at your current shop or at your squadron.” It could even put more money in your pocket as you might qualify in something . “It will open up more timing options — maybe move into an NOS that has special or incentive pay or even a re-enlistment bonus.” The changes could also radicalize the advancement system and has Navy leaders discussing to possibility of killing advancement exams all together. “I think that’s one possibility we’re looking at,” Burke said in the interview. "But we’re just getting started in deciding where we need to go with the advancement exams." [Source: NavyTimes | David B Larter & Mark Faram | December 20, 2016 ++]

Body Fat Standards ► 2017 Policy

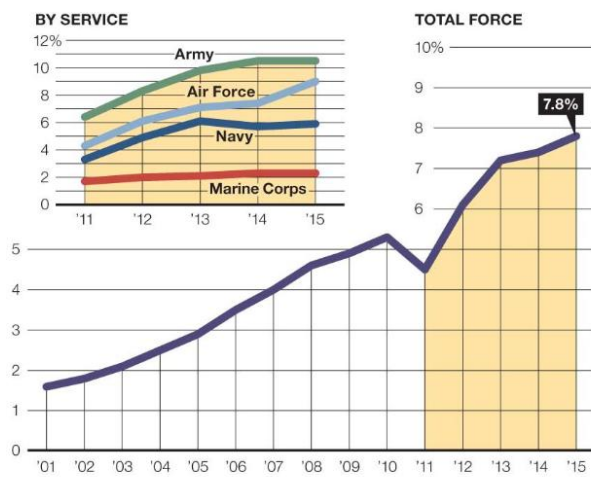
The Pentagon in 2017 is expected to unveil a new force-wide policy governing body-fat standards, rules likely to change how the military defines and evaluates body composition, and determines who's too fat to serve. While the Pentagon establishes minimum requirements, allowing each of the services to enforce stricter standards if they choose, the looming change comes as military data suggests obesity rates among troops are growing at an alarming rate. Today, 7.8 percent of the military is clinically overweight. That's about one in every 13 troops. That's way up from 2001, when it was just 1.6 percent of the total force, or one in 60 troops, according to Defense Department data. Obesity rates are highest among women, African Americans, Hispanics and older service members.

Pentagon officials familiar with the policy review say it is focused on the use of body-mass index, or BMI, which fails to account for different body types. BMI can signal that a bodybuilder is overweight because he or she has a lot of heavy muscle. Conversely, BMI can overlook out-of-shape personnel who are naturally tall and thin. Current policy requires service members to maintain body fat levels below a key threshold: 28 percent for men and 36 percent for women. If they fail, they must undergo a “tape test” to estimate their body fat percentage. Critics have long argued that tape test is flawed. Tape test failures are recorded in official personnel records and can adversely affect troops' promotion prospects. Repeated failures can result in involuntary separation from the service.

Top military leaders say that while details of the policy might change, underlying fitness standards should not. “If we do that, we have a potential liability on the battlefield,” Command Sgt. Maj. John Troxell, the senior enlisted adviser to the chairman of the Joint Chiefs of Staff, said earlier this year. “The minute we lose that competitive advantage in combat because our enemies are training harder than we are, we’ll have more problems than we have right now.” [Source: MilitaryTimes | Andrew Tilghman | December 24, 2016 ++]

TROOPS & OBESITY

Since 2001, the percentage of military personnel deemed overweight has skyrocketed and now accounts for nearly 8 percent of the entire active-duty force. The obesity problem appears worst in the Army.



Blast Gauges ► Pentagon Monitoring Program Discontinued

The Pentagon has quietly sidelined a program that placed blast gauges on thousands of combat troops in Afghanistan. NPR has learned the monitoring was discontinued because the gauges failed to reliably show whether service members had been close enough to an explosion to have sustained a concussion, or mild traumatic brain injury. But the small wearable devices did produce a trove of data on blast exposure that could eventually have helped researchers understand the links between bomb blasts, concussions and brain diseases. And they produced evidence that many service members are exposed to worrisome levels of blast pressure simply by being near a heavy weapon when it's fired.



The decision to warehouse the blast gauges is "a huge mistake," says retired Gen. Peter Chiarelli, who was the Army's vice chief of staff before retiring in 2012 and is now the chief executive officer of One Mind, a nonprofit focused on brain illness and injury. Mild TBI was the signature wound of the wars in Iraq and Afghanistan, affecting more than 200,000 troops. Having data from blast sensors could play "a very, very important role in helping us understand why an individual has negative effects from a concussion," Chiarelli says, "or why an individual develops one of the neurodegenerative diseases that seem connected with concussion, everything from ALS, to Parkinson's to dementia and even Alzheimer's."

When NPR contacted the Army, a spokesman said it would be early 2017 before it could respond to an interview request. But Eric Fanning, secretary of the Army, did discuss the decision in a letter to Rep. Louise Slaughter (D-NY). One problem was that the gauges failed to show how much blast exposure is too much, Fanning wrote, adding that "The DoD's current inventory of blast gauges does not provide consistent and reliable data in the training or combat environment." The blast gauges are about the size of a quarter, and troops wear three of them on their helmets and upper bodies. The gauges contain sensors that measure overpressure, the sudden increase in air pressure caused by an explosion. An overpressure of just 5 pounds per square inch can burst an eardrum. One-hundred PSI can be fatal. And somewhere in between is probably where most concussions occur. The Army began outfitting thousands of combat troops with blast gauges in 2011.

Kyle Sims was a Special Forces medic who helped deploy the gauges in Afghanistan. He remembers the first time he saw the gauges help a soldier. Oddly, the soldier hadn't been anywhere near a bomb blast. "He was a soldier who fired a shoulder-fired rocket," Sims says. "And that shoulder-fired rocket actually gave him a pretty significant overpressure exposure just because he was firing it from a bit of a confined space." When the soldier returned from his mission, he said he had a headache, Sims says. "The medic checks his gauges, sees that he's got an exposure, takes him over to the hospital, gets a good neuro exam, [and] he gets diagnosed with a concussion." So this soldier's brain had taken a hit just from firing his own weapon. But the gauges had done their job. "And I thought that that

was going to be the start of great things, you know, that we were really on the right path," says Sims, who began working with the company that makes the gauges this year, after leaving the service.

As researchers began looking at the data from the gauges, it became clear the sort of exposure Sims had witnessed was pretty common. "The majority of exposures were not from improvised explosive devices, as you might expect," says David Borkholder, an engineering professor at the Rochester Institute of Technology and the founder of BlackBox Biometrics, which makes the blast gauges. Instead, the culprit was usually "blast-intensive weapons systems" like recoilless rifles, shoulder-fired rockets, artillery and mortars, he says. The reason is pretty simple. Firing something like a recoilless rifle generates a powerful pressure wave both in front of and behind the weapon. Those pressure waves are usually less intense than those from a bomb, Borkholder says. But exposures are far more common, and not limited to the battlefield. "A service member on the training range may experience 30 to 300 exposures per day multiple days per week," Borkholder says. That suggests many troops are routinely exposed to worrisome levels of overpressure as part of their job. And research in the past few years suggests that lots of small blows to the head can add up. "It's just like in the NFL," Sims says. "The more they look at it, the more they realize it's not the one time that the guy got knocked out on the field. It's the 200 times that he got hit hard enough to have an injury, but not symptomatic enough where he had to be removed from play."

Despite what the blast gauge program turned up, the military considers it a disappointment. That's because the Department of Defense had a very specific goal: identifying troops with brain injuries caused by the blast wave from a bomb. And the military soon realized that an exposure high enough to cause a concussion in one person might have no effect on someone else, Borkholder says. "Their objective was to have this device basically predict if the person had a concussion, and it wasn't able to do that," he says. So a few months ago, the Army quietly warehoused the blast gauges. Chiarelli hopes the military will reconsider that decision and treat blast exposure like other potentially dangerous environmental factors, like radiation. "It's absolutely essential that we collect data in all instances where soldiers receive overpressure from whatever the blast is. If it's in training or combat or anything," Chiarelli says.

That way, the military would know the total dose of overpressure each service member received during their time in service. And decades from now it might be possible to correlate that exposure to problems ranging from PTSD to Alzheimer's. A clear link between overpressure and brain diseases like Alzheimer's could prove costly to the military and veterans health systems. But Chiarelli doesn't believe that was a factor in the military's decision to stop using the blast gauges. "I'm not going to go that far," he says. "I would hope not." The Department of Defense says it's committed to determining the risks from overpressure exposure, both in combat and in training. It's also testing a new generation of blast gauges that are more sensitive and easier to maintain. But the military has made no commitment to deploying those gauges. [Source: NPR | December 20, 2016 ++]

BAH Update 02 ► 2.4% Increase in 2017

Troops will see an average increase of 2.4 percent in their 2017 Basic Allowance for Housing rates, according to a Defense Department news release. That evens out to about \$41 more per month, the release states, but service members' payouts will vary greatly based on location, paygrade and whether they have dependents; DoD sets the rates based on rental-cost and utility data for a given region, matching different sizes of rental properties with different ranks and dependent status. For example, an E-4 with dependents living near Marine Corps Air Ground Combat Center Twentynine Palms, California, would be eligible to receive \$804 in BAH in 2017, down from \$807 last year. But an E-5 with dependents in the same spot will get \$858 in 2017, up from \$843 the year before.

When rates for a given area go down, service members already in the area continue to receive the old rate unless they move, lose rank or change dependent status, according to a DoD fact sheet. The full chart for 2017 is available online at www.defensetravel.dod.mil/Docs/perdiem/browse/Allowances/BAH/PDF/2017/2017-With-Dependents-

[BAH-Rates.pdf](#) Service members also can use the BAH Calculator www.defensetravel.dod.mil/site/bahCalc.cfm to look up their rates. The new BAH rates will cover only 97% of housing costs. The 3% out-of-pocket expense for troops was authorized by the fiscal 2016 National Defense Authorization Act, according to the release.

The cost-sharing amounts will vary by grade and dependency status, ranging from \$37 to \$85 monthly. It will mark the third year in a five-year plan that requires BAH recipients to pay a percentage of their off-base housing costs out of pocket. By 2019, the share will hit a maximum of 5 percent. Data for housing costs is collected each year for more than 300 military housing areas in the U.S. Local commands help data collectors determine which neighborhoods should be targeted to compile the information. For additional info on BAH refer to the Defense Travel Management Office Primer on the Basic Allowance for Housing (BAH) for the Uniformed Services at <http://www.defensetravel.dod.mil/Docs/perdiem/BAH-Primer.pdf>. [Source: MilitaryTimes | Charlsy Panzino | December 15, 2016 ++]



NATO Support ► U.S. Tanks Return After 3-Year Absence

The U.S. and its NATO allies are taking no chances amid a build-up of military force on Europe's eastern frontier with Russia. Three years after the last American tank left Europe, they are being brought back "as part of our commitment to deterrence," Gen. Frederick "Ben" Hodges told NBC News. Hodges, who is commander of the U.S. Army in Europe, welcomed a batch of tracked and wheeled support vehicles to a depot in the Netherlands on 15 DEC. At the Dutch installation in Eyselshoven, a 500,000-square-foot storage space — including nine humidity-controlled warehouses — has been made available to house elements of the Army's "strategically prepositioned critical war stock." It includes Abrams tanks, Bradley fighting vehicles and Paladin self-propelled howitzers.



U.S. Bradley infantry fighting vehicles and M1A2 Abrams tanks take part in joint military exercises near Tbilisi, Georgia, on 18 MAY

In September, the U.S. Army began to assemble additional so called Army Prepositioned Stocks (APS) for permanent storage in Europe. The latest shipment includes ammunition. The additional combat equipment will give the Army the option for another heavy armored brigade. Presently, it has only two light brigades in Europe: 173rd Airborne Brigade and the 2nd Stryker Cavalry Regiment. Russian President Vladimir Putin's government has repeatedly stated that it "will never attack a NATO member state." But following the reduction of America's military presence in Europe after the Cold War ended, military officials are now putting structures back into place to guarantee the rapid deployment of U.S. troops in case of crisis. "These activities are the embodiment of the United States' commitment to deterring aggression and defending our European allies and partners," Hodges added.

Russia's recent unannounced military exercises along the borders of the Baltic states and the 2014 annexation of Crimea have "disrupted nearly a generation of relative peace and stability between Moscow and its Western neighbors," according to a RAND Corporation report published earlier this year titled "Wargaming the Defense of the Baltics." The study concluded that Russia's military would be capable of overrunning NATO defenses and could reach Baltic capitals including Tallinn, Estonia, and Riga, Latvia, within 60 hours. Amid the new threat from the East, U.S. and NATO officials have been preparing for an increased presence across Europe, especially at NATO's eastern borders, "sending a clear message to Russia," officials say. "We don't want to risk escalation, but send a message of our commitment," Gen. Tom Middendorp, the Dutch chief of defense said at a ceremony in Eindhoven on 15 DEC. In January, the U.S. Army in Europe is due to deploy a total of 4,000 American troops and 2,000 military vehicles on a rotational basis to Poland, Romania, Bulgaria and the Baltic nations.

The U.S. Army's prepositioned stocks, which will eventually be stored at military bases in the Netherlands, Belgium and Germany, allow it to "reduce deployment timelines, improve its deterrence capabilities and provide additional combat power to U.S. European Command for use in contingency operations," the Pentagon said in a statement. The equipment can also be deployed for use in training and exercises. The U.S. Army in Europe plans to conduct more than 90 maneuvers with NATO allies and European partners next year, including Swift Response 17 in July which will see U.S.- led and NATO rapid response forces test their readiness to work together. For NATO troops, speed has become a critical factor in achieving the alliance's objective of deterrence.

U.S. Army officials say the Swift Response exercise is designed to demonstrate NATO's ability to respond to a crisis "within 18 hours of notification." To minimize that reaction time, a U.S.-led battalion will also be stationed in Poland near the border with Russia's Baltic exclave, Kaliningrad, following Moscow's announcement that it will station nuclear-capable missiles there. But as an assertive Russia steps up its military presence in the Baltic region at Western Europe's eastern flank, countries including Poland fear what will happen during the Donald Trump era. During the election campaign, the president-elect suggested he might not come to the aid of NATO allies if they were attacked. "We hope that the new administration will recognize that Russia is a long-term strategic challenge for the United States and a strategic threat to this part of Eastern Europe," Marcin Terlikowski, head of the International Security Program at the Polish Institute of International Affairs in Warsaw, told NBC News.

While Eastern European countries "simply do not know what President-elect Trump's Russia policy will be," they are hoping NATO's commitment and the stationing of American troops in the region are "sustainable engagements for the U.S.," Terlikowski added. Hodges said Thursday's arrival of combat vehicles should reassure allies. "It is in our economic interest that Europe is safe, secure, stable," Hodges told NBC News. [Source: NVC News | Andy Eckardt & Carlo Angerer | December 16, 2016 ++]

Navy Fleet Size Update 01 ► 355 Ship Goal

Tossing overboard the budget constraints that have weighed down the US Navy's attempts to grow its fleet, the world's most powerful sea service is embarking on the biggest proposed expansion since the early 1980s, upping its

goals from today's 308 ships to a whopping 355 ships – beyond even the incoming Trump administration's stated 350-ship goal. The new Force Structure Assessment (FSA) provides one more aircraft carrier, 16 more large surface combatants and 18 more attack submarines over the current FSA. The plan also calls for 4 more amphibious warfare ships, 3 more expeditionary support bases and five more support ships. The FSA also restores the Navy's goal of 52 small surface combatants – littoral combat ships (LCS) and their follow-on frigate design – beating back outgoing Defense Secretary Ash Carter's attempts to limit the total to 40 ships.

The new plan does not address increased numbers of aircraft or personnel. Senior Navy leaders are on record as calling for increases in strike fighters – particularly Boeing F/A-18 E and F Super Hornets – and the 2018 budget is expected to request a significant number. The expansion of the carrier force from 11 to 12 ships would also likely mean the need for an additional air wing. Each wing generally includes 48 strike fighters plus electronic warfare and early warning aircraft. Other Navy sources have indicated the need for more sailors, citing total figures between 340,000 and 350,000. The Navy today has nearly 324,000 uniformed personnel. A Navy spokesman, in a statement 16 DEC to Navy Times, noted that, "additional studies will be needed to address the number of personnel needed for the increased force size."

In a statement Navy Secretary Ray Mabus noted the FSA is only one part of a series of reviews being completed by the Navy, and "does not address potential options that may come out of the ongoing review of the potential Future Fleet Architecture studies directed by Congress and completed in October 2016. "As we evaluate the options presented in these studies and move to include them in our plans for tomorrow's Navy," Mabus added, "this FSA will need to be updated to reflect those changes that are determined to be most beneficial to meeting the Navy's missions of the future." No cost estimates for the new fleet have yet been provided. Mabus' statement noted "the 2016 FSA was not constrained by budget control act funding levels." Navy sources indicated the FSA was revised upward after the election of Donald Trump and the all-but-certain likelihood of lifting budgetary restraints that have forced all the military services to make unwanted cuts.

The Navy does not expect even the new fleet goals to meet all combatant commander needs. Mabus, in the statement, noted that to do so would require the service, "to double its current annual budget, which is essentially unrealistic in both current and expected future fiscal environments." The resulting FSA, Mabus said, is "better aligned with resources available." The proposed fleet expansion is definitely a shot across the bow aimed at Russia and China, whose naval activities have increased dramatically in recent years. A resurgent Russian fleet is fielding new submarines and lethal small combat ships armed with long-range cruise missiles, and a Russian aircraft carrier task force is supporting ground combat operations in Syria. In the Pacific, China is creating a vastly improved and modern Navy modeled in many ways on the US Navy, and seeking to supplant the US as a stability guarantor in the western Pacific. The US has been shifting its forces from the Atlantic to the Pacific, seeking a 60-40 Pac/Lant split, but Russia's increasing and provocative activity has forced reconsideration of the need to maintain larger naval forces in the European and Mediterranean theaters.

Among the biggest industrial beneficiaries to the new fleet would be shipbuilders Huntington Ingalls Industries (HII), General Dynamics (GD), and one or both of the smaller Fincantieri Marinette Marine and Austal USA yards, along with Raytheon, Lockheed Martin, BAE Systems, Boeing, Northrop Grumman, L3 and power suppliers General Electric and Babcock and Wilcox. But it could be some time before major increases are realized – it takes years to build a ship, beginning with long-lead items such as nuclear reactors and major propulsion items, before real construction can begin. Even then, the Navy generally needs one or more years of final fitting out and training before a new ship becomes operationally effective. The Navy did not release any timelines for the 355-ship FSA, nor did it indicate any new ship types are planned. Here is a type-by-type breakdown of the new plan:

- **Aircraft carriers:** Grow the fleet from 11 to 12 ships. "A minimum of 12 aircraft carriers [is] required to meet the increased warfighting response requirements of the Defense Planning Guidance Defeat/Deny force sizing direction," the Navy said in Friday's statement.

- **Large Surface Combatants:** Jumps from a total of 88 ships to 104. All ships in this category today, with the exception of the 3-ship Zumwalt class, are Aegis-equipped cruisers and destroyers performing a variety of tasks, including air defense of aircraft carriers and ballistic missile defense. The Navy is in the early stages of developing a new surface combatant that could appear in the 2030s.
- **Small Surface Combatants:** The total holds stable at 52 ships, consisting of LCSs and frigates. The Navy has never lowered its requirement for 52 ships in this category despite the efforts in recent years by the Office of the Secretary of Defense to cap the total at 40 or even fewer ships. The ships, the Navy said, “are required to meet Defeat/Deny challenges and support ongoing Counter Terrorism, Counter Illicit Trafficking, and Theater Security Cooperation/Building Partnerships efforts.”
- **Amphibious Warfare Ships:** Grows from 34 ships to 38. These ships – big-deck LHD and LHA amphibious assault ships, LPD amphibious transport docks and LSD dock landing ships, and LXR amphibious ship replacements – meet a lift requirement for the US Marine Corps and are valuable in a wide variety of humanitarian assistance and disaster relief situations.
- **Attack Submarine:** Grows from today’s 48-ship level to 66. This is perhaps the most ambitious goal in the revised FSA. The demand on the fleet has been exceptional for many years and there is widespread acknowledgement more boats are needed, but the growth impact will be difficult to manage as the industrial base gears up to build new Columbia-class ballistic missile submarines in addition to existing Virginia-class attack subs.
- **Guided Missile Submarines:** There is no change to the fleet plan to zero-out this type as the four existing ships reach the end of their service life. Their missions will be taken over by new Block V Virginia-class attack submarines built with a Virginia Payload Module to carry extra weapons.
- **Ballistic Missile Submarines:** No change to the requirement for 12 SSBN boomers, with existing Ohio-class units to be replaced in the 2030s by the new Columbia class.
- **Combat Logistics Force:** Grows from 29 to 32 ships, needed to support deployed warships.
- **Expeditionary Fast Transport/High Speed Transport:** The requirement remains 10 ships, although 12 are under contract with Austal USA.
- **Expeditionary Support Base:** Doubles in size from three to six ships. ESBs, a new type of ship, support counter-terrorism and special operations efforts.
- **Command and Support ships:** Grows from 21 to 23 ships to reflect the need for two more surveillance ships.

[Source: Defense News | Christopher P. Cavas | December 16, 2016 ++]

USS Gabrielle Giffords Update 01 ► LCS-10 Testing Completed

A naval program that has become a target for critics is preparing to commission a new vessel named after a well-known shooting survivor. Constructed by Austal USA in Mobile, Alabama, the USS Gabrielle Giffords has completed testing in the Gulf of Mexico and is scheduled to be commissioned in mid-2017. The company handed over the \$475 million ship to the Navy on Friday. Giffords, the former Arizona congresswoman who was shot in the head during an assassination attempt in 2011, helped christen the ship in 2015. It's part of a hotly debated program that congressional critics slam as flawed and too expensive but that Navy leaders defend as a critical new step in naval warfighting.

The 421-foot-long Giffords will be the ninth in a series of high-speed vessels designed to navigate in shallow coastal regions known as littoral waters. Sen. John McCain (R-AZ) has cited the \$12.4 billion spent for 26 littoral combat ships as the worst example of wasteful Pentagon spending. The ship's name also has become a target for conservatives who see it as promoting stricter gun laws, a cause Giffords has promoted. Some critics lampooned the

ship as being gun-free, a bit of parody and fake news that was debunked on snopes.com. The Navy said it chose to name the ship in honor of Giffords because of the perseverance she showed after the shooting. "Courage comes in many, many forms — physical, mental, spiritual and political. Gabby has truly modeled courage and resilience," Vice Admiral Philip Cullom said at the christening ceremony.



USS Gabrielle Giffords (LCS-10) left and USS Montgomery (LCS 8) right

Constructed from aluminum and featuring a distinctive trimaran design, the Giffords is armed with missiles, machine guns and fast-firing weapons designed to hit a variety of targets. Its normal crew of 40 sailors and officers can be supplemented as needed for missions. Littoral combat ships are designed for both offensive and defensive maneuvers as well as to project naval power off-shore. The Independence-class is one of two LCS variants procured by the branch in addition to the Freedom-class built by Lockheed Martin. A sister ship of the Giffords, the USS Montgomery, sustained hull damage (crack) in October while navigating the Panama Canal. The same ship was damaged in a collision with a tugboat weeks before. [Source: Associated Press | December 27, 2016 ++]

Navy Wish List for 2017 ► Navy Times' Top 5

Lots of hard realities are going to hit the Navy in 2017. To cap off 2016 on a note of optimism here's Navy Times wish list for the New Year. Five things they hope to see for 2017 are:

1. A Navy with 350,000 sailors. President-elect Donald Trump has made a lot of headlines with his call for a "350ship Navy." Yes, ships are vital. And it's heartening to hear talk of investing in the Navy. But simply buying more ships doesn't necessarily improve readiness. That's according to sailors who remember the Reagan-era build-up. "In the early part of the 1980s, so much money was going into shipbuilding and reactivating old ships that the readiness of the actual fleet suffered," Bryan Clark, a retired submarine officer, told Navy Times. We'd like to hear the President-elect talk about a 350,000-sailor Navy. That's a 6% uptick from today's force of nearly 330,000. But another 20,000 sailors, spread across the fleet, could vastly improve both the Navy's warfighting capability and sailors' quality of life. It could fill out undermanned units and help the Navy to grow key career fields needed for future wars like cyberwarfare and other high-tech, information-related missions. Internally, Navy leaders have been talking for the past several months about what the ideal number of sailors should be. The new president and new Congress should start talking about it, too.

2. A fix to the ratings fiasco. *It's an understatement to say that enlisted sailors would like to see a return to the use of rating titles that Navy leaders abruptly eliminated in 2016. Those official titles, some dating to the Continental Navy in 1775, offered sailors a cultural identity, along with the certainty of a clearly defined career track. If the Navy is going to stick with its controversial decision, sailors will ultimately get over the cultural concerns. But Navy*

leaders in 2017 need to at least tamp down the confusion and deliver some concrete moves forward to show sailors what the future personnel system will look like. They should articulate the advantages of the new system. And they should fasttrack implementation wherever possible so sailors see and understand the benefit sooner rather than later. [Note: Navy leaders reinstated Job Tiles 21 DEC 2016]

3. Proper retirement planning. This year, the Defense Department will unveil what officials have promised will be comprehensive educational programs and financial planning tools for the 1.3 million service members who in 2018 must choose whether to opt into the military's new retirement system. Troops will elect whether to stick with a traditional pension plan, probably wise for those nearing 20 years in uniform, or instead sign up for a new "blended" retirement that will offer smaller pension checks plus government contributions to new individual investment accounts. It is vital that these instructional efforts start early in the new year, and afford troops and their families maximum time and transparency to get smart about the perks and potential pitfalls associated with these changes. A failure to do so could wind up costing them dearly.

4. Mattis as SECDEF. There is little dispute that retired Marine Corps Gen. James Mattis possesses the intellect, strategic acumen and institutional experience required of those who occupy the Pentagon's top job. But there is growing animus on Capitol Hill over congressional Republicans' recent effort to fast-track the confirmation process for Donald Trump's defense secretary nominee. By law, Mattis, who retired as the head of U.S. Central Command in 2013, will require a waiver to bypass rules stipulating anyone serving as SECDEF must be at least seven years removed from the end of their military careers. This is intended to reinforce the notion that civilians control the military, a principle that, like term limits for the presidency, is a sacred pillar of our democracy. The partisan divide that has at times paralyzed this country must not be allowed to infect Americans' perception of how the armed forces are managed. And Mattis should not have to start his new job under any cloud of suspicion that could emanate from congressional infighting over his appointment. Democrats and Republicans have a responsibility now to ensure he is given a fair, thorough confirmation. Any further moves that may be perceived as an attempt to brush this aside, will do a disservice to Mattis and, by extension, the men and women he will lead.

5. VA reform. There is a sense of anxiety among many veterans and those who advocate on their behalf that the impending departure of Veterans Affairs Secretary Robert McDonald will halt or reverse what they deem tangible progress in addressing VA dysfunction. They want Trump to meet with them, before a new VA secretary is nominated, to ensure the incoming administration truly grasps what's working now and where more change must be made. Trump has to oblige. It's a simple gesture that would go a long way toward calming fears.

[Source: NavyTimes | Editorial | December 26, 2016 ++]

Army Wish List for 2017 ► Army Times' Top 5

Lots of hard realities are going to hit the Army in 2017, and there's going to be plenty of change and transition as the new Trump administration takes over. To cap off 2016 on a note of optimism here's Army Times wish list for the New Year. Three are the same as for the Navy (i.e. Proper retirement planning, Mattis as SECDEF, and VA reform.: The remaining two they hope to see for 2017 are:

1. Keep Fanning in the job. Army Secretary Eric Fanning has been on the job since May - after a bumpy eight-month confirmation process - and he's just now hitting his stride. As the head of one of the youngest Army leadership teams in history, Fanning has been aggressively pursuing enormous change in how the service conducts business. He's worked to speed up acquisitions and made it a priority to cut through the Pentagon's sluggish bureaucracy. He's a master at connecting with soldiers, and he's well versed in how the Pentagon works, having served in top civilian positions in the Air Force, Navy and Defense Department before the Army. And he has built a solid rapport with Army Chief of Staff Gen. Mark Milley, a critical relationship atop the Army as the service

grapples with a drawdown and growing demands around the world. He may be an unconventional choice for Trump, but the president-elect specializes in the unconventional, and Fanning has demonstrated he is a team player.

2. More soldiers and the money to pay for them. The Army has steadily downsized the force since 2012, going from a wartime high of 570,000 active-duty soldiers to an eventual 450,000 by the end of fiscal year 2018. But the decision to make these cuts, driven by the budget, was made before Russia flexed its muscle in Europe, or the Islamic State stormed into Iraq. But relief appears to be on the way as the 2017 National Defense Authorization Act calls for 16,000 more active-duty soldiers, giving the active Army an end strength of 476,000 for the year. And while any increase in manpower would be nice, Congress must make sure that it provides the accompanying money to pay for them. Without it, the Army would be forced to give up something – whether it's training or equipment modernization – to foot the bill, a move that could be detrimental to a service that's already making tough decisions in an increasingly volatile operating environment.

[Source: ArmyTimes | Editorial | December 26, 2016 ++]

Army Secretary ► Billionaire Vincent Viola Nominated

President-elect Donald Trump on 19 DEC nominated billionaire philanthropist Vincent Viola as the next secretary of the Army. Viola, founder of digital stock trading firm Virtu Financial and owner of the National Hockey League's Florida Panthers, is a 1977 West Point graduate who rose to the rank of major in the Army Reserve. If confirmed, he'll effectively be the fourth new secretary for the service in the last two years. Current Army Secretary Eric Fanning was nominated to replace John McHugh in late 2015, but did not officially take over the job until May because of a lengthy confirmation fight with Congress. Deputy Army Secretary Patrick Murphy served in an acting role for more than four months.



No timetable has been set for when Viola's confirmation hearing may take place. In a statement, he called the responsibility of the role an honor and a challenge. "If confirmed, I will work tirelessly to provide our president with the land force he will need to accomplish any mission in support of his national defense strategy," he said. "A primary focus of my leadership will be ensuring that America's soldiers have the ways and means to fight and win across the full spectrum of conflict." Trump praised Viola as "a man of outstanding work ethic, integrity, and strategic vision" who will help keep America safe. "Whether it is his distinguished military service or highly

impressive track record in the world of business, Vinnie has proved throughout his life that he knows how to be a leader and deliver major results in the face of any challenge,” he said in a statement.

Viola brings a wealth of business experience to Trump’s Pentagon, and will be a key figure in helping carry out the next president’s promises to cut waste and build up America’s armed forces. The 60-year-old businessman is a former chairman of the New York Mercantile Exchange and was serving in that role during the Sept. 11 attacks in New York and Washington, D.C. In response, he helped found the Combating Terrorism Center at West Point, a privately funded research wing of the school focused on “counterterrorism policy and strategy” and “ways to confront the dynamic threat environment” facing America today. He has also been a donor to numerous Army charities and support networks, including the Army Cyber Institute, the Modern War Institute and Army athletic programs. He’s the son of Italian immigrants, and his father served in the U.S. Army during World War II. The Army appointment will require Viola to step away from several of his business holdings, including his NHL franchise. In a statement, team officials said ownership of the Florida Panthers will remain in the Viola family, but the team’s vice chairman will take over operations responsibilities. [Source: MilitaryTimes | Leo Shane | December 19, 2016 | ++]

Special Duty Pay ► \$75 to \$450 Bump for Some

It's going to be a happy new year for a handful of soldiers who are due for pay bumps, including drill sergeants, some recruiters and members of the Tomb of the Unknown Soldier and Caisson platoons at Arlington National Cemetery. The Army's new special duty pay list now includes the soldiers who guard the Unknown Soldier and those who escort coffins during funerals, as well as senior NCO operational advisors in the Asymmetric Warfare Group, U.S. Army Pacific Command Northern Warfare Training Center instructors and the defense secretary's security team. Depending on their assignments, more than 20,000 soldiers a year receive between \$75 and \$450 extra a month, according to Army spokesman Lt. Col. Randy Taylor. Drill sergeants and production recruiters will also have the opportunity to move up from \$300 to \$375 a month based on performance and meeting training requirements. Warrior Transition Unit leaders will see their special pay knocked from \$225 to \$150, and Criminal Investigation Command Agents will see their \$150-a-month extra cut in half, then phased out over the next year. [Source: ArmyTimes | Meghann Myers | December 28, 2016 ++]

USS Arleigh Burke (DDG-51) Class Destroyers ► Overview

General Dynamics Bath Iron Works first restart Arleigh Burke-class guided missile destroyer has completed acceptance trials, according to a 28 DEC statement from Naval Sea Systems Command. Rafael Peralta (DDG-115) completed the trials on 16 DEC after two days at sea overseen by U.S. Navy’s Board of Inspection and Survey (INSURV). “The trials were conducted both pier-side and underway. Many of the ship’s onboard systems tested to validate performance, including navigation, damage control, mechanical and electrical systems, combat systems, communications, and propulsion applications, met or exceeded Navy specifications,” read the statement.

DDG 51 Arleigh Burke destroyers are warships that provide multi-mission offensive and defensive capabilities. Destroyers can operate independently or as part of carrier strike groups, surface action groups, amphibious ready groups, and underway replenishment groups. Guided missile destroyers are multi-mission Anti-Air Warfare (AAW), Anti-Submarine Warfare (ASW), and Anti-Surface Warfare (ASUW)] surface combatants. The destroyer's armament has greatly expanded the role of the ship in strike warfare utilizing the MK-41 Vertical Launch System (VLS).



Rafael Peralta (DDG-115)



USS Curtis Wilbur (DDG-54)

Technological advances have improved the capability of modern destroyers culminating in the Arleigh Burke (DDG 51) class replacing the older Charles F. Adams and Farragut class guided missile destroyers. Like the larger Ticonderoga-class cruisers, DDG 51's combat capability centers around the Aegis Weapon System (AWS). AWS is composed of the SPY-1D multi-function phased array radar, advanced AAW and ASW systems, VLS, and the Tomahawk Weapon System. These advances allow the Arleigh Burke-class to continue the revolution at sea. The Arleigh Burke class employs all-steel construction and is comprised of three separate variants or "Flights": DDG 51-71 represent the original design and are designated Flight I ships; DDG 72-78 are Flight II ships; DDG 79 and Follow ships are built or are being built to the Flight IIA design. The Flight III baseline is planned for the second ship in FY16.

Sixty two ships are currently operating in the Fleet. An additional thirteen ships are under contract, including the most recent contract award on June 3, 2013 for nine ships as part of the FY13-17 multi-year procurement contracts with Huntington Ingalls Industries and Bath Iron Works. Like most modern U.S. surface combatants, DDG 51 utilizes gas turbine propulsion. Employing four General Electric LM 2500 gas turbines to produce 100,000 total shaft horsepower via a dual shaft design, Arleigh Burke-class destroyers are capable of achieving 30 plus knot speeds in open seas. The Flight IIA design includes the addition of the Kingfisher mine-avoidance capability, a pair of helicopter hangars which provide the ability to deploy with two organic Lamps MK III MH-60 helicopters, blast-hardened bulkheads, distributed electrical system and advanced networked systems. Additionally, DDGs 91-96 provide accommodations for the A/N WLD-1 Remote Mine-hunting System. The first Flight IIA, USS Oscar Austin, was commissioned in August 2000.

A DDG modernization program is underway to provide a comprehensive mid-life upgrade that will ensure the DDG 51 class will maintain mission relevance and remain an integral part of the Navy's Sea Power 21 Plan. The modernization changes are also being introduced to new construction ships to increase the baseline capabilities of the newest ships in the class, and to provide commonality between new construction ships and modernized in-service ships. The goal of the DDG modernization effort is to reduce workload requirements and increase war fighting capabilities while reducing total ownership cost to the Navy. In-service ships can be modernized by two distinct packages: Combat Systems (C/S) and Hull, Mechanical, and Electrical (HM&E) upgrades.

The HM&E package includes new Gigabit Ethernet connectivity in the engineering plant and a Digital Video Surveillance System (DVSS), along with the Integrated Bridge Navigation System (IBNS), an Advanced Galley, and other habitability modifications. A complete Open Architecture computing environment is the foundation for ships receiving the C/S war fighting improvements. This upgrade plan consists of a new Multi-Mission Signal Processor to accommodate additional Ballistic Missile Defense capability and an improvement to radar performance in the littoral regions. Additional upgrades include: Cooperative Engagement Capability (CEC), Evolved Sea Sparrow Missile (ESSM), CIWS Blk 1B, SEWIP, and NULKA. The Arleigh Burke-class MK-41 Vertical Launching System (VLS) will be upgraded to support SM-3 and newer variants of the SM missile family. Throughout their expected service life, DDG 51 destroyers will continue to provide multi-mission offensive and

defensive capabilities with the added benefit of sea-based protection from the ballistic missile threat. [Source: <http://www.military.com/equipment/ddg-51-arleigh-burke-class-destroyer> | Dec 2016 ++]

*** Military History ***



WWI Christmas Truce ► December 7, 1914

During World War I, on December 7, 1914, Pope Benedict XV suggested a temporary hiatus of the war for the celebration of Christmas. The warring countries refused to create any official cease-fire or truce, but in a number of places along the Western Front on Christmas the sounds of rifles firing and shells exploding faded in favor of holiday celebrations in the trenches and gestures of goodwill between enemies. Starting on Christmas Eve, many German and British troops sang Christmas carols to each other across the lines, and at certain points the Allied soldiers even heard brass bands joining the Germans in their joyous singing.

At the first light of dawn on Christmas Day, some German soldiers emerged from their trenches and approached the Allied lines across no-man's-land, calling out "Merry Christmas" in their enemies' native tongues. At first, the Allied soldiers feared it was a trick, but seeing the Germans unarmed they climbed out of their trenches and shook hands with the enemy soldiers. The men exchanged presents of cigarettes and plum puddings and sang carols and songs. There was even a documented case of soldiers from opposing sides playing a good-natured game of soccer. Some soldiers used this short-lived ceasefire for a more somber task: the retrieval of the bodies of fellow combatants who had fallen within the no-man's land between the lines. Following is a letter written by an English soldier named Tom writing about his experience that Christmas Day, 1914

My dear sister Janet,

It is 2:00 in the morning and most of our men are asleep in their dugouts - yet I could not sleep myself before writing to you of the wonderful events of Christmas Eve. In truth, what happened seems almost like a fairy tale, and if I hadn't been through it myself, I would scarce believe it. Just imagine: While you and the family sang carols before the fire there in London, I did the same with enemy soldiers here on the battlefields of France! As I wrote before, there has been little serious fighting of late. The first battles of the war left so many dead that both sides have held back until replacements could come from home. So, we have mostly stayed in our trenches and waited. But what a terrible waiting it has been! Knowing that any moment an artillery shell might land and explode beside us in the trench, killing or maiming several men. And in daylight not daring to lift our heads above ground, for fear of a sniper's bullet. And the rain - it has fallen almost daily. Of course, it collects right in our trenches, where we must bail it out with pots and pans. And with the rain has come mud - a good foot or more deep. It splatters and cakes everything, and constantly sucks at our boots. One new recruit got his feet stuck in it, and then his hands too when he tried to get out - just like in that American story of the tar baby!

Through all this, we couldn't help feeling curious about the German soldiers across the way. After all, they faced the same dangers we did, and slogged about in the same muck. What's more, their first trench was only fifty yards from ours. Between us lay No Man's Land, bordered on both sides by barbed wire - yet they were close enough we

sometimes heard their voices. Of course, we hated them when they killed our friends. But other times, we joked about them and almost felt we had something in common. And now it seems they felt the same. Just yesterday morning - Christmas Eve Day - we had our first good freeze. Cold as we were, we welcomed it, because at least the mud froze solid. Everything was tinged white with frost, while a bright sun shone over all. Perfect Christmas weather. During the day, there was little shelling or rifle fire from either side. And as darkness fell on our Christmas Eve, the shooting stopped entirely. Our first complete silence in months! We hoped it might promise a peaceful holiday, but we didn't count on it. We'd been told the Germans might attack and try to catch us off guard.

I went to the dugout to rest, and lying on my cot, I must have drifted asleep. All at once my friend John was shaking me awake, saying, "Come and see! See what the Germans are doing!" I grabbed my rifle, stumbled out into the trench, and stuck my head cautiously above the sandbags. I never hope to see a stranger and more lovely sight. Clusters of tiny lights were shining all along the German line, left and right as far as the eye could see. "What is it?" I asked in bewilderment, and John answered, "Christmas trees!" And so it was. The Germans had placed Christmas trees in front of their trenches, lit by candle or lantern like beacons of good will. And then we heard their voices raised in song. *Stille nacht, heilige nacht* . . . This carol may not yet be familiar to us in Britain, but John knew it and translated: "Silent night, holy night. " I've never heard one lovelier - or more meaningful, in that quiet, clear night, its dark softened by a first-quarter moon.

When the song finished, the men in our trenches applauded. Yes, British soldiers applauding Germans! Then one of our own men started singing, and we all joined in. The first Nowell, the angel did say . . . In truth, we sounded not nearly as good as the Germans, with their fine harmonies. But they responded with enthusiastic applause of their own and then began another. *O Tannenbaum, o Tannenbaum* . . . Then we replied. *O come all ye faithful* . . . But this time they joined in, singing the words in Latin. *Adeste fideles* . . . British and German harmonizing across No Man's Land! I would have thought nothing could be more amazing - but what came next was more so. "English, come over!" we heard one of them shout. "You no shoot, we no shoot." There in the trenches, we looked at each other in bewilderment. Then one of us shouted jokingly, "You come over here." To our astonishment, we saw two figures rise from the trench, climb over their barbed wire, and advance unprotected across No Man's Land. One of them called, "Send officer to talk."

I saw one of our men lift his rifle to the ready, and no doubt others did the same - but our captain called out, "Hold your fire." Then he climbed out and went to meet the Germans halfway. We heard them talking, and a few minutes later, the captain came back with a German cigar in his mouth! "We've agreed there will be no shooting before midnight tomorrow," he announced. "But sentries are to remain on duty, and the rest of you, stay alert." Across the way, we could make out groups of two or three men starting out of trenches and coming toward us. Then some of us were climbing out too, and in minutes more, there we were in No Man's Land, over a hundred soldiers and officers of each side, shaking hands with men we'd been trying to kill just hours earlier! Before long a bonfire was built, and around it we mingled - British khaki and German grey. I must say, the Germans were the better dressed, with fresh uniforms for the holiday.

Only a couple of our men knew German, but more of the Germans knew English. I asked one of them why that was. "Because many have worked in England!" he said. "Before all this, I was a waiter at the Hotel Cecil. Perhaps I waited on your table!" "Perhaps you did!" I said, laughing. He told me he had a girlfriend in London and that the war had interrupted their plans for marriage. I said, "Don't worry. We'll have you beat by Easter, then you can come back and marry the girl." He laughed at that. Then he asked if I'd send her a postcard he'd give me later, and I promised I would. Another German had been a porter at Victoria Station. He showed me a picture of his family back in Munich. His eldest sister was so lovely, I told him I should like to meet her someday. He beamed and said he would like that very much and gave me his family's address. Even those who could not converse could still exchange gifts - our cigarettes for their cigars, our tea for their coffee, our corned beef for their sausage. Badges and buttons from uniforms changed owners, and one of our lads walked off with the infamous spiked helmet! I myself traded a jackknife for a leather equipment belt - a fine souvenir to show when I get home.

Newspapers too changed hands, and the Germans howled with laughter at ours. They assured us that France was finished and Russia nearly beaten too. We told them that was nonsense, and one of them said, "Well, you believe your newspapers and we'll believe ours." Clearly they are lied to - yet after meeting these men, I wonder how truthful our own newspapers have been. These are not the "savage barbarians" we've read so much about. They are men with homes and families, hopes and fears, principles and, yes, love of country. In other words, men like ourselves. Why are we led to believe otherwise? As it grew late, a few more songs were traded around the fire, and then all joined in for - I am not lying to you - "Auld Lang Syne." Then we parted with promises to meet again tomorrow, and even some talk of a football match. I was just starting back to the trenches when an older German clutched my arm. "My God," he said, "why cannot we have peace and all go home?" I told him gently, "That you must ask your emperor." He looked at me then, searchingly. "Perhaps, my friend. But also we must ask our hearts."

And so, dear sister, tell me, has there ever been such a Christmas Eve in all history? And what does it all mean, this impossible befriending of enemies? For the fighting here, of course, it means regrettably little. Decent fellows those soldiers may be, but they follow orders and we do the same. Besides, we are here to stop their army and send it home, and never could we shirk that duty. Still, one cannot help imagine what would happen if the spirit shown here were caught by the nations of the world. Of course, disputes must always arise. But what if our leaders were to offer well wishes in place of warnings? Songs in place of slurs? Presents in place of reprisals? Would not all war end at once? All nations say they want peace. Yet on this Christmas morning, I wonder if we want it quite enough.

Your loving brother,
Tom



The so-called Christmas Truce of 1914 came only five months after the outbreak of war in Europe and was one of the last examples of the outdated notion of chivalry between enemies in warfare. It was never repeated - future attempts at holiday ceasefires were quashed by officers' threats of disciplinary action - but it served as heartening proof, however brief, that beneath the brutal clash of weapons, the soldiers' essential humanity endured. [Source: Together We Served | December 2016 ++]

WW2 Aleutian Islands Campaign ► Jun 3, 1942 thru Aug 15, 1943

In June 1942, six months after the Japanese attack at Pearl Harbor that drew the U.S. into World War II, the Japanese targeted the Aleutians, an American-owned chain of remote, sparsely inhabited, volcanic islands extending some 1,200 miles west of the Alaskan Peninsula. After reaching the Aleutians, the Japanese conducted air strikes on Dutch Harbor, site of two American military bases, on June 3 and June 4. The Japanese then made landfall at Kiska Island on June 6 and Attu Island, approximately 200 miles away, on June 7. Japanese troops quickly established military bases on both islands, which had belonged to the U.S. since it purchased Alaska from Russia in 1867.

Like the other volcanic islands in the Aleutians, Attu and Kiska appeared to have little military or strategic value because of their barren, mountainous terrain and harsh weather, infamous for its sudden dense fogs, high winds,

rains and frequent snow. Some historians believe Japan seized Attu and Kiska mainly to divert the U.S. Pacific Fleet during the Japanese attack on Midway Island (June 4 - 7, 1942) in the central Pacific. It's also possible the Japanese believed that holding the two islands could prevent the U.S. from any attempt to invade Japan's home islands by way of the Aleutian chain.

Americans were shocked that Japanese troops had taken over any U.S. soil, no matter how remote or barren. Some also feared that Japan's occupation of the two islands might be the first step toward an attack against mainland Alaska or even the U.S. Pacific Northwest. Despite nationwide anger, American war planners at first paid relatively little attention to the Japanese garrisons at Attu and Kiska, as they were still reeling from the attack on Pearl Harbor and in the process of building up forces in the South Pacific and preparing for war in Europe. In fact, in the initial months after Japan occupied the islands, the U.S. military conducted only occasional bombing raids from nearby Aleutian Islands. In the meantime, during the months following their occupation, Japanese soldiers learned to acclimate to the extreme conditions on Attu and Kiska, and the Japanese navy kept the soldiers well-supplied. But by January 1943, U.S. Army forces in the Alaska Command had grown to 94,000 soldiers, with several bases recently constructed on other Aleutian Islands. On January 11, troops from the Alaska Command landed on Amchitka Island, only 50 miles from Kiska.

By March 1943, U.S. Navy Rear Admiral Thomas C. Kinkaid had set up a blockade of Attu and Kiska that restricted the flow of supplies to the Japanese occupiers. On March 26, 1943, Japanese ships in the Bering Sea attempted to deliver supplies and reinforcements to Attu; however, they were spotted by U.S. vessels patrolling the area and the two sides soon engaged in what became known as the Battle of the Komandorski Islands. The Japanese fleet outnumbered the U.S. fleet and inflicted more serious damage on the Americans, but after several hours of fighting, the Japanese ships suddenly withdrew. In addition to running low on fuel and ammunition, the Japanese reportedly feared the arrival of U.S. bombers. The Japanese were also unaware of the extent of the damage they'd caused to the U.S. fleet. Following the battle, the Japanese soldiers on Attu and Kiska, now virtually isolated, were reduced to meager supplies sporadically delivered by submarine. Taking advantage of these conditions, the Americans prepared to land troops for ground combat against the Japanese garrisons.

American ships and planes bombed Attu and Kiska for several weeks before the U.S. military began Operation Landgrab on May 11, 1943, landing 11,000 troops on Attu. The Americans expected the operation to take no more than several days, but harsh weather and rugged, muddy terrain extended the combat for more than two weeks. The Japanese troops, greatly outnumbered, had withdrawn to high ground rather than contest the initial landings. U.S. soldiers, with uniforms and equipment ill-designed for the harsh weather conditions, suffered more casualties from frostbite, trench foot, gangrene and other illnesses than from enemy fire. Food shortages added to their misery as they crisscrossed the barren island, fighting mostly small but fierce engagements while scouring the rocks and slopes for booby traps, snipers and dug-in enemy troops. But the fate of the Japanese had been sealed when the Americans established air and naval supremacy over the island, cutting Japanese supply lines and making it unlikely that reinforcements would arrive.

By late May, the last remaining Japanese troops were starving and had insufficient ammunition when U.S. troops trapped them in a corner of the island. The Japanese commander, Colonel Yasuyo Yamasaki decided to make a last-ditch frontal charge. Shortly before daybreak on May 29, he and his soldiers began one of the largest banzai charges of the war in the Pacific. Yamasaki's troops charged wildly into the American lines, sweeping through their combat outposts and penetrating all the way to shocked support troops in the rear of the American camp. But the gambit ultimately failed. After a final attack on May 30, U.S. soldiers counted more than 2,000 Japanese dead, including Yamasaki. The Americans lost some 1,000 men in the retaking of Attu. Within two days, U.S. forces secured the island and the Battle of Attu, the only land battle fought on American soil in World War II, was over.

Having learned bitter lessons at Attu, American commanders made certain that their soldiers had better equipment and proper clothing for the assault on Kiska, code-named Operation Cottage, where they expected to encounter several times as many Japanese troops as they'd faced on Attu. However, when U.S. ships arrived at Kiska

on August 15, 1943, the weather was strangely clear and the seas quiet, and the approximately 35,000 soldiers landed unopposed. Then, after several days of scouring the island, they discovered that the Japanese had evacuated the entire garrison several weeks earlier, under cover of fog. On August 24, when U.S. troops declared Kiska Island secure, the Battle of the Aleutian Islands ended.

Following its defeat in the Aleutians, the Japanese navy reassigned some of its Pacific forces to defend Japan's northern flank against a possible American invasion from the Alaskan Peninsula. This decision removed a significant number of Japanese troops and resources that might otherwise have been committed to resisting U.S. forces in the South Pacific that were then island-hopping toward Japan. To fuel Japan's perception that it was threatened from the U.S. Northwest, American planes in the Aleutians conducted occasional bombing raids against Japan's Kuril Islands, which lie between Japan and Alaska. Two years after the Battle of the Aleutian Islands, Japan formally surrendered to the Allies on September 2, 1945, effectively ending World War II. [Source: Together we Served | December 2016 ++]

Battle of Wake Island ► Overview

The Attack of Pearl Harbor and the Battle of Wake Island were simultaneous and Wake Island finished on December 23, 1941. The surrender was of American troops to those of Japan. The battle was for a small island in Central Pacific with the Marines and civilians of the island defending against invaders from Japan. It was a site for a submarine and air base for the U.S. that was partially completed. Just a few hours before the Pearl Harbor attack on December 7, 1941 Japan hit the island with 36 bombers. A few days later, on December 11th a naval task force from Japan complete with destroyers and cruisers attempted an attack but was forced back by a strong defense on the coast from aircraft and guns.

Although at the time it sounded like the island would pull through, the Japanese kept the island under a near constant air attack and even U.S. relief failed to turn it aside. The Japanese came back 23 DEC with more force and power and within a mere five hours the island had to surrender. For the battle itself American casualties were 120 killed, 49 wounded, and 2 MIA. Japanese casualties were 820 killed and 333 wounded. U.S. Navy Commander Winfield Scott Cunningham was in charge of the forces and their eventual surrender. The result was 1,616 Americans being captured and in turn being evacuated then to Japan and even China. To learn what these POWs had to endure refer to the attachment to this Bulletin titled, "**WWII Wake Island Prisoners**".

The Japanese heavily fortified the island and attempted to hold it. However, American aircrafts repeatedly attacked it throughout the war creating major devastation. It was again surrendered on September 4, 1945 back to America. An interesting and sad historical note is that on October 5, 1943 when the Japanese saw imminent invasion an execution was ordered of 98 American civilians. They were taken to one side of the island and shot with machine guns. A prisoner escaped and returned to carve a memorial into a large rock '98 US PW 5-10-43,' and it can still be seen there today. This prisoner was caught and also executed shortly after. [Source: Frontiers of Freedom Newsletter | December 9, 2016 ++]

Military History Anniversaries ► 1 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 1 thru 15 JAN**". [Source: This Day in History <http://www.history.com/this-day-in-history> | December 2016 ++]

Medal of Honor Citations ► **Endl, Gerald L | WWII**



*The President of the United States in the name of The Congress
takes pleasure in presenting the
Medal of Honor posthumously
to*

Gerald L. ENDL

Rank and organization: Staff Sergeant, U S. Army, 32d Infantry Division

Place and date: Near Anamo, New Guinea, 11 July 1944

Entered service: Janesville, WI in April 1941

Born: Aug. 20, 1915 in Fort Atkinson, WI

Citation

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty near Anamo, New Guinea, on 11 July 1944. S/Sgt. Endl was at the head of the leading platoon of his company advancing along a jungle trail when enemy troops were encountered and a fire fight developed. The enemy attacked in force under heavy rifle, machinegun, and grenade fire. His platoon leader wounded, S/Sgt. Endl immediately assumed command and deployed his platoon on a firing line at the fork in the trail toward which the enemy attack was directed. The dense jungle terrain greatly restricted vision and movement, and he endeavored to penetrate down the trail toward an open clearing of Kunai grass. As he advanced, he detected the enemy, supported by at least 6 light and 2 heavy machineguns, attempting an enveloping movement around both flanks. His commanding officer sent a second platoon to move up on the left flank of the position, but the enemy closed in rapidly, placing our force in imminent danger of being isolated and annihilated. Twelve members of his platoon were wounded, 7 being cut off by the enemy. Realizing that if his platoon were forced farther back, these 7 men would be hopelessly trapped and at the mercy of a vicious enemy, he resolved to advance at all cost, knowing it meant almost certain death, in an effort to rescue his comrades. In the face of extremely heavy fire he went forward alone and for a period of approximately 10 minutes engaged the enemy in a heroic close-range fight, holding them off while his men crawled forward under cover to evacuate the wounded and to withdraw. Courageously refusing to abandon 4 more wounded men who were lying along the trail, 1 by 1 he brought them back to safety. As he was carrying the last man in his arms he was struck by a heavy burst of automatic fire and was killed. By his persistent and daring self-sacrifice and on behalf of his comrades, S/Sgt. Endl made possible the successful evacuation of all but 1 man, and enabled the 2 platoons to withdraw with their wounded and to reorganize with the rest of the company.



Endl was posthumously awarded the Medal of Honor on March 13, 1945. He is buried at Fort Atkinson's Saint Joseph Catholic Cemetery. Irwin's blog explains that this April, a new generation learned of Endl's sacrifice. The veterans museum in Madison, WI contains an exhibit that includes Endl's Medal of Honor. Endl's widow, Anna Marie, preserved many of her husband's photos and documents about his service and death. These papers are in the museum archives.

[Source: <http://www.history.army.mil/moh> | December 2016 ++]

* Health Care *



TRICARE Safety Tips ► Winter Preparations

For many, the winter season brings family, merriment and holiday parties. It's easy to forget that winter weather can be dangerous. Don't let the season's severe storms, light dustings of snow or cold temperatures catch you unprepared. Make sure you and your families know how to safeguard yourselves from dangerous winter weather.

- Snow, sleet and high winds can knock out heat, power and communication services to your home or office. Get prepared for weather-related emergencies, and follow these steps from the Centers for Disease Control & Prevention to prepare your home.
- Check your heating systems and have them professionally serviced.
- Inspect and clean fireplaces and chimneys.
- Have a safe alternate heating source and alternate fuels available.
- Install both carbon monoxide (CO) and smoke detectors. Check batteries regularly.
- Stock food that needs no cooking or refrigeration and water stored in clean containers.
- Ensure that your cell phone is fully charged.
- Keep an up-to-date emergency kit.

Don't forget that during the cold weather months our bodies need extra protection. It's best to layer light, warm clothing, gloves, scarves, hats and waterproof boots for wetter weather. Work slowly when doing outside chores, and take a friend and an emergency kit when participating in outdoor recreation. And, don't forget to drink water. Even though you may not feel as thirsty in the cold weather as you do in the summer months, staying hydrated is just as important.

During the holiday season, some spend a lot of time traveling, but many don't think to winterize their cars. Have your radiator serviced and check antifreeze levels. Check your tire tread, and if necessary, replace your tires with all-weather or snow tires. You should keep your gas tank full to avoid ice in the tank and fuel lines, and use a wintertime formula in your windshield washer. It is also smart to prepare a winter emergency kit for your car. Pack blankets, non-perishable foods, water and plastic bags for sanitation. You should also include booster cables, flares, a tire pump, flashlight, battery-powered radio, extra batteries and a first aid kit. If an accident does occur, with these essentials, you should have enough materials to keep you safe and warm until help arrives.

It is also important to check on family and neighbors who are at risk from cold weather hazards: young children, older adults, and the chronically ill. If you have pets, bring them inside. If you can't bring them inside, provide adequate, warm shelter and unfrozen water to drink. Winter storms and cold temperatures can be hazardous for all, but if you plan ahead, you can stay safe and healthy! Visit <https://www.ready.gov> for more tips, resources and winter safety ideas. [Source: <http://www.tricare.mil/WinterWeather2016> | December 15, 2016 ++]

TRICARE Speech Therapy Update 01 ▶ Learn To Speak More Clearly

Some children and adults have trouble saying certain sounds or words. Not only will speech and language disorders—such as articulation disorders, fluency disorders, voice disorders and language disorders—make it difficult to speak clearly, other conditions such as hearing impairments, cleft or lip palate, autism spectrum disorder or breathing and swallowing disorders could also affect one's speech. If your child has a lisp, stutters, speaks in a mumbling or nasally way, or if they have a hard time putting words together to express their thoughts successfully, they may benefit from speech therapy.

Participating in speech therapy is a great way to learn to speak more clearly. TRICARE covers speech therapy to treat speech, language and voice dysfunctions resulting from birth defects, disease, injury, hearing loss and pervasive developmental disorders. You'll need to have a referral or prescription to get speech therapy services. Contact your primary care manager if using TRICARE Prime or your family provider if using TRICARE Standard and Extra. Speech therapy services are separate from any other services your child may be getting through the Extended Care Health Option, Autism Care Demonstration or any other special program. It requires a separate referral and authorization. If you get speech therapy without a referral, you may pay more out-of-pocket.

TRICARE doesn't cover speech therapy services for disorders resulting from occupational or educational deficits, myofunctional or tongue thrust therapy, videofluoroscopy evaluation, maintenance therapy that doesn't require a skilled level after a therapy program has been designed or special education services from a public educational agency to beneficiaries age 3-21. To learn more about TRICARE's speech therapy benefit, visit the TRICARE website <http://www.tricare.mil/CoveredServices/IsItCovered/SpeechTherapy>. [Source: TRICRE Communications | December 30, 2016 ++]

Sleep Update 03 ▶ How to Get A Good Night's Sleep

Being older doesn't mean you have to be tired all the time. You can do many things to help you get a good night's sleep. Here are some ideas:

- **Follow a regular sleep schedule.** Go to sleep and get up at the same time each day, even on weekends or when you are traveling.
- **Avoid napping in the late afternoon or evening,** if you can. Naps may keep you awake at night.
- **Develop a bedtime routine.** Take time to relax before bedtime each night. Some people read a book, listen to soothing music, or soak in a warm bath.

- **Try not to watch television or use your computer, cell phone, or tablet in the bedroom.** The light from these devices may make it difficult for you to fall asleep. And alarming or unsettling shows or movies, like horror movies, may keep you awake.
- **Keep your bedroom at a comfortable temperature,** not too hot or too cold, and as quiet as possible.
- **Use low lighting in the evenings** and as you prepare for bed.
- **Exercise at regular times each day** but not within 3 hours of your bedtime.
- **Avoid eating large meals close to bedtime**—they can keep you awake.
- **Stay away from caffeine late in the day.** Caffeine (found in coffee, tea, soda, and chocolate) can keep you awake.
- **Remember—alcohol won't help you sleep.** Even small amounts make it harder to stay asleep.

For more on the subject refer to NIH's Age Page at https://www.nia.nih.gov/health/publication/good-nights-sleep?utm_source=201601226_sleep&utm_medium=email&utm_campaign=ealert. [Source: NIH Health and Aging | December 27, 2016 ++]

TRICARE ABA ► Providers Must be Certified by Jan. 1, 2017

TRICARE announced that the extension for Applied Behavior Analysis (ABA) providers to get necessary certifications is ending. Effective Jan. 1, 2017, claims submitted for services by providers who are not certified in Basic Life Support (BLS) or Behavior Technician Provides applied behavior analysis to beneficiaries with autism spectrum disorder (BT) will be denied. As part of TRICARE's ongoing commitment to patient safety, the Defense Health Agency requires providers who deliver ABA services under the TRICARE Autism Care Demonstration (ACD) be certified and have BLS certification before they see TRICARE patients. Although many providers have complied with these requirements, there are still others who have not.

Some ABA providers in the local area have been identified by the TRICARE network contractor as not having met their goal for BT certification, BLS certification or both, despite DHA's extra effort to provide them the opportunity and means to meet their certification obligations to patient safety. BT certification ensures these providers are consistently well-trained in ABA services. Basic Life Support training helps keep victims who experience life-threatening events alive until they can get medical care from ambulance personnel or at a hospital. The DHA is very concerned that continued and uninterrupted care be provided to children receiving ABA services to the degree that we extended these deadlines to allow more than ample time for providers to meet these basic standards. Providers who have chosen not to meet the requirements may no longer be able to provide therapy to TRICARE beneficiaries until they satisfy the minimum training and safety requirements. [Source: NAUS Weekly Update | December 23, 2016 ++]

TRICARE Select ► TRICARE Standard's Replacement in 1 Year

MOAA was successful in working with Congress to avoid the vast majority of TRICARE fee hikes for current beneficiaries. that means they/you dodged the bullet on proposals to:

- Impose an annual TRICARE For Life enrollment fee of up to 2 percent of retired pay;
- Raise annual fees by 50 to 100 percent for TRICARE Prime and TRICARE Standard over several years; and

- Double pharmacy copayments over the next 10 years.

In the end, the 144th Congress opted to (mostly) grandfather currently serving and retired military beneficiaries against these hikes. But while you can breathe a sigh of relief on that score, some lesser changes are coming over the next few years that will affect roughly 1.5 million retired military and survivor beneficiaries who get their health care under TRICARE Standard. Those changes include:

- As of Jan. 1, 2018, TRICARE Standard will be renamed **TRICARE Select**.
- Starting in 2018, you will need to go through a formal enrollment process (signing an enrollment form) to participate in TRICARE Select. Currently, you have to enroll to get care under TRICARE Prime, but your ID card is all you need under TRICARE Standard. That will change in fall 2017, when Standard users will get a notice about needing to enroll in TRICARE Select if they want coverage in 2018.
- A grace period was successfully lobbied for that first year of enrollment, recognizing there always will be people who don't get the word about big changes like this. During that first year, if you haven't enrolled and have to go to a doctor or hospital, you will be charged the out-of-network fee for that first incident of care but then must enroll in TRICARE Select to get further care.
- For 2018 and 2019, there won't be any enrollment fee for TRICARE Select.
- Beginning Jan. 1, 2020, there will be an annual TRICARE Select enrollment fee of \$150 (individual) or \$300 (family). Currently serving families, Chapter 61 (medical) retirees, and military survivors whose sponsors died on active duty will be exempt from paying the fee. For subsequent years after 2020, the enrollment fee will be increased by the same annual percentage as the annual retired pay COLA.
- At the same time the TRICARE Select enrollment fee is established in 2020, the annual catastrophic cap on out-of-pocket expenses for retired families will be raised to \$3,500 (versus the current \$3,000). In subsequent years, the cap will be increased by the same percentage as the annual retired-pay COLA. The cap will remain at \$1,000 a year for currently serving families.

Though many threats were avoided earlier this year that would have affected TRICARE beneficiaries, the aforementioned TRICARE Standard changes still represent administrative and fiscal changes for current users who have never been subjected to any enrollment requirements. MOAA has worked hard to protect retired Standard beneficiaries from inadvertent adverse experiences during the transition to the new enrollment system. They particularly were concerned about those who might have been threatened with loss of coverage simply because they didn't get the word about the new enrollment requirement — thus the first-year grace period. You can help pass the word on these changes. [Source: MOAA Leg Up | Dan Merry | December 16, 2016 ++]

Hospital Death Rates Update 02 ► 3 Times More Likely at Some

Where you live can determine whether you live or die after being treated at the nearest hospital. A new study of more than 22 million hospital admissions found that patients in hospitals ranked as low-performing based on medical outcomes were three times more likely to die — and 13 times more likely to experience complications — than patients in high-performing hospitals. The Boston Consulting Group (BCG) describes the study as “the most comprehensive analysis of health outcomes variation in the United States to date.” It was conducted by BCG and researchers from several academic and medical institutions. They analyzed 24 specific health outcomes, including illnesses like heart disease and diabetes, of hospital admissions across states where more than half of the U.S. population lives. The findings (<http://journals.plos.org/plosone/article/authors?id=10.1371/journal.pone.0166762>) were published this December in the journal PLOS ONE.

The study revealed large variations in hospital performance across different regions. These variations could not be fully explained by regional differences in patient demographics, health or health systems. For example, the study found:

- The probability of dying in the hospital after an acute event like a heart attack or stroke is more than twice as high at low-performing hospitals (defined as those in the bottom 10 percent) compared with high-performing hospitals (those in the top 10 percent).
- Patients are nearly 20 times more likely to experience an infection of the bloodstream related to a central venous catheter at low-performing hospitals compared with high-performing hospitals. A central venous catheter, also known as simply a “central line,” is a catheter inserted into a large vein, like those found in the neck or groin, for example.

Lead study author Dr. Barry Rosenberg, a partner in BCG’s health care practice, notes: “Americans do not fully appreciate the alarming extent of outcomes variation that exists among U.S. hospitals. If you call 911, do you want your loved one’s heart attack treated at a hospital with a 4 percent death rate or a 16 percent death rate? The closest hospital may not always be the best hospital.” The study does not identify specific hospitals as low- or high-performing. You can use the federal government’s recently developed Hospital Compare system to review ratings of your local hospitals. It is located at <https://www.medicare.gov/hospitalcompare/search.html>. [Source: MoneyTalksNews | Karla Bowsher | December 16, 2016 ++]

TRICARE Podcast 378 ► Binge Drinking| VLER HIE | Staying Fit

Holiday Binge Drinking -- Parties with family and friends are a common occurrence during the holidays. With open bars and large supplies of alcohol readily available, it can lead some to binge drink. Binge drinking often leads to severe intoxication. Alcohol abuse can lead to the development of chronic problems, both medical and social. Medical disorders related to excessive drinking include liver disease, pancreatitis, cardiovascular problems, as well as psychiatric disorders. December is impaired driver awareness month. Traffic accidents, drowning, and alcohol poisoning can also result from drinking too much. To help beneficiaries deal with alcohol abuse, TRICARE has an alcohol awareness program that aims to prevent alcohol misuse and/or abuse. TRICARE’s “That Guy” campaign is a multi-media initiative, created specifically for the military community. That Guy encourages young enlisted personnel not to binge drink, by highlighting what’s at stake when they do. You can also get resource and help for alcohol abuse at TRICARE’s Alcohol Awareness page at www.TRICARE.mil/alcoholawareness .

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VLER HIE -- When it comes to your health, information is important. Your doctors need information about your medical history for as long as you need care. The Military Health System is making it easier for you and your providers to get the information you need, and all from one resource. The Virtual Lifetime Electronic Record Health Information Exchange Initiative or VLER HIE for short, makes sharing your health information with you and your providers easier than ever before. The Military Health System uses a private and secure network to allow authorized healthcare professionals access to your health care information. The information exchanged is already part of your TRICARE benefit. If you’re active duty, your information is already shared through VLER HIE.

Non-active duty beneficiaries can choose whether they want to participate. If you don’t want your information accessed by your doctors in VLER HIE, you can opt out. However, once you opt out, the Military Health System won’t be able to share your information, even if you have an emergency. To opt out, you can go to www.TRICARE.mil/vler. There you will download and complete the VLER Opt-Out Letter template, then mail it to the address provided on the letter. If you choose to opt out now and change your mind later, you may use this letter template again to opt back in.

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Staying Fit During the Holidays -- The holidays sometimes seem like a long tempting food-fest designed to make you gain weight, but there are tricks to maintaining your weight over the holidays.

- First, weigh yourself in the morning one to two times a week during the holidays and try jumpstarting your metabolism by getting up 15-30 minutes earlier and exercising.
- Next, spend your calories wisely. Eat special holiday foods in moderation and skip junk food that you can eat any time of year. Make sure to eat throughout the day, instead of starving yourself during the day and binge eating at night. If you have trouble saying “no” to certain treats, then it’s ok to skip a party or two to help you build your resolve.
- You should also intensify your workouts. Time is scarce during the holidays, but if you bump up the intensity, then you can work out more intensely for shorter bursts. If you need more time for shopping, then find ways to be more active, such as by taking the stairs, parking further from the stores and walking faster.
- Finally, don’t keep leftover holiday food. If it’s not in your house, then it won’t tempt you and your family! Instead, keep healthy snacks like fresh fruit or nuts readily available so that you will reach for them first. Learn more about healthy living at www.TRICARE.mil/healthyliving .

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The above is from the TRICARE Beneficiary Bulletin, an update on the latest news to help you make the best use of your TRICARE benefit. [Source: <http://www.tricare.mil/podcast> | December 15, 2016 ++]

*** Finances ***



Disability Separation Pay Update 01 ► **HR.5015/S.2712 Benefits 14K Vets**

Thousands of combat-wounded veterans are in line for big payouts from the Defense Department after lawmakers passed a fix to severance package problems before leaving town at the end of the 114th Congress. **And many may not know they’re owed any money.** The Combat-Injured Veterans Tax Fairness Act of 2016, expected to be signed into law by the president in the coming days, mandates the department stop improperly taxing severance payouts for troops wounded in war zones, and requires Pentagon officials to identify any veterans whose benefits were improperly taxed. Under existing federal law, any service member who suffers a combat-related injury and is separated from the military is owed a one-time, lump-sum disability severance payment, based on their rank and years of service. That payout is supposed to be tax-free.

But officials from the National Veterans Legal Services Program, which has been fighting with bureaucrats for years on the issue, say the Pentagon routinely takes taxes out of the severance pay, despite warnings from groups like theirs. They estimate the new law will benefit almost 14,000 individuals. For some, it will mean a sudden windfall of tens of thousands of dollars they should have received years ago. “Our government wrongfully withheld \$78 million from thousands of disabled combat veterans over a period of several decades,” Tom Moore, an attorney at NVLSP, said in a statement. “Thousands of our nation’s disabled veterans are one step closer to receiving a

remedy to fix this egregious oversight.” NVLSP officials had considered a lawsuit to force repayment of the money, but because of the large total of funding involved opted for legislative action instead. The measure passed both the House and Senate without opposition.

Veterans who noticed the error had three-years to file amended tax returns to recover the money, advocates say, but many individuals who had their payouts illegally docked never even noticed the problem. The legislation effectively erases that window. Lawmakers behind the effort called it an obvious fix to an upsetting mistake. “The revelation that there are thousands of veterans who did not receive their full disability severance pay is unacceptable,” said Rep. David Rouzer (R-NC), the House sponsor of the measure. “This legislation is a common-sense solution to ensure that these veterans who had their severance payment wrongfully taxed will receive every penny that they are rightfully owed.”

Sen. Mark Warner (D-VA) called the problem “unbelievable” and said Congress should not have needed to step in to “recover the compensation (veterans) are owed for their courageous sacrifice.” Sen. John Boozman (R-AR) called the fix “righting a wrong for our veterans.” Still, the measure took nearly a year to wind through both chambers, only passing the Senate in the final minutes of the legislative session in DEC. Pentagon officials have a year to review all lump-sum disability severance payments in the last 25 years to identify anyone who is owed money. If eligible, veterans will have one year after notification of the mistake to apply to recover the funds. [Source: MilitaryTimes | Leo Shane | December 15, 2016++]

Credit Card Fraud 2016 ► What Crooks Buy With your Card

You spot on your credit card statement an unusual charge to a store you didn't patronize recently. This is clearly fraud, so you contact your issuer and have the charges reversed. Outside of the store name, all you see on your statement is the dollar amount charged. It may be for about \$220, the average ticket price of an attempted fraud transaction in 2016, according to payments firm ACI Worldwide. But what happened after the crook used your credit card number? That bad guy used your card to buy popular merchandise that he could then quickly turn around and sell on the black market at a discount, says Erika Dietrich, ACI's global director of payments management. "I think the products that they buy are really driven by what is going on in the marketplace," she says. Here are the 10 things crooks most frequently purchase with a stolen credit card, according to an ACI analysis.

1. **A more popular activity tracker** -- Retail price: \$149.88. The small FitBit Charge 2 is the fourth most popular item credit card thieves buy. The large version of the same activity tracker is the top item on the list.
2. **Smartphones and tablets** -- Retail price: From \$649 for the iPhone 7 and from \$399 for the iPad Air 2 on Apple.com. The brand name is key here. Thieves flock to purchase Apple iPhones and iPads.
3. **Makeup** -- Retail price: \$15 to \$60 on Sephora.com. Bad guys think they can sell makeup for cheap on the black market. Women's makeup samplers are prized items.
4. **Activity tracker** -- Retail price: \$149.88 on Amazon.com. The small FitBit Charge 2 is one of two activity trackers to make the list of products most purchased with a stolen credit card.
5. **Coffee maker** -- Retail price: \$71.40 on Amazon.com. For the coffee connoisseur, credit card thieves think you'll enjoy a Keurig K55 single serve coffee maker.
6. **Slippers** -- Retail price: \$66 to \$100 on Amazon.com. Again, not just any slipper will do. The hot item: the UGG classic slipper.
7. **Gym shoes** -- Retail price: \$224 to \$499 on Amazon.com. Fraudsters don't buy just any gym shoes, though. They want the Nike Men's Air Jordan Retro 3.

8. **Vacuum cleaners** -- Retail price: \$300 for the Dyson; \$100 to \$132 for the Shark on Amazon.com. It's a tie. The bad guys are equally enamored with the Dyson V6 Animal cordless vacuum and the Shark Navigator vacuum.

9. **Electric toothbrush** -- Retail price: \$88.10 on Amazon.com. The top pick? The Philips Sonicare 2 Series with dual handles.

10. **Drone** -- Retail price: \$42.99 to \$11,995 on Amazon.com. Crooks prefer drones equipped with video cameras.

[Source: Bankrate Newsletter | December 26, 2016 ++]

Fake Shopping App Scam ► How it Works

Shopping Via App? Watch Out for Fakes This Holiday season , scammers are fooling holiday shoppers with a new high tech con. Phony retail apps are popping up in Apple and Android's app stores and stealing shoppers' personal information.

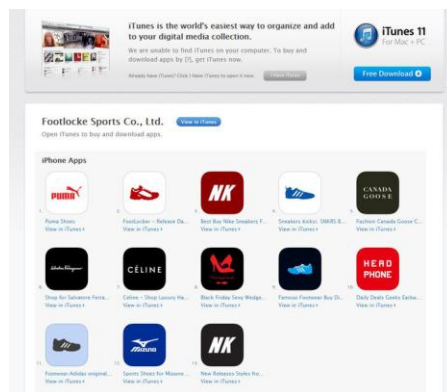
How the Scam Works:

- You search in your smartphone's app store for a favorite retailer. Many brands provide apps to make shopping at that store easy and more convenient. Several apps appear, and they all have similar names and brand logo.
- Be careful when downloading the new app. Most fake apps are fairly harmless, a way to deliver spammy advertising. But some apps require shoppers to enter credit card information or provide their Facebook password. Sharing this information can open users up to fraud.
- This con is notable because it affects so many brands, in both the Apple and Android app stores. Look out for fake apps posing as mall staples, such as Dillard's and Footlocker, online retailers such as Zappos and Overstock, and luxury sellers such as Jimmy Choo. Scammers have snuck these counterfeit apps past Apple's App Store review process, so be careful no matter what type of device you use.

Tips to Protect Yourself From an App Scam

Scammers love to impersonate popular apps. Here's how to spot a con:

1. Evaluate before downloading. In the app store, look for warning signs such as apps with no reviews and no history of previous versions.
2. Look out for poor grammar. Most fake apps are developed with little or no quality control. Look for poor grammar, typos, and strange sentences or phrases within the app title, description, or instructions.
3. Make sure the retailer has an app. Not all retailers have apps, which makes it easier for scammers to pass off fake ones. When in doubt, do a quick search online before downloading.



The shoe retailer Foot Locker Inc. has three iPhone apps. But that did not stop an entity calling itself Footlocke Sports Co., Ltd. from offering 16 shoe and clothing apps in the App Store.

For More Information read New York Times' coverage <http://www.nytimes.com/2016/11/07/technology/more-iphone-fake-retail-apps-before-holidays.html> on fake retail apps. To report issues with apps, go to Apple's App Store and Google Play sites:

- <https://support.apple.com/en-us/HT204084>
- <http://www.nytimes.com/2016/11/07/technology/more-iphone-fake-retail-apps-before-holidays.html>

To report a scam, go to BBB Scam Tracker <https://www.bbb.org/scamtracker/us>. [Source: BBB article December 18, 2016 ++]

Trump Tax Plan ► Dramatic Rule Changes for Individual Taxpayers

If President-elect Donald Trump's tax plan becomes law, the rules for individual taxpayers will change dramatically next year. Of course, the details could easily change, and it's an open question as to when any changes would take effect. But if they do, the effect will be dramatic. The biggest change with the Trump plan would be a reduction in the top tax bracket, from 39.6 percent to 33 percent — a 6.6-point cut. What the Trump plan might mean to you depends on your income and your tax-planning strategies. MoneyTalksNews asked Certified Public Accountants Michael Velazquez, a principal in the Glendale, California, accounting firm Sadd Velazquez Higashi Shammaa, and Gregg Wind, partner in the Los Angeles CPA firm KTL, to explain the possible changes and tell us what, if anything, taxpayers can do now to prepare.

What it means to you

Velazquez, in an email interview, said some taxpayers' situations will remain unchanged. "For instance, if you are already at the 33-percent bracket, barring any other changes to underlying factors in calculation (i.e. phase outs, deductions, credits, AMT, etc.) you will pay the same tax under Trump plan as you do now." Generally, the Trump plan would reduce taxes. If you are in the 35-percent bracket or a 39.6-percent bracket today, your taxes would drop under the Trump tax plan. But not everyone would pay less. A few in the middle-income range would pay a higher rate. According to the Tax Foundation, a right-leaning tax policy research organization:

- Despite increased taxes for some taxpayers, the Trump plan would reduce taxes, on average, leaving at least 0.8 percent more after-tax income in every taxpayer quintile.
- Higher-income taxpayers would benefit most: The Trump plan would raise incomes for the top 1 percent of taxpayers by 10.2 percent to 16.0 percent.
- In addition, Trump has proposed cutting the corporate tax rate, the capital gains tax and the rate on so-called "pass-through businesses."

He also wants to eliminate the estate tax. According to National Public Radio: Only the wealthiest taxpayers — less than 1 percent — now pay that tax. Ending it would lead to an even greater concentration of wealth in the U.S. Fewer tax brackets One of the biggest potential changes for taxpayers would be Trump's proposal to consolidate tax brackets. Instead of the current seven tax rates, there would be only three: 12 percent, 25 percent and 33 percent:

Income Tax Brackets Under the Trump Plan*			
Ordinary Rate	Capital Gains Rate	Single Filers	Married Joint Filers
12%	0%	\$0 to \$37,500	\$0 to \$75,000
25%	15%	\$37,500 to \$112,500	\$75,000 to \$225,000
33%	20%	\$112,500+	\$225,000+

If you are wondering how you'd be affected by the Trump tax plan, use this personal tax calculator from the Tax Foundation to find out: <http://taxfoundation.org/blog/how-would-trump-and-clinton-tax-plans-affect-your-taxes>

Bigger federal deficit

Paying for these tax reductions will be costly. Revenue available to operate federal programs would shrink by between \$4.4 trillion and \$5.9 trillion over 10 years, the Tax Foundation says. Trump has said he plans to cut spending by \$1.2 trillion in the next decade. But, as noted above, he plans to cut revenue by even more. If nothing else is done to address the shortfall, the national debt will grow by roughly \$5.3 trillion (105 percent) by 2026, according to an estimate by the nonpartisan Committee for a Responsible Federal Budget.

Rates would rise for some

For two groups of taxpayers, rates would rise:

- Those now in the upper half of the 28-percent bracket would be pushed into the 33-percent tax bracket.
- Those now at the very lowest end, in the 10-percent bracket, would face an increase, to 12 percent.

In a phone interview, Wind offered examples of how middle-income taxpayers might pay more:

- A single person now paying 28 percent tax on income up to \$190,000 would, under the Trump plan, pay 33 percent on earnings over \$112,500 — about \$3,500 more than today.
- Married couples now paying 28 percent on income between \$151,900 and \$231,450 would, under the Trump plan, pay 33 percent on about \$8,000 of that income — an extra \$400 out of pocket.

But Velazquez and Wind emphasize that it's all speculation at this point. "We don't know what the limitations, phase-outs, credits and back door taxes will accompany all of this until it actually passes law," Velazquez says. "Take-home pay should increase (from the economic stimulation of tax cuts) but also the federal deficit would grow, which will make a lot of people nervous."

Deductions

President-elect Trump proposes leaving itemized deductions in place but capping the deductions you can claim at \$100,000 for individuals and \$200,000 for married couples. He wants to raise the standard deduction to \$30,000, instead of the current \$12,600 for couples and allow \$15,000 for single payers. Trump also would let families, including stay-at-home parents, fully deduct the cost of child care for children under 13.

[Source: MoneyTalksNews | Marilyn Lewis | December 20, 2016 ++]

USFSPA & Divorce Update 27 ► Pending Supreme Court Case

The U.S. Supreme Court will consider a case next year that could change the amount disabled military retirees must pay a former spouse after a divorce. The case, *Howell v. Howell*, centers on an Arizona Air Force couple who divorced in 1991. At the time of the divorce, John Howell's upcoming pension was considered a "marital asset" under a federal law known as the Uniformed Services Former Spouses' Protection Act (USFSPA), and split 50-50 with his former spouse, Sandra. But when John received a 20 percent disability rating in 2005 from the Department of Veterans Affairs, he elected to waive a portion of his monthly retirement pay under pension offset rules, about \$250, in order to receive his full monthly VA award. The result, however, was that Sandra's portion of the pension went down by about \$125 a month.

Federal law bars those with a VA rating under 50 percent from receiving both a federal pension and disability pay, according to court documents. The result is that the pays must be "offset," with one reduced by the amount of the other. Many military retirees elect to receive their full disability pay instead of their full military pension because pensions are subject federal income tax, while disability pay is not. Sandra took John to family court, asking the state to order him to pay her the extra \$125 a month she lost when he chose to keep all of his disability pay. The

court ruled in her favor, saying John had "violated the decree by unilaterally decreasing the retirement pay in favor of disability," according to a brief filed with the U.S. Supreme Court. A series of Arizona courts also upheld the ruling upon appeal.

But the Arizona courts' decisions conflict with rulings made by courts in other states on similar cases. John's attorneys and those rulings contend that forcing military retirees to make up for spousal pay lost through a VA disability award violates a portion of the USFSPA law, which specifically blocks ex-spouses from collecting on disability payments. The question the U.S. Supreme Court will consider is whether that law "pre-empts a state court's order directing a veteran" to make up for the loss in retirement pay created by the offset, according to court documents. The high court's ruling could provide final guidance on how state courts should treat a reduction of pension payments as a result of VA disability pay after a divorce. If the court rules in Sandra's favor, for example, military retirees who elect after a divorce to receive full disability pay in lieu of their full pension could be forced to make up the difference to their former spouse out of pocket.

An unrelated law approved 8 DEC by the Senate as part of an annual defense bill impacts the amount of pension divided during divorces. Currently, USFSPA allows future pensions to be divided based on the service member's paygrade at retirement. The new law instead requires the split to base the future pension payment on the service member's paygrade at the time of divorce. The court is expected to hear the Howell case and make a ruling by late 2017. [Source: Military.com | Amy Bushatz | December 08, 2016 ++]



Tax Burden for Montana Retired Vets ► As of Dec 2016

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 **Montana**. Note - This state has a statutory provision for automatic adjustment of tax brackets, personal exemptions or standard deductions to the rate of inflation.

Sales Taxes

State Sales Tax: No general sales tax. A 3% tax on accommodations and campgrounds is added to the 4% tax on rental vehicles.

Gasoline Tax: 46.12 cents/gallon (Includes all taxes)

Diesel Fuel Tax: 53.9 cents/gallon (Includes all taxes)

Cigarette Tax: \$1.70 cents/pack of 20

Personal Income Taxes

Tax Rate Range: Low - 1%; High - 6.9%

Income Brackets: Seven. Lowest - \$2,900; Highest - \$17,400

Personal Exemptions: Single – \$2,330; Married – \$4,660; Dependents – \$2,330

Additional Exemptions: None

Standard Deduction: Single – \$4,370, Married filing jointly – \$8,740. Montana filers' standard deduction is 20% of AGI. For single taxpayers, the deduction must be between \$1,940 and \$4,370. For married taxpayers, the deduction must be between \$3,880 and \$8,740.

Medical/Dental Deduction: Federal amount

Federal Income Tax Deduction: Full

Retirement Income Taxes: Montana taxes all pension and retirement income received while residing in Montana to the extent it is taxable on the federal return. Tier I and Tier II Railroad Retirement benefits are 100% exempt from Montana income tax. The state allows a pension and annuity income exemption of up to \$3,600 per individual, if certain income limitations are met. Early distributions from an IRA do not qualify for this exemption. Social Security benefits taxable in Montana may be different from what is taxable federally. You will need to complete Worksheet VIII – Taxable Social Security Benefits to determine your Montana taxable social security.

Regarding interest income earned, there is a partial interest exemption for taxpayers age 65 or older. If you are single and age 65 or older at the end of the calendar year, you can exempt up to \$1,600 of the interest income that you reported in your federal adjusted gross income. If you are married and filing a joint return with your spouse and at least one of you is age 65 or older at the end of the calendar year, you can exempt up to \$1,600 of the interest income that you reported in your federal adjusted gross income. If you are married and filing your return separately and are age 65 or older at the end of the calendar year, you can exempt up to \$800 of the interest income that you reported in your federal adjusted gross income. Please note, however, that you are not allowed to exclude interest income earned by and reported by your spouse. For the purpose of this exclusion, when you determine the amount of your interest income, you should consider distributions commonly called dividends on deposits or share accounts as interest. Under no circumstances can you exclude more interest income than what you have reported in your federal adjusted gross income.

Montana taxes some retirement benefits. If you have reported taxable retirement income on the federal income tax return, you may be entitled to a partial exemption of this income. Tier I and Tier II Railroad Retirement benefits are 100% exempt from Montana taxation. Also, if you have received a disability pension, which is identified as a distribution code 3 on your 1099R, you should use the state's disability pension worksheet to determine your deduction instead of the retirement income exclusion.

If you have received retirement income other than Tier II Railroad benefits, you should complete state form W, Worksheet IV in order to determine the amount of your exclusion. Your retirement exclusion is limited to the lesser of your taxable retirement income that you received or \$3,600, as long as your federal adjusted gross income is \$30,000 or less and you are filing a single return, filing jointly with your spouse and only one of you have taxable retirement income, or you are filing as head of household. If both you and your spouse have received retirement income and you are filing jointly with your spouse, and your federal adjusted gross income is \$30,000 or less, you both can exclude the lesser of your taxable retirement income that you receive personally or \$3,600 each for a maximum of \$7,200. If you are filing your income tax return separately on the same form, or on separate forms, the lesser of your retirement income or \$3,600 applies separately to both spouses as long as your separately state federal adjusted gross income is \$30,000 or less.

Retired Military Pay: See above. Survivor benefits are taxed following federal tax rules.

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

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

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

Property Taxes

All property (real or personal) is subject to state and local taxes. The assessed valuation of real property is based on 100% of its fair market value, then reduced by a phase-in factor and taxed as a percentage thereof. The state established the tax rate to determine the assessed valuation while local taxing units establish the mill levies to determine the property tax. Personal property is also taxed, the most common being motor vehicles. All residential properties receive a 34% exemption but residents must file for the exemption. Residential property of certain disabled veterans, and the spouses of deceased veterans, is exempt from property taxation. Montana property owners can have their property taxes reduced if they meet certain qualifications. Any homeowner or renter age 62 or over can apply for a credit if they have lived in Montana for 9 months, occupied a residence for 6 months, and had a gross household income of less than \$45,000. For a better understanding of property taxes, refer to <http://ravalli.us/196/Property-Tax>. For more information on property tax relief programs refer to <http://revenue.mt.gov/property-assessment>.

Inheritance and Estate Taxes

There is no inheritance tax and no estate tax. For more information on inheritance and estate taxes refer to http://revenue.mt.gov/home/individuals/estateinheritance_taxes. For further information, visit the [Montana Department of Revenue](http://revenue.mt.gov) site. If you are thinking of moving to Montana, refer to <http://mt.gov>

[Source: <http://www.retirementliving.com/taxes-kansas-new-mexico#MONTANA> DEC 2016 ++]

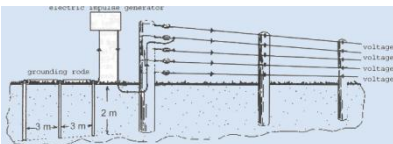
*** General Interest ***



Notes of Interest ► 16 thru 31 DEC 2016

- **Marijuana.** In 1911. The New England Watch and Ward Society (née the New England Society for the Suppression of Vice) was battling against drugs and other “special evils.” In April of that year, the group’s leaders successfully petitioned the Massachusetts Legislature to outlaw possession of several “hypnotic drugs,” including cannabis. On 15 DEC 2016 marijuana became legal again in Massachusetts.
- **COLA.** The November CPI was 235.215, and .1 percent above the FY 2016 COLA baseline. The CPI for December 2016 is scheduled to be released on January 18, 2016.
- **Islamic State fighters.** UK officials have a different tally than US officials when it comes to how many Islamic State fighters have been killed since the international coalition started fighting the militant group in 2014. UK officials say more than 25,000 Islamic State fighters have been killed -- about half the number the US has reported.
- **NDAA.** A provision of the annual defense bill, set to become law soon, requires the secretary of defense and the IRS to post war costs online so taxpayers can see what they have spent on various conflicts over the past 15 years.

- **Military Bands.** Go to <https://www.youtube.com/watch?v=8q3Lck1dneA> to listen to some enjoyable music provided by our United States Air Force/Army/Navy bands.
- **Vet Jobs.** The unemployment rate for the latest generation of veterans jumped to 6.5 percent in November, a notable increase that brings the rate to its highest level of 2016, government data show.
- **Seabees.** The top enlisted sailor at the California-based 30th Naval Construction Regiment has been relieved of command because of professional misconduct, Navy officials said. Command Master Chief Frank Palmer was removed from his post on 19 DEC due to on-the-job administrative issues only two months after he first reported to the command in Port Hueneme, California.
- **USAF Manning.** The Air Force's top officer said the service is critically short of personnel and needs to expand by more than 30,000 active-duty service members to meet its security obligations, including an air war against Islamic State militants. "We just got too small too fast and we've got to grow," Gen. David Goldfein, the Air Force chief of staff said. "We're at a risk level I'm not comfortable with."
- **NAUS.** The National Association for Uniformed Services ceased operations as of December 31, 2016. their efforts and members will be integrated with the Military Officers Association of America (MOAA) and The Enlisted Association (TREA). The Society of Military widows (SMW) will continue to operate as an independent organization to offer support to widows and work to improve the benefits they have earned for military widows and active duty service members over the years.
- **Rial.** Iran's rial hit a record low against the U.S. dollar on 26 DEC in a sign of concern about the country's ability to attract foreign money after U.S. president-elect Donald Trump takes office.
- **Okinawa.** Amid rising tensions over the American military presence on Okinawa, the United States officially returned nearly 10,000 acres of land on the northern part of the island to Japan on 22 DEC. It was the largest transfer of land since the United States returned Okinawa to Japan in 1972, at the end of postwar occupation.
- **Utah Vet Cemetery.** Utah is one of the few states without a federally-run veterans cemetery, but the National Cemetery Administration has been looking to remedy that since 2014. Cemetery Administration Chief of Cemetery Development and Improvement Glenn Madderom says the agency has found two sites that fit its needs of being 5 or 6 acres with easy access to Interstate 15. Madderom says the agency is comparing the two sites, and he expects one should be purchased in eight to 12 months. The only veterans cemetery in Utah is operated by the state and is located in Bluffdale. About 450 veterans are buried there every year.
- **State Gas Tax.** On 1 JAN the gas tax will rise in the following states: **Pennsylvania:** increasing 7.9 cents per gallon; **Michigan:** 7.3 cents; **Nebraska:** 1.5 cents; **Georgia:** less than a penny; **North Carolina:** less than a penny; **Indiana:** less than a penny; and **Florida:** less than a penny. Congress hasn't raised the federal gas tax of 18.4 cents per gallon since 1993.
- **Food Stamps.** The number of food stamp recipients went up by 10.7 million people, a 32 percent jump, over the last 8 years, according to [data](#) released by the Department of Agriculture (USDA). In 2009, 33,490,000 people received food stamp benefits. As of October 2016, the last month reported for FY 2016, 44,219,123 people received them, an increase of about 10,729,000 or 13.6 percent of the current population of 324,607,826 according to U.S. Census Bureau estimate.
- **Organ Transplants.** Self driving cars should reduce traffic deaths. Is that a good thing? We will lose a valuable source of organ donors. Housewives texting and driving will not be harvested for eyeballs, kidneys and livers. Currently, 1 in 5 organ donations comes from the victim of a vehicular accident. That's why departments of motor vehicles ask drivers whether they want to be donors.
- **Today's safety lesson.** N-E-V-E-R, **E-V-E-R**, urinate on a 220 watt 3 phase electric fence! Life is tough. It's even tougher if you're stupid!



Crispy little critter, huh?!

U.S. Philippine Bases Update 15 ► "Bye-bye America." Taunt

The United States 18 DEC said it will work with the Philippine president to address any concerns after he threatened to terminate a pact that allows U.S. troops to visit the Philippines. President Rodrigo Duterte was enraged after a U.S. government aid agency deferred a vote on a renewal of a major development assistance package for the Philippines over concerns about extrajudicial killings in Duterte's war on illegal drugs, which has left thousands dead. Although no decision on the aid package has been taken, Duterte on 17 DEC launched an expletives-laden tirade, telling the U.S. to "prepare to leave the Philippines, prepare for the eventual repeal or the abrogation of the Visiting Forces Agreement."

He was referring to a 1998 accord that governs American forces visiting the Philippines for joint combat exercises. The pact has helped the Philippines contain a violent Muslim insurgency in the south and train and equip Filipino forces facing an assertive China in disputed South China Sea waters. "You know, tit for tat ... if you can do this, so (can) we. It ain't a one-way traffic," Duterte said, adding tauntingly, "Bye-bye America." The U.S. Embassy in Manila said in a statement overnight that Washington will work closely with the Duterte administration to address any concerns it may have. It did not elaborate. The White House didn't immediately respond to a request for comment, but spokesman Josh Earnest has said previously that the White House would not react publicly each time Duterte made an offhand remark.

The 71-year-old Duterte, who describes himself as a left-wing politician, has made similar threats before and after taking office in June, but he and his officials have walked back on many of his public statements, causing confusion. While calling Americans "sons of bitches" and "hypocrites," Duterte on Saturday praised China as having "the kindest soul of all" for offering what he said was significant financial assistance. "So, what do I need America for?" he asked. He also said Russia can be a very important ally. "They do not insult people, they do not interfere," he said. The Philippines had been slated for another aid package after its previous five-year \$434 million poverty reduction program was successfully completed in May under Duterte's predecessor, Benigno Aquino III [Source: Associated Press | Jim Gomez | December 17, 2016 ++]

Military Community Scholarships ► New Search Tool

'Tis the season for seeking out scholarships, and the Fisher House Foundation has launched a free search tool at <http://www.militaryscholar.org> to help troops, veterans and families get their share of these education-budget boosters. The Scholarships for Service tool (<http://search.militaryscholar.org>) can help those with any affiliation – active- or reserve-component members, veterans, retired military personnel and military family members. There are

more than 3,000 scholarships available to those with various affiliations in the military community, offered from organizations ranging from the military relief societies to associations for Seabees and 82nd Airborne Division troops, to name just a few.

The Fisher House Foundation has helped provide scholarships to military children and spouses for 17 years, and recognized through that work the need to help families search further, according to the group's CEO, Ken Fisher, in a statement announcing the new tool. Because of this involvement, he said, "we routinely received calls asking if we knew of any other financial resources available to help service members, veterans, and their families with college funding. We did the best we could to pass on information about other scholarship programs, but we came to recognize that we were only scratching the surface and needed to do more."

Unlike other scholarship search tools, Scholarships for Service is tailored specifically to search for scholarships that are available to those in the military community. "We get questions about scholarships all the time," said Brian Gawne, a retired Navy captain who is vice president of community relations for Fisher House Foundation. Fisher House Foundation developed Scholarships for Service search tool with AdmitHub, which specializes in college application support, scholarship search assistance, and enrollment advising. Plans call for refining the tool as more users try it out, Gawne said; programmers already have added additional organizations, offering newer scholarships, to the database.

Students or students-to-be enter brief background information and education goals, and the tool will quickly identify potential military-affiliated scholarships. With each offering comes a summary of eligibility requirements, points of contact and links to the scholarship provider's website. Students can have a PDF file of the results emailed to them. Neither Fisher House Foundation nor AdmitHub collects any data from the site, Gawne said. "You don't have to register, we don't collect information. We just wanted a pure service," he said. "There won't be any emails afterwards, because we don't sell anything to marketing agencies. ... If nothing else, it gives a sense of how many scholarships there are out there." [Source: MilitaryTimes | Karen Jowers | December 21, 2016++]

Philippines War on Drugs Update 01 ► Comic Books Latest Weapon

It is Friday in a call center in the Philippines and two workers — we will call them Rick and Mark — discuss going out for a drink. Rick is hesitant, but Mark insists by saying that Mona, another colleague, will also come. Once at the party, Rick feels insecure about talking to Mona and Mark offers him some drugs to "boost his confidence." They both use them. From there, Mona is raped and killed by the two friends. When police surround them days later, Rick surrenders peacefully while Mark, armed with a gun, tries to resist. Five bullets pierce his skull and body. This is one of the stories portrayed in the comic "Ayun Kay Digong" ("According to Digong"), a reference to the nickname of the president of the Philippines, Rodrigo Duterte. At the end of the story, Duterte looks at the readers with a stern face and declares, "Drugs are really a plague on society." "The campaign against drugs is the fight of every Filipino," he adds. "Let's help each other to end this problem."

Inside the comic's 16 pages are three stories showing the dangers of drug use. Two of them end with the fatal shooting of the drug peddlers or users (who are armed), and one ends with the rehabilitation of the addict. Duterte's war on drugs has caused 6,199 deaths since he first took office on 30 JUN, according to the latest count by the Philippines National Police on 25 DEC. Of those deaths, 4,049 were extrajudicial killings. Hundreds of thousands surrendered and dozens of thousands were arrested, packing the already overpopulated Filipino prisons. Duterte's extreme stance against drugs, the flagship of his mandate, and against crimes and corruption resulted in Time magazine comparing him with Marvel's vigilante character "The Punisher" in 2002. Back then he was mayor of the southern city of Davao. In Davao, his iron fist and earthy style granted him undisputed popularity through 22 years in office. However, his links to the death squads of Davao, which reports claim have killed more than 1,400 suspected criminals since the late 1990s, prompted the first accusations of human rights violations. He has both

denied and admitted to having links to death squads, and to killing criminals personally. Duterte has repeatedly urged people to take matters into their own hands and kill drug users and pushers, while at the same time condemning extrajudicial killings.

Although widely criticized by the UN, the United States, the European Union, and international human rights organizations, Duterte's stance against corruption and drugs enjoys strong support at home. The comic is one of the products of this popularity. Margot Delos Santos, program director at the company behind it, Strawberry Field Productions, says creating the comics was their initiative. "It was a sample that we made and then we sent it to them [Duterte's office], and they liked the idea. We like to support the advocacy of our president; drugs are something that will destroy our nation," says Delos Santos. According to the secretary of the Presidential Communications Office, Martin Andanar, the comic "didn't cost the Government a single centavo."

The comic has been distributed since October in the Philippines and in some Filipino communities abroad, particularly in countries Duterte has visited. The first time was in Brunei in mid-October, then China, and the most recent was Cambodia, where Andanar says "they ran out of comics." The sample edition, with the subtitle "Eradicate: Dangerous Drugs," is intended to be the first in a series about drug abuse in the Philippines. It is labelled an "infocomic" because its contents are inspired by real events. "It is about real life situations, so it is really easy to come up with a scenario, because this is what you see in the news. If you are in the Philippines you will see a lot of these things happening," explains Delos Santos.

- Duterte claims that there are 3 or 4 million drug addicts in the Philippines, but the Dangerous Drugs Board estimated in a survey published in October that there are 1.8 million users in a population of 100 million. Shabu (methamphetamine) is the most used drug, with 4 out of 5 drug users who seek treatment taking it, according to 2014 data from the Drug Abuse Information Network for Asia and the Pacific.
- Criminality has been a major national concern for Filipinos throughout 2015 and 2016, according to Pulse Asia surveys, but not the first one. From July to November, data from the Philippine National Police show that the overall crime rate (murder, homicide, physical injury and rape, and crimes against property) has declined from 81,064 cases to 55,391. On the other hand, murder has increased from 3,950 to 5,970 in the same period.
- In a recent survey of Social Weather Stations last week, 78 percent of the Filipinos interviewed were worried about becoming victims of extrajudicial killings and 94 percent considered it important to capture drug suspects alive. The same poll, however, showed that 85 percent of respondents were satisfied with the administration's campaign against drugs.

In Cambodia, the last place where the comic was distributed, it is hard to find a Filipino who doesn't support Duterte. On the eve of his visit, six Filipinos re-enacted the killing of a drug dealer in front of Phnom Penh's Royal Palace in a protest that lasted a few minutes. That same day, the president met with more than a thousand compatriots that received him like a rock star. At a restaurant in the capital, some Filipinos comment on Duterte's mandate so far, which they think is unfairly represented in the international media. "He is the only president who has been in the position, who responded on time, who was able to really put into action what he has promised before the elections so, in that perspective, he is respected," says English teacher Cai Delos Santos. "For Duterte, when he says stop you should stop, or otherwise he will do something that will make you stop," adds Delos Santos, who attended the gathering with the president during his visit to Cambodia. "Mostly the crimes are because of the drugs so this one [the comic] is just informing people that if we use the drugs we can commit a lot of crimes," says her friend Hanna Mendoza, who is also an English teacher.

Last week, the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein asked the Filipino authorities to investigate Duterte after he publicly admitted to killing three suspected criminals when he was mayor of Davao. Al Hussein said in a statement that Duterte's "repeated calls for the police, military and the general public to engage in a 'war on drugs', bringing people in 'dead or alive', has fostered an environment of alarming impunity and

violence.” The president responded by calling Al Hussein an idiot and a son of a bitch, enlarging the list of international personalities he has insulted, which already includes Barack Obama and Pope Francis.

Andanar thinks that the policies of Duterte need further explanation abroad. “The local people, the domestic market understands the war on drugs, but unfortunately the international community, the international media, needs more education when it comes to the war against illegal drugs. They need more explanation,” says the secretary of the Presidential Communications Office. In any case, the comic books are just the beginning. There will be new communication tools for the domestic public that will complement the national media, which is also undergoing some changes. The Government website is experiencing “a major face lift,” says Andanar. The office already has a hotline and a tabloid on its fourth edition called “Mula sa Masa, Para sa Masa: Masa Kasangga sa Pagbabago” (From the People to the People: People Partner for Change). In January, they will launch a Duterte app and the president has announced plans to host a television and a radio program, following a format he already used as mayor of the city in Davao. [Source: The Diplomat | Eduard Merigo | December 28, 2016 ++]

Have You Heard? ► A Touching Christmas Story | One Liners

There was a man who worked for the Post Office whose job was to process all the mail that had illegible addresses.

One day, a letter came addressed in a shaky handwriting to God with no actual address. He thought he should open it to see what it was about.

The letter read:

Dear God, I am an 83 year old widow, living on a very small pension. Yesterday someone stole my purse. It had \$100 in it, which was all the money I had until my next pension payment. Next Sunday is Christmas, and I had invited two of my friends over for dinner. Without that money, I have nothing to buy food with, have no family to turn to, and you are my only hope... Can you please help me?

Sincerely, Edna

The postal worker was touched. He showed the letter to all the other workers. Each one dug into his or her wallet and came up with a few dollars. By the time he made the rounds, he had collected \$96, which they put into an envelope and sent to the woman.

The rest of the day, all the workers felt a warm glow thinking of Edna and the dinner she would be able to share with her friends.

Christmas came and went. A few days later, another letter came from the same old lady to God. All the workers gathered around while the letter was opened.

It read:

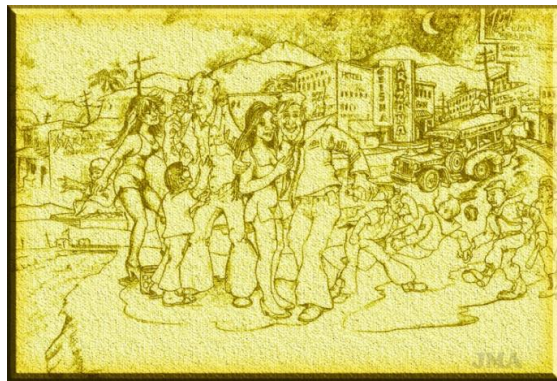
Dear God, How can I ever thank You enough for what you did for me? Because of Your gift of love, I was able to fix a glorious dinner for my friends. We had a very nice day and I told my friends of Your wonderful gift. By the way, there was \$4 missing.

I think it might have been those bastards at the post office.

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1. A thief broke into my house last night ... he started searching for money, so I woke up and helped him search.
2. I changed my car horn to gunshot sounds. People move out of the way much faster now.
3. You can tell a lot about a woman's mood just by her hands. If they are holding a gun, she's probably very unhappy.

4. You know that tingly little feeling you get when you really like someone you've just met? That's common sense leaving your body.
5. I don't like making plans for the day. Because then the word "premeditated" gets thrown around in the courtroom.
6. I didn't make it to the gym today. That makes 1,500 days in a row.
7. I decided to change calling the bathroom the John and renamed it the Jim. I feel so much better saying I went to the Jim this morning.
8. Dear paranoid people who check behind shower curtains for murderers: If you find one, what's your plan?
9. Everyone has a right to be stupid. Politicians just abuse the privilege.



"O" Town Drawing



If you have wondered why Putin envies Trump - here's the answer!

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