

# RAO

# BULLETIN

## 1 November 2017

### PDF Edition



**THIS RETIREE ACTIVITIES OFFICE BULLETIN CONTAINS THE  
FOLLOWING ARTICLES**

<b>Pg</b>	<b>Article</b>	<b>Subject</b>
<b>* DOD *</b>		
05	Nuclear Weapons [02]	---- (No Current Plans To Increase Arsenal)
06	Arlington National Cemetery [71]	---- (USMC Memorial Encroachment)
07	MAVNI Program [02]	---- (Pentagon Taking Steps To Save Its Program)
07	MAVNI Program [03]	---- (Judge Issues Preliminary Injunction)
09	Transgender Lawsuits [03]	---- (Federal Court Rules Against Trump)
10	Military Accidents	---- (Numbers Down   Mishaps Not Related to Budget)
11	Navy Fleet Size [07]	---- (Little Progress on 355-Ship Navy Goal)
13	DoD Fraud, Waste, & Abuse	---- (Reported 16 thru 31 OCT 2017)
14	POW/MIA Recoveries	---- (Reported 16 thru 31 OCT 2017   Sixteen)
<b>* VA *</b>		
16	VA Secretary [61]	---- (Shulken Not A contender for HHS Position)
17	VA Opioid Therapy [08]	---- (Coatesville VAMC Roundtable Discussion)

- 18 == Emergency Medical Bill Claims ---- (Court Rules VA Policy Violated Law)
- 19 == VA Mammograms ---- (Guidelines | When, Where, & What They Mean)
- 20 == VA Vet Choice [62] ---- (CARE Act Could Jeopardize Veterans Services)
- 21 == VA CARE Program [01] ---- (Lawmakers Unveil Planned VA Health Reforms)
- 22 == VA ID Card [11] ---- (Must Obtain New Photo Cards Online)
- 23 == VA ID Card [12] ---- (Why Not Include Non-Honorable Discharge Recipients)
- 24 == Western Reserve National Cemetery ---- (Battlefield Cross Controversy)
- 25 == VA Fraud, Waste & Abuse ---- (Reported 16 thru 31 OCT 2017)
- 26 == VA Mustard Gas Claims [02] ---- (WWII Vet Wins Appeal After 16 Years)
- 28 == VA Disability Rating Criteria [01] ---- (New Precedent Allows Upgrading)
- 28 == VA Medical Marijuana [35] ---- (Dems Press for In-Depth Medical Research)
- 30 == VA Hospitals [12] ---- (New Rankings | The Worst Still the Worst)
- 30 == Minnesota Veterans Homes [04] ---- (First Fixed Dental Clinic to be Built)
- 31 == GI Bill [243] ---- (26 Things the Forever G.I. Bill Will Do)
- 33 == VA Compensation & Benefits ---- (Problem Solving Program Q&A -- 17 thru 20)
- 35 == VAMC Bedford NH ---- (Vet Dies When Aide Failed to Check on Him)
- 35 == VAMC Sheridan WY ---- (Offering Battlefield Acupuncture Treatments)
- 37 == VAMC Tomah WI [19] ---- (\$3.3M Settlement for Overdosed Marine)
- 37 == VAMC Omaha NE [03] ---- (Secret Psychotherapy Waiting List)
- 38 == VAMC Memphis TN [05] ---- (Two Top Doctors Fired)

### \* VETS \*

- 39 == Vet Service Dogs [22] ---- (Fake Dog Laws)
- 40 == Anthem Kneeling ---- (Former Player/Vet Speaks Out)
- 41 == Congressional Gold Medal [09] ---- (Filipino Vet Celestino Almeda)
- 42 == NNAV Memorial ---- (Smithsonian Accepting Design Submissions)
- 42 == Bladensburg WWI Vet Memorial [03] ---- (Ruled Unconstitutional)
- 43 == Facebook [01] ---- (Imposter Vet Organization Disinformation | VVA)
- 44 == Florida Vet Cemetery [13] ---- (Tallahassee National Cemetery Opens)
- 44 == RSO Roster OCT 2017 ---- (Contact Info)
- 45 == Vet Toxic Exposure | Alpena CRTC ---- (Contaminated Groundwater)
- 45 == Arizona Vet Home [02] ---- (3 Proposed Homes Lack Funding)
- 46 == Marine Corps War Memorial [04] ---- (Massachusetts Replica Vandalized)
- 46 == Student Loan Forgiven Debt Tax [01] ---- (Definition Of Insanity)
- 47 == Obit: Hunter~Thomas Edgar Hunter ---- (17 SEP 2017)
- 48 == Obit: David E. Patterson ---- (9 OCT 2017)
- 49 == WWII VETS [146] ---- (Sydney L. Cole | 103 Years Old)
- 50 == AFL Q&A 08 ---- (AO Related Birth Defect VA Compensation)
- 50 == Retiree Appreciation Days ---- (Scheduled As of 31 OCT 2017)
- 51 == Vet Hiring Fairs ---- (Scheduled As of 31 OCT 2017)
- 52 == Vet State Benefits & Discounts ---- (Maryland 2017)

### \* VET LEGISLATION\*

- 52 == VA Vet Choice [61] ---- (CARE Act | Eliminate 30-day/40-mile Rule)
- 53 == Vet Urgent Care ---- (S.1261 | Vet Emergency Room Relief Act of 2017)
- 54 == WV State Income Tax ---- (Military Retiree Pay Exempted)
- 55 == Military Sexual Trauma [05] ---- (S.833 | Proving Service Connection)

- 55 == VA S-DVI ---- (Bill Introduced to Raise Cap From \$10,000 to \$95,000)
- 56 == VA VR&E Program [01] ---- (H.R.3562 | Disabled Housing Cap)
- 56 == VA Aid & Attendance [19] ---- (H.R.3122 | Vet Scammer Protection)

**\* MILITARY\***

- 57 == Military Preparedness ---- (No Imminent Plans to Put B-52s on 24-Hour Alert)
- 58 == Underground/Urban Warfare ---- (Army Preps on Korean Peninsula)
- 60 == SMET Hunter Wolf ---- (Soldier's New Remote-Controlled Vehicle)
- 61 == USS Fitzgerald (DDG-62) [06] ---- (ACS Will Not Be Upgraded)
- 62 == USS Fitzgerald (DDG-62) [07] ---- (Command Climate Surveys)
- 63 == B-21 Stealth Bomber [01] ---- (Cost Info to Stay Secret)
- 64 == Military Recruiting [08] ---- (Threatened by Childhood Obesity)
- 65 == Army Recruiting [02] ---- (Pot Waivers Up, Testing Standards Down)
- 66 == Air Force Recruiting ---- (2017 Goal Met)
- 66 == Air Force Readiness [04] ---- (Indefinite Enlistments Under Consideration)
- 67 == USS Cole Attack [02] ---- (Supreme Court Won't Hear Pretrial Challenge)
- 68 == UGV's ---- (America's More Modest/ Less Lethal than Other Countries)
- 70 == Presidential Condolences ---- (Military Death Response Protoco)
- 70 == Presidential Condolences [01] ---- (Leave Gold Star Families Out of Politics)
- 72 == Presidential Condolences [02] ---- (Kelly on Controversy)
- 73 == Army Bonuses [01] ---- (Emphasis on Reenlistments vice Extensions)
- 73 == USS John S. McCain (DDG-56) [04] ---- (New Structural Issues)
- 74 == USS Lake Champlain (CG-57) ---- (Navy Mum On Cause Of Ship Crash)
- 76 == Bergdahl Plea Hearing Testimony ---- (Search Endangerment to Others)
- 76 == Bergdahl Plea Hearing Testimony [01] ---- (Former Navy SEAL James Hatch)
- 77 == Abrams M1A1 Tank ----(Upgrades | Turret & Thermal Sights)
- 78 == Abrams M1A1 Tank [ 01] ---- (Upgrades | Armor/Programmable Ammo)
- 79 == Overseas Troops ---- (Sgt. Seth Mullins)

**\* MILITARY HISTORY\***

- 79 == Battle of Gettysburg ---- (The Civil War's Bloodiest Battle)
- 80 == Women in Military Service Memorial [04] ---- (20th Anniversary)
- 81 == WWI Memorial [10] ---- (100 Cities/100 Memorials Refurbishment Program)
- 82 == American Revolution Quiz 2 ---- (Questions)
- 83 == WWII Raid On Cabanatuan ---- (Most Successful Rescue Mission In U.S. Mil Hist )
- 85 == GWOT Memorial [03] ---- (Dedicated 16 OCT 2017)
- 86 == Soviet 1972 ASW Capabilities ---- (Recently Declassified CIA Report)
- 88 == Abandoned Military Bases [10] ---- (Nekoma South Dakota)
- 88 == American Revolution Quiz 2 ---- (Answers)
- 89 == Insanely Daring Air Raids ---- (No. 9 | Operation Chastise)
- 90 == USS Constitution [02] ---- (First Spin In Three Years)
- 90 == Military History Anniversaries ---- (01 thru 15 NOV)
- 91 == Medal of Honor Citations ---- (Funk~Leonard A. Jr. | WWII)

**\* HEALTH CARE\***

- 93 == TRICARE Changes 2018 [05] ---- (Payment Options)

- 94 == TRICARE Changes 2018 [06] ---- (Oppose New Fee Hikes)
- 95 == TRICARE Changes 2018 [07] ---- (Tricare for Life Impact)
- 96 == Mammograms [01] ---- ( Recommended Annually for 40+ Women)
- 97 == Drug Cost Increases [10] ---- ( 2018 Projections | 9/9% to 11.6%)
- 98 == Medicare vs. Medicare Advantage ---- (How To Choose | Pros & Cons)
- 100 == Prosthetics [01] ---- (Study Aims to Solve Sweat Problem)
- 101 == HPV Vaccination ---- (Cancer-Preventing Vaccine)
- 102 == History Of Medicine ---- (Headache)
- 102 == TRICARE Podcast 420 ---- (Additional TRICARE Benefit Changes in 2018)
- 103 == TRICARE Podcast 421 ---- (Upcoming TRICARE Disenrollment Changes)

### \* FINANCIAL \*

- 104 == Drug Cost Increases [09] ---- (2018 Projections | 9/9% to 11.6%)
- 105 == IRS Tax Plan 2018 ---- (SALT Repeal Impact)
- 106 == SCRA [07] ---- (Congress Approves Forced Arbitration)
- 106 == Social Security Taxes [02] ---- (When You Owe On Benefits)
- 107 == Medicare Late Enrollment Penalty [04] ----( Did You Know? )
- 108 == Drug Price Gouging [01] ---- (President Promises Action)
- 108 == Worst States for Retirees ---- (15th thru 11th)
- 109 == Assignment of Benefits ---- (Increasing Your Home Insurance Cost)
- 111 == Class Action Lawsuits ---- (New Law Repeals Right to Join Regulation)
- 113 == Facebook Marketplace Scams ----(Phony Deals)
- 113 == Tax Burden for Texas Retired Vets ---- (As of OCT 2017)

### \* GENERAL INTEREST \*

- 115 == Notes of Interest ---- (16 thru 31 OCT 2017)
- 116 == Liberty Medal 2017 ---- (Sen. John McCain This Year's Recipient)
- 118 == U.S. Embassy Sonic Attacks [01] ---- (Cuba Blames Cicadas/Crickets)
- 119 == USAF Acknowledges Santa Is Real ---- (Twitter Feud Outcome)
- 120 == Food Pesticide Removal ---- (Fruit)
- 121 == Philippines War on Militants [01] ---- (Battle of Marawi Ends)
- 122 == RP-US Relations ---- (U.S. Defense Secretary Trip to RP)
- 123 == DPRK Nuclear Weapons [18] ---- (Deputy U.N. Ambassador Warning)
- 124 == DPRK Nuclear Weapons [19] ---- (Threat to Detonate Over Pacific Ocean)
- 125 == U.S. Embassy Cuba [01] ---- (Cuba is Responsible for Sonic Attacks)
- 126 == China Arctic Ambition ---- (Will it be the Next Stop on China's New Silk Road)
- 127 == Washington Monument ---- (Historical Information)
- 128 == Where There's a Will, There's a Way ---- (03)
- 129 == Garage Door Billboards ---- (Making Yours Stand Out (12)
- 129 == Weird Facts About Your Body ---- (13 thru 25)
- 130 == Have You Heard? ---- (12 Children | The Fixer)

**Note:**

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](mailto:raoemo@sbcglobal.net).

## \* ATTACHMENTS \*

Attachment - Maryland Vet State Benefits & Discounts OCT 2017

Attachment - Military History Anniversaries 01 thru 15 NOV

Attachment - RSO Roster OCT 2017

\* DoD \*



## Nuclear Weapons Update 02 ► No Current Plans To Increase Arsenal

The Pentagon has no current plans to increase the size of the U.S. nuclear arsenal. In fact, it can barely sustain the existing force, which is decades old and is in some respects almost decrepit. The arsenal is far from being in the “perfect shape” that President Donald Trump said 11 OCT he wants to see under his watch. That is why the government is planning to spend hundreds of billions of dollars on a top-to-bottom “modernization,” or replacement of the three major categories of nuclear weapons — as well as their command and control systems — in coming decades.

Those new weapons would replace, not add to, currently deployed forces such as the 400 Minuteman 3 intercontinental ballistic missiles that stand ready for short-notice launch in underground silos in North Dakota, Montana, Colorado, Wyoming and Nebraska. Trump was asked during an Oval Office photo shoot whether he sought a big increase in the size of the nuclear force, as NBC News reported. “No, I never discussed increasing it,” he said. “I want it in perfect shape.” He suggested he thinks the U.S. already has enough weapons. “We don’t need an increase, but I want modernization and I want total rehabilitation,” he said, apparently referring to replacing weapons and support systems that have grown old. “I want to have absolutely perfectly maintained — which we are in the process of doing — nuclear force,” he said. “But when they said I want 10 times what we have right now, it’s totally unnecessary.”

An in-depth review of the U.S. nuclear force and the strategies and policies that underpin it has been under way since April. The study, ordered by Trump and known as a nuclear “posture” review, is unlikely to be completed and made public before the end of the year, but it already is steering away from any major buildup in the size of the arsenal, officials familiar with the discussions say. Instead, the focus is on maintaining the basic shape of a modernization plan Trump inherited from President Barack Obama, with possible adjustments, and on ways to reverse a long decline in the Energy Department’s ability to build and sustain nuclear warheads, according to several officials who spoke on condition of anonymity to discuss internal deliberations.

The Pentagon review also is looking at the possibility of developing lower-yield nuclear weapons that proponents say would give the president additional options for responding to nuclear threats. Others say such weapons would make nuclear escalation more likely. The U.S. has an estimated 4,000 nuclear weapons, of which about 1,800 are deployed on missiles and at bomber and fighter bases, according to Hans Kristensen, a nuclear weapons expert at the Federation of American Scientists. The others are held in

reserve. The exact number of active and reserve weapons is an official secret. The U.S. is constrained by a 2010 arms deal with Russia known as New START, which limits each country to a maximum of 1,550 deployed strategic nuclear warheads. As of 1 SEP, the U.S. reported that it had 1,393 and Russia had 1,561; both are required to be at or below the 1,550 mark by February 2018. That limitation will expire in 2021, however, unless an extension is negotiated.

Defense Secretary Jim Mattis took the unusual step 11 OCT of issuing a public statement saying the NBC report that Trump had called for an increase in the nuclear arsenal was “absolutely false.” Public expectations about the direction of U.S. nuclear weapons policy are important because they can affect the credibility of U.S. commitments to arms control treaties and the durability of promises to U.S. allies like South Korea and Japan who count on protection under an American nuclear “umbrella.” Some would argue that it also could influence the thinking of leaders like North Korea’s Kim Jong Un, who sees his country as under siege from the United States and threatened by its long nuclear reach.

Trump’s previous comments about nuclear weapons have caused confusion and concern in some quarters. Last December, for example, he suggested he favored expanding the nuclear arsenal. “The United States must greatly strengthen and expand its nuclear capability until such time as the world comes to its senses regarding nukes,” he said then. Trump has threatened to destroy North Korea should it attack the U.S. with a nuclear weapon. The U.S. has no shortage of nuclear firepower, even if it has suffered recently from too few resources and in some cases a decline in morale among those responsible for operating and securing the weapons. “I know the capability that we have, believe me, and it is awesome. It is massive,” Trump said. [Source: Associated Press | Robert Burns | October 12, 2017 ++]

\*\*\*\*\*

## **Arlington National Cemetery Update 71 ► USMC Memorial Encroachment**

Arlington National Cemetery wants to hear from Marines, other service members and veterans regarding a possible cemetery expansion that could encroach on the Marine Corps War Memorial. The cemetery currently holds more than 7,000 funeral services a year, according to a survey Arlington National Cemetery is conducting on expansion options. At the current rate, the cemetery will reach its capacity in the next 25 years. Two possible expansion projects are being considered, one of which would add 37 acres of now-private land near the Air Force Memorial and the now-closed Navy Annex, said cemetery spokeswoman Kerry Meeker.

If approved, the expansion would allow the cemetery to remain open through the mid-2050s, she said. “Since the cemetery currently borders private neighborhoods, Joint Base Myer/Henderson Hall, several highways and the Marine Corps War Memorial, any expansion effort would involve encroaching one of these bordering areas,” according to the survey, which asks people if they think the cemetery should be enlarged. The survey does not elaborate on how the Marine Corps War Memorial or other bordering areas might be affected by the proposed project. To take the survey click on the following: <https://survey.foreseeresults.com/survey/display?cid=EshUt0ZwxRE9xtVJtglx9g4C&sid=email-dialogue>

Dedicated on Nov. 10, 1954, the memorial shows Marines raising the American flag on Mount Suribachi, Iwo Jima, on Feb. 19, 1945. The scene was immortalized in a Pulitzer Prize-winning picture by Associated Press photographer Joe Rosenthal. Arlington National Cemetery is conducting the survey as part of a national dialogue on whether to make the cemetery larger or change the eligibility requirements for who can be buried there, Meeker said “Input from our stakeholders — to include active duty service members, veterans, spouses, Congress, veterans and military service organizations and the general public — on expansion is very important to this national dialogue,” Meeker said. The Marine Corps deferred comment on

the matter to the National Park Service, which deferred comment to Arlington National Cemetery. [Source: MarineCorpsTimes | Jeff Schogol | October 29, 2017 ++]

\*\*\*\*\*

## **MAVNI Program Update 02 ► Pentagon Taking Steps To Save Its Program**

Defense Secretary Jim Mattis said 13 OCT that the Pentagon is taking steps to save its program enabling foreign-born recruits to earn an expedited path to U.S. citizenship. “We are taking the steps obviously to save the program, if it can be saved,” Mattis told reporters Friday. “If it can, you do due diligence for it to make sure what you are bringing in is what you think you are bringing in.” In a 13 OCT memo the Pentagon announced it was making two changes to the Military Accessions Vital to the National Interest, or MAVNI, program, to include increased background checks and extended service requirements.

Since 2009, more than 10,000 recruits have entered the military through the MAVNI program. However, no new recruits have been brought in since 2016, when the Pentagon assessed it did not have proper safeguards in place against potential insider threats. Supporters of the MAVNI program say it allows the military to recruit immigrants with vital skills such as foreign language proficiency or high-demand medical training. But critics have said the program did not adequately screen potential applicants and left the military vulnerable. “We could not continue what we’d been doing without an espionage potential,” Mattis said of the previous weaknesses found in the program.

Under the changes, recruits to either Guard, reserve or active-duty forces would no longer be shipped to basic training before a full security background investigation is favorably completed. Previously, recruits could ship as long as the background investigation had been initiated. A second change extends the length of time a recruit must serve before receiving a certificate of honorable service, which is one of the requirements for getting expedited citizenship. The change lengthens the time in service to 180 consecutive days of active duty or one year in the reserves. Previously eligibility for the certificate began after one day of service, DOD said in a statement accompanying the memo.

The Pentagon began increasing its security screening of potential recruits last year, and earlier this summer, the Pentagon cancelled contracts of recruits who were waiting for months for the department to greenlight them to go to basic training. This summer the Pentagon also initiated a security review of the program and the two changes announced Friday are a part of that review, said Pentagon spokesman Laura Ochoa. The security review of MAVNI is ongoing, Ochoa said. [Source: MilitaryTimes | Tara Copp | October 13, 2017 ++]

\*\*\*\*\*

## **MAVNI Program Update 03 ► Judge Issues Preliminary Injunction**

A federal judge has ordered the Defense Department not to block fast-tracked citizenship applications that it promised to about 2,000 foreign-born U.S. Army Reserve soldiers under their enlistment contracts. The order 25 OCT came in an ongoing lawsuit over the department’s year-old effort to kill a program designed to attract foreign-born military recruits who possess medical or language skills urgently needed in U.S. military operations. In exchange for serving, those recruits were promised a quicker route to citizenship.

U.S. District Judge Ellen S. Huvelle of Washington issued a rare preliminary injunction saying that while the lawsuit can move ahead, the government cannot in the meantime withhold a form that three named Army plaintiffs and other military members in similar situations need to start the vetting for citizenship. Huvelle in

her order also said that the members of the military in the lawsuit probably would succeed in proving the Pentagon's latest moves in the crackdown on immigrant recruits were "arbitrary and capricious." nHer decision granted provisional class-action status to at least some affected U.S. service members and marked the first court ruling on the new policy that has been challenged in lawsuits across the country. The court action came less than two weeks after Defense Secretary Jim Mattis said the military was taking steps "to save the program, if it can be saved."

Defense officials have restricted the fast-track citizenship program, citing the "espionage potential" posed by foreign-born recruits, but advocates said the changes have deprived the military of urgently needed skills in ongoing conflicts, while putting the legal status of more than 1,000 recruits in jeopardy. In a 35-page opinion issued Wednesday night, Huvelle said new Pentagon provisions threatened to delay soldiers' citizenship applications by years, upending their lives, blocking their careers and potentially exposing them to deportation. "The record shows that [Department of Defense] . . . policy is causing irreparable harm to plaintiffs," Huvelle wrote. "Plaintiffs live in constant fear that they will lose their work or student visas, or be discharged, deported, and subject to harsh punishment in their country of origin for joining a foreign military."

The plaintiffs, Mahlon Kirwa, Santhosh Meenhallimath and Ashok Viswanathan, who have trained in the Army Reserves' Selected Reserves since at least January, and their attorneys declined to comment because of pending litigation, said lead attorney Douglas W. Baruch. Huvelle was set to hear arguments 27 OCT for a similar injunction against the Pentagon by a separate group of about 500 foreign-born reservists who earlier obtained military service certifications allowing them to apply for accelerated U.S. citizenship but whose applications face new, open-ended delays because of screening likened to that required for "Top Secret" security clearance, according to court filings.

At issue is a program in which the Pentagon until this year typically approved within one day requests for an "N-426" form certifying the active-duty or Selected Reserve status of qualified enlistees in the Military Accessions Vital to the National Interest program. The MAVNI program since 2009 has allowed recruits with critically needed skills who agreed to eight years of military service to apply for citizenship when they begin training. But the advantage of that quick application process at enlistment was lost when the Pentagon on 30 SEP began requiring additional screening of program participants, citing national security concerns.

In court filings, the Defense Department acknowledged that as recently as 13 OCT, it had no formal written guidance on the meaning of "honorable service" required for the N-426 certification needed by service members as part of the citizenship application. But attorneys for the Defense and Justice departments argued that the federal court could not review what they deemed an internal Pentagon decision. Huvelle rejected what she called "the curious argument" that new Pentagon guidance "was not subject to judicial review and required no explanation because no formal policy existed before."

Huvelle said the Pentagon's delays were "not justified by any national security concerns" because U.S. immigration authorities are holding all applications pending completion of military screening and that citizenship can be revoked if recruits are not honorably discharged. Huvelle also blasted the department for the new policy, issued the same day as Mattis said he supported reactivating the program. "Facing the probability" that its actions would be found to be illegal, Huvelle wrote 26 OCT, the U.S. government "changed course, offering a new set of criteria that would allow it to further" delay approving reservists' certifications. "DOD offered no reasoned explanation for this change, thereby suggesting that DOD's decision was an arbitrary and capricious one," Huvelle wrote. Before 13 OCT, "enlistees had a right to apply for an expedited path to citizenship and [now] DOD's new procedures rob plaintiffs of this opportunity."

The MAVNI program has produced more than 10,400 troops since 2009. The Pentagon has also extended tighter enlistment regulations for U.S. permanent residents, or green-card holders, saying they must

complete up to year-long background checks before arriving for training, reversing a policy that they could enlist and ship upon the initiation of checks. Green-card holders are reliable recruits who stay in the military longer than those born in the United States, a 2011 study concluded. The study recommended that the services target this specific demographic as part of their recruiting efforts.

Margaret Stock, an Alaska-based immigration attorney and retired Army officer who led the creation of the program, called the changes poorly thought out and a reflection of “for whatever reason, the new leaders of the Department of Defense don’t want immigrants in their ranks, and they don’t want naturalized citizens to have careers in the military,” in what she called a sea change in centuries of practice. “Threats to national security tend to be individualized. You have to look at individual threats . . . You can’t say everyone native born is not a threat, just as you cannot say every one born in a foreign country is a threat.” [Source: The Washington Post | Spencer S. Hsu | October 26, 2017 ++]

\*\*\*\*\*

## **Transgender Lawsuits Update 03 ► Federal Court Rules Against Trump**

A federal court on 30 OCT ruled President Donald Trump cannot act to force transgender service members out of the ranks, a move which critics have repeatedly assailed as unconstitutional. The decision from the U.S. District Court for the District of Columbia may also open the door for those already serving transgender troops to resume medical services at the government’s expense, a benefit administration officials were working to end in recent months. The move comes two months after Pentagon officials said that transgender individuals in the ranks could continue to serve pending a Defense Department study of the issue, expected to be completed in early 2018.

Monday’s court ruling overtakes that, freezing in place the military’s transgender policy as of late June. The department review will still have an effect on whether new transgender recruits can join the military, and what benefits will be available to them. But the findings will not govern whether administration officials can dismiss transgender troops who are already serving, unless another court order overturns this one. In the ruling, U.S. District Judge Colleen Kollar-Kotelly wrote Monday that transgender members of the military who had sued over the changes were likely to win their broader legal battle on the issue, necessitating the court action.

Advocates hailed the news as a significant win for their efforts to battle what they see as Trump’s discriminatory policies. “This preserves military readiness,” said Aaron Belkin, executive director of the Palm Center. “We already have an inclusive policy that promotes readiness by allowing these individuals to serve. The courts are now recognizing what the president was trying to do may be unconstitutional.” In a series of early morning tweets in July, Trump offered a significant change in military personnel policy by saying that the military would no longer “accept or allow transgender individuals to serve in any capacity in the military.” The announcement came about nine months after former President Barack Obama’s administration allowed transgender individuals to serve openly for the first time, and offered medical services for gender dysphoria treatments and gender reassignment surgery for the first time.

Military officials were scheduled to allow new transgender recruits to join the armed forces, but Defense Secretary Jim Mattis at the start of the summer announced a delay in that policy change to give more time for a force readiness review. Since that announcement came before the court’s prescribed policy freeze date, the action will not impact those potential recruits. But already serving transgender troops will be able to continue service and receive medical benefits as long as the ruling stands. At least five other lawsuits are pending in various courts against the proposed ban. In a statement, officials from the American Civil Liberties Union praised Monday’s ruling as “the first decision striking down President Trump’s ban, but it won’t be the last.”

Officials from the American Military Partner Association called the decision more reinforcement that anyone who meets physical fitness standards for the armed forces should be allowed to serve. “This judge’s decision to block President Trump’s shameful transgender ban gives our military families hope that justice will ultimately prevail,” AMPA President Ashley Broadway-Mack said in a statement. “More than a year ago, the Department of Defense assured transgender service members it was safe to come out, and it’s unconscionable that President Trump is now targeting them for discrimination.” A recent Military Times poll of active-duty troops found more than half approved of Trump’s plans to reverse the transgender military policies, but another 24 percent of respondents strongly disapproved of the move. [Source: NavyTimes | Leo Shane III | October 30, 2017 ++]

\*\*\*\*\*

## **Military Accidents** ► **Numbers Down | Mishaps Not Related to Budget**

Hawks in Congress have said military mishaps are up because the defense budget is down, but the data say otherwise. The summer of 2017 saw a rash of fatal military accidents — ships colliding at sea, planes crashing and vehicles catching fire — that were deadlier than attacks from America’s enemies. Still, major military accidents have been dropping, despite the spike in 2017. They are also not necessarily related to the size of the defense budget, which is at near-record levels, experts say.

Deaths from major noncombat accidents for forces on duty did not increase but have in fact plummeted since 9/11, a Roll Call analysis shows. Eleven of the past 15 years were deadlier than 2017. And the deaths have declined at a rate that does not appear to be explained solely by the reduction in the overall size of the military or its pace of training. What’s more, there is no evidence that any of the accidents would have been averted by a higher defense budget. Many of the planes and ships were not especially old. Simple human negligence and mismanagement appear to have frequently been factors in the accidents.

Yes, military readiness is threadbare. Navy ships are lacking certifications, and most Army and Air Force units are not ready to fight without days or weeks of preparation. But if the summer of mishaps triggers a buying spree on new weapons and more troops — without sufficient maintenance and training to support them — then a bigger budget could actually result in a less-capable force, analysts say. “Appropriating more money — especially to buy more ships, planes and vehicles — without the associated manning and training needed to operate and maintain those assets, could actually worsen military readiness in the short term,” said John Pendleton, a senior analyst with the Government Accountability Office.

This summer’s collisions came fast and hit hard, killing at least 46 service members since June. Two Navy destroyers collided with commercial ships in the Pacific. A Marine Corps plane and two Osprey tiltrotors crashed, and an amphibious assault vehicle caught fire. Three Army Blackhawk helicopters went down, and a demolition accident occurred. Investigations are still underway to determine the reasons for each of these incidents. But that has not stopped politicians and interest groups from seizing on the crisis to advance the cause of a bigger defense budget.

- “We are now seeing the costs — the tragic but foreseeable costs — of an overworked, strained force, with aging equipment, and not enough of it,” said Senate Armed Services Chairman John McCain, an Arizona Republican, in a floor speech last month. “I don’t want to call another grieving mother or father or spouse after their loved one perished in a mishap that might have been avoided if Congress had done its job.”
- House Armed Services Chairman Mac Thornberry, a Texas Republican, told reporters 5 OCT that deadly military mishaps are “increasing” and “alarming.” “America’s military is in a readiness crisis, and that crisis is costing lives,” Thornberry said in an August statement.

- Arkansas Republican Tom Cotton, a member of Senate Armed Services, delivered a budget-related verdict on the incidents at a committee hearing last month, even as their causes have yet to be determined. “It’s hard to imagine, no matter what your investigations conclude, that some part of the fault does not lie with the United States Congress and the steady erosion of support we’ve provided to the United States Navy and the entire military,” Cotton told Navy leaders.

The worry is understandable. It feels as if military accidents are more frequent than usual — and the warship collisions that killed 17 sailors in the Pacific this summer were certainly abnormal in terms of the number of sailors killed. But in reality, deadly mishaps are down. The number of noncombat accidents and related deaths has dropped sharply over the past 15 years. Deadly incidents have fallen both overall and in almost every subcategory, whether broken down by armed service or by type of equipment, Roll Call’s analysis shows. Claude Chafin, a spokesman for Thornberry, said it is not accurate to compare the accident rates today with those of a decade ago, because so much about the military has changed. Its size has shrunk and its training pace has slowed. Thornberry “isn’t going to wait and see if these casualties are an uptick or the beginning of a larger disturbing trend,” Chafin said.

A smaller military that is training less may explain some of the decline in mishaps. But the accidents have waned at a pace that far exceeds the slight shrinking of the military. Only aviation accidents have not declined as rapidly as might be expected with a slightly smaller military — but even they have still held essentially flat. The total number of active-duty service personnel is down 10 percent from its post-9/11 peak in 2003. But major mishaps are down 53 percent in that period. [Source: Task & Purpose | John M. Donnelly | October 19, 2017 ++]

\*\*\*\*\*

## **Navy Fleet Size Update 07 ► Little Progress on 355-Ship Navy Goal**

The Navy buildup promised by U.S. President Donald Trump during his campaign is so far all talk and no action, and with progress on Capitol Hill stalled on almost all fronts, the Defense Department seems more likely to eat another round of sequester cuts than cut steel for a bunch of extra ships. The defense appropriations bill — the means by which Congress sends money to the military — is stalled in the Senate, and experts say it’s likely to stay there until there is progress on a deal that would address the spending caps imposed by the 2011 Budget Control Act. And the dysfunction will almost certainly stymie any effort by the U.S. Navy to expand its fleet until Congress finds a way to resolve its internal conflicts or Defense Secretary Jim Mattis decides to strip funding from the other services to pay for a larger fleet.

But if navalists and shipbuilders are waiting for that, it may be a long wait. Mattis has told Congress that he thinks the fleet needs to grow but that he isn’t going to rob the other services to do it. Any substantial increase in the size of the fleet is contingent on 3 to 5 percent annual budget growth, which would be impossible under the current Budget Control Act. On Capitol Hill, the prospect for some kind of “grand bargain,” one that would lift the spending caps and give the Defense Department the growth its looking for, is bleak, said Todd Harrison, a budget analyst with the Center for Strategic and International Studies. “I wouldn’t hold your breath for a grand deal,” Harrison said. “What usually comes is a kind of mini deal,” meaning an agreement that raises caps by a modest margin for a set period of time.

Shy of a deal that raises the caps — similar to the Bipartisan Budget Act of 2015 that locked in budget levels in 2016 and 2017 above the caps — the Navy and the rest of the DoD will either operate for the year under continuing resolutions that lock in 2017-level spending or will endure an across-the-board cut, evenly slashing spending on every program the Navy owns to meet the caps. That means that increased spending planned for programs such as the Ohio-replacement program — the new sea-based nuclear missile boats to

replace those that are coming to the end of their life cycle — would start to face cuts. At the very least, the planned spending increases for the Ohio replacement would be smaller than budgeted for, which would kick the can down the road and force the Navy to draw from other programs under a more stable budget later, almost certainly cutting into money that could be used to grow the fleet.

Navy leaders have consistently said the Ohio replacement is the No. 1 budgetary priority for the service, but the boats cost anywhere from \$5 billion to \$6 billion a pop, depending on how you slice it. That's a big cut from the Navy's roughly \$16 billion annual shipbuilding budget, according to a Congressional Budget Office rolling average. On the plus side, however, the cuts won't be as harsh as the 2013 budget sequestration that forced the Navy to cancel deployments and furlough shipyard workers to sneak in under its caps, said Bryan Clark, a former aide to then-Chief of Naval Operations Adm. Jonathan Greenert and an analyst with the Center for Strategic and Budgetary Assessments.

The sequestration caps increase every year under the Budget Control Act, so if whatever appropriations come out of Congress bust the caps, which they almost certainly will, the cuts will be less than the Navy planned for but probably more than a full-year continuing resolution, Clarke said. "Relative to a full-year continuing resolution, the budget is going to go up," he said. "It will be less than they planned for, though, so programs that were expecting a big plus-up will need a reevaluation. Programs that weren't changing won't be as affected." Under the current continuing resolution hashed out between Trump and the Democrats, the money runs out 8 DEC meaning Congress needs to: reach a deal that raises the caps; extend the continuing resolution, forcing a tough budget vote in the middle of an election year; or shut down the government until lawmakers manage to do one of the first two options.

Aside from the congressional hurdles that must be overcome, Trump's naval buildup aspirations must overcome a seeming lack of coherent vision of what a bigger Navy means or how it's going to be paid for. In June, when asked where he sees the Navy's fleet in 2025, Mattis said in a House Armed Services Committee hearing that it depends on whether the Budget Control Act would be repealed, adding that he is prioritizing fixing the existing fleet. "I would think it's going to take a budget that's probably up around 5 percent growth — real growth — in order to get towards where we want to go. Three percent growth will not suffice, I'll tell you that. It's going to be up over 5 percent."

Navy leaders have even seemed to put the brakes on their own stated goal of a 355-ship fleet. The new secretary of the Navy, Richard Spencer, agrees the Navy needs to aim for 355 ships, but wants to understand what kind of ships and technologies the Navy will need in the future before putting lots of money toward the move. During his confirmation hearing, Spencer appeared to walk back the Navy's goal of 355 ships, but later clarified he was first trying to understand how the fleet should look. "I totally agree, we need to grow the fleet for a bunch of reasons — presence, posture and delivery of force," Spencer said in a 9 SEP speech at the Navy Memorial. "But I can't tell you I know what a ship looks like 15 years out. "So I wanted to make sure everyone understands where I was coming from. I wasn't hedging a bet. We really do have to understand technology and get our hands around it when we start looking out forward."

The Navy's top officer has also been focusing more on technology rather than the actual number of hulls, the kind of capability-over-capacity argument espoused by former Secretary of Defense Ash Carter that rankled former Secretary of the Navy Ray Mabus, who jealously guarded shipbuilding accounts. Richardson has spoken of increasing networking within the fleet to spread out the Navy's sensors and information sharing to cover a larger swathe of the ocean without adding lots of traditional ships.

In August, Richardson said that counting highly capable unmanned ships among the fleet would be a way to get closer to the 355-ship Navy, up from its current 278 ships, and said the Navy of the future would have to look different, [according to The Associated Press](#). "I can guarantee that it's not going to be building more of the same thing we have right now," he said. "Because that will not be the Navy that the nation needs to secure itself and promote its prosperity." [Source: NavyTimes | David B. Larter | October 23, 2017 ++]

\*\*\*\*\*

## **DoD Fraud, Waste, & Abuse ► Reported 16 thru 31 OCT 2017**

**Hampton, VA** - A man walked into a pawn shop two years ago with high-tech military-grade binoculars that had been stolen from a guided missile destroyer. They were worth about \$19,000, court documents said. He sold them for \$100. **Alexander Vann King**, 32, was sentenced 19 OCT to 15 months in prison. Assistant U.S. Attorney David Layne asked for a sentence of 18 months, while Public Defender Wilfredo Bonilla Jr. requested 11 months' time served. The former Navy contractor pleaded guilty in April to one count of receiving stolen property.

Vann King worked Oct. 21, 2015, on the USS Mitscher, an Arleigh Burke-class guided missile destroyer, according to court documents. On or about that day, he took possession of a laser "range finder," identified as an AN/PES-2 Vector 21B. The binoculars were last seen in the ship's armory during an inventory check Sept. 14 and 15. Investigators located the binoculars at Superior Pawn and Gun in Hampton, along with paperwork linking the sale to Vann King. In an interview with investigators, Vann King confessed to selling them. He said he thought they were just regular binoculars. Court documents do not indicate who stole them, or whether investigators know. No charges have been filed regarding the actual theft. [Source: The Virginian-Pilot | Scott Daugherty | October 13, 2017 ++]

**-o-o-O-o-o-**

**Norfolk Naval Shipyard, PA** -- Senior security personnel at Norfolk Naval Shipyard established an unauthorized armed police force and wasted as much as \$21 million in manpower, stockpiled vehicles and other gear, including a high-speed boat, for more than a decade following the 9/11 terrorist attacks, according to a Naval Sea Systems Command investigation. The investigation, obtained by The Virginian-Pilot through a Freedom of Information Act request, began after a 2012 hotline complaint alleging mismanagement, waste and other violations. The 115-page report, with hundreds of pages of exhibits, was completed in October 2014.

It describes a culture that allowed the force to subvert Navy and Defense Department regulations and operate unchecked and unbeknownst to the shipyard's leadership, despite its activities and the visibility it gained through the purchase of armored and hundreds of other surplus vehicles, some of which it outfitted with police equipment. "The investigators' outlook is that there was a notable lack of command leadership oversight or engagement," the report says. "Many of these unauthorized purchases put the government at a liability risk and potential harm to the civilian population."

The 250-year-old facility is one of four public Navy shipyards and has about 10,000 employees –civilian, military and contractors. It is responsible for repairing and upgrading the Navy's fleet. The security division took advantage of the lockdown on the nation's military bases and federal facilities following 9/11 and stockpiled vehicles – including Humvees and a bus converted into a mobile command center – and supplies that it stashed in "warehouses, empty lots and anywhere else" across the shipyard with the mindset "that it was better to have it and not need it than to need it and not have it," the report says.

In the years that followed, the division – which ran its own budget – grew to twice the size of its counterparts at the Navy's other shipyards. It established an armed force around 2007 in violation of Navy regulations, even though law enforcement was already being provided there by Navy Region Mid-Atlantic, the report says. In doing so, the division purchased more than \$200,000 in unnecessary police gear, weapons, ammunition and training, though the force had no law enforcement mission; and it operated equipment without the proper qualifications. In at least one instance, a non-licensed operator used the division's high-speed boat to "run down civilian jet skiers" on a waterway near the shipyard, the report says.

Heavily redacted witness interviews and testimony cite concerns raised about the division's actions and describe a surplus of items, including vehicles that some said hadn't been used in years. In one interview, a person whose name was blacked out told investigators that the security division sought weapons qualifications for personnel in case of security threats. That same person said there was an intent to seek the chief of naval operations' approval for the armed police force, but that there were doubts it would be approved. The security division might "have been a little ahead of things," that person said.

In another interview, a witness who appeared to handle vehicle acquisition for the security division reported a lack of training in the procedures for reporting and registering them. Instead of registering the vehicles through the Naval Facilities Engineering Command, as required, that person instead went to the shipyard's metal shop for license plates after being told they could be created using the number that was on there before, according to the report. The report cited insufficient communication and senior leader intervention plus "a complete breakdown of essential internal controls and oversight of processes designed to prevent the waste and mismanagement" at the shipyard. The division deliberately hid the hundreds of vehicles it amassed along with supplies "for fear someone would take them," and also failed to properly account for a substantial amount of the \$9 million in property that it obtained and mismanaged, the report says.

Investigators also said they were unable to account for some division employees' duties between 2009 and 2014, a time during which it "had significant staffing well beyond legitimate mission requirements," the report says. Surplus personnel and the division's "unauthorized and wasteful activities" led investigators to estimate the division expended as many as 28,000 man-days – or about half that would be needed to complete maintenance on a Los Angeles-class fast-attack submarine – at a cost of about \$10.6 million. The size of the shipyard's security division is redacted in the report.

The original tip was referred to Naval Criminal Investigative Service. NCIS presented findings to an assistant U.S. attorney who declined to prosecute, according to the report. The tip followed an earlier complaint to the Naval Sea Systems Command hotline that shipyard security personnel were unlawfully using unmarked government law-enforcement vehicles. A 2011 investigation recommended corrective action but nothing was done, the report says. Another complaint and subsequent investigation in 2014 also found problems with the shipyard's Fraud, Waste and Abuse Hotline Program. Other inspector general reviews in 2008 and 2012 also found shortcomings that could have prevented the violations, according to the report.

Alan Baribeau, a spokesman for Naval Sea Systems Command's corporate communications office, said the shipyard has since taken corrective actions, including administrative personnel actions and retraining in areas including time and attendance, procurement, and the use of purchase cards. In addition, security office personnel no longer are allowed to obtain items through Defense Reutilization and Marketing Offices, which handle excess supplies, including vehicles. The security force has been centralized at one location and improved communication between its director and shipyard leadership, including biweekly reports and monthly meetings, he said. [Source: The Virginian-Pilot| Courtney Mabeus | October 24, 2017 ++]

\*\*\*\*\*

## **POW/MIA Recoveries ► Reported 16 thru 31 OCT 2017 | Sixteen**

"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 73,025, Korean War 7730, Vietnam War 1604, Cold War (126), Iraq and other conflicts (5). Over 600 Defense

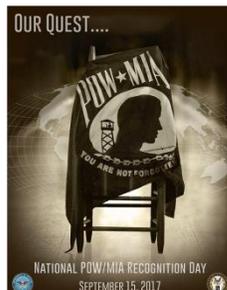
Department men and women -- both military and civilian -- work in organizations around the world as part of DoD's personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home.

For a listing of all missing or unaccounted for personnel to date refer to <http://www.dpaa.mil> and click on 'Our Missing'. Refer to <http://www.dpaa.mil/News-Stories/Recent-News-Stories/Year/2017> for a listing and details of those accounted for in 2017. 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 names, photos, and details of the below listed MIA/POW's which have been recovered, identified, and/or scheduled for burial since the publication of the last RAO Bulletin are listed on the following sites:

- <https://www.vfw.org/actioncorpsweekly>
- <http://www.dpaa.mil/News-Stories/News-Releases>
- <http://www.thepatriotspage.com/Recovered.htm>
- <http://www.pow-miafamilies.org>
- <https://www.pownetwork.org/bios/b/b012.htm>
- <http://www.vvmf.org/Wall-of-Faces>

### **LOOK FOR**

- **Army Pfc. Richard A. Lucas**, 17, of Monmouth, N.J., was assigned to Company C, 1st Battalion, 9th Infantry Regiment, 2nd Infantry Division in 1950.
- **Army Pfc. Walter C. Hackenberg**, 22, of Snyder County, PA., was a member of Company F, 2nd Battalion, 35th Infantry Regiment, 25th Infantry Division in 1951.
- **Army Sgt. 1st Class Lester R. Walker** was assigned to Battery B, 82nd Anti-Aircraft Artillery Automatic Weapons Battalion, 2nd Infantry Division in 1950.
- **Army Sgt. Philip J. Iyotte**, 21, of White River, S.D., was a member of Company E, 21st Infantry Regiment, 24th Infantry Division, assigned under 8th Army in 1951.
- **Army Staff Sgt. Michael Aiello**, 35, of Springfield, IL was a member of Company G, 401st Glider Infantry Regiment (GIR) attached to the 325th GIR for Operation Market Garden in 1944,.
- **Marine Corps Cpl. John V. McNichol** was assigned to Company E, 2nd Battalion, 8th Marine Regiment, 2nd Marine Division, Fleet Marine Force in 1943.
- **Marine Corps Pfc. Arnold J. Harrison** was assigned to Company B, 1st Battalion, 2nd Marine Regiment, 2nd Marine Division in 1943.

- **Marine Corps Pfc. Donald R. Tolson** was assigned to Company F, 2nd Battalion, 8th Marines, 2nd Marine Division in 1943.
- **Marine Corps Pfc. Francis E. Drake** was a member of Company C, 1st Battalion, 7th Marines, 1st Marine Division in 1942.
- **Marine Corps Pvt. Edwin W. Jordan** was assigned to Company F, 2nd Battalion, 8th Marine Regiment, 2nd Marine Division, Fleet Marine Force in 1943.
- **Marine Corps Reserve Cpl Raymond A. Barker** was assigned to Company C, 2nd Tank Battalion, 2nd Marine Division in 1943.
- **Marine Corps Reserve Pfc. Albert Strange** was assigned to Company E, 2nd Battalion, 8th Marine Regiment, 2nd Marine Division in 1943.
- **Marine Corps Reserve Pfc. Donald E. Eichschlag** was assigned to Company D, 2nd Battalion, 7th Marine Regiment, 1st Marine Division, Fleet Marine Force in 1950.
- **Marine Corps Sgt. Elden W. Grimm** was assigned to Company A, 1st Battalion, 18th Marines, 2nd Marine Division, Fleet Marine Force in 1943.
- **Navy Shopfitter 3rd Class Francis L. Hannon** was assigned to the USS Oklahoma in 1941.
- **Navy Signalman 3rd Class Charles E. Nix** was assigned to the USS Oklahoma in 1941.

[Source: <http://www.dpaa.mil> | October 31, 2017 ++]

\* VA \*



## **VA Secretary Update 61 ► Shulken Not A contender for HHS Position**

Veterans Affairs Secretary David Shulkin, who is under investigation for taking a 10-day trip to Europe that mixed business with sightseeing, is not being considered for the top job at Health and Human Services, the White House said 18 OCT. Shulkin has been cited in media reports as a leading contender to replace former HHS Secretary Tom Price, who resigned last month following an outcry over his use of costly private planes for official travel.

The Wall Street Journal reported over the weekend that Shulkin was interviewed by the White House and had "made his case" for becoming HHS secretary. But a White House official said Shulkin did not have an interview and "was never under consideration for the position." The official, who insisted on anonymity because the official was not authorized to speak on the record about a personnel matter, declined to discuss reasons behind who was being considered and why. A VA spokesman did not comment, referring questions about Cabinet-level positions to the White House.

Shulkin is one of several Cabinet members who have faced questions about travel after Price resigned. The VA inspector general earlier this month opened an investigation into Shulkin's taxpayer-funded trip with his wife to Denmark and England to discuss veterans' health issues. Travel records released by VA show four days of the July trip were spent on personal activities, including attending a Wimbledon tennis match.

The VA said Shulkin traveled on a commercial airline, and that his wife's airfare and meals were paid for by taxpayers.

Major veterans' organizations had expressed concern about uncertainty at VA should Shulkin leave his job, citing major changes underway to improve care for millions of veterans. The VA has numerous job vacancies, including top posts in its health care division. Shulkin, a physician, served as VA's undersecretary of health during the Obama administration since 2015. President Donald Trump tapped Shulkin in January to head the VA, the government's second-largest agency. [Source: The Associated Press | October 18, 2017 ++]

\*\*\*\*\*

## **VA Opioid Therapy Update 08 ► Coatesville VAMC Roundtable Discussion**

The U.S. Department of Veterans Affairs has developed a formal system for treating chronic pain among veterans that steers away from opioid painkillers and may be a model for the public at large. That was part of the message delivered on 27 OCT by VA Secretary Dr. David J. Shulkin during a visit to the VA Medical Center in Chester County. His appearance came one day after President Trump declared the opioid crisis a national public health emergency. Shulkin said the president instructed cabinet members to fan out across the country to talk about the crisis. “We have to figure out how we together can do something meaningful,” Shulkin told a roundtable discussion group.

Among those seated near him were Pennsylvania politicians, VA doctors, police and Lori Craig, a veteran who told the group she became addicted to opioids after a car crash. A friend offered her a substance that Craig used without knowing what it was. She later learned it was heroin. She eventually lost her job, her home and custody of her children. The Coatesville VA Medical Center, she said, helped her get control of her life. Another veteran, John Kruzal, said he first used OxyContin, a prescription painkiller, to deal with chronic pain. He became addicted, started crushing the pills and snorting the powder. “It just led me down this rabbit hole,” Kruzal said. “I ended up using everything.” Coatesville VA staff, he said, embraced him like a family member.

The VA, Shulkin said, has an advantage over the system that treats drug addiction among the general public: It does not have to worry about insurance company reimbursements running out after 10, 20 or 30 days. “This continuity of care just doesn't exist” for the general population, Shulkin said. But the VA's approach to dealing with pain could provide a model for the public health system, Shulkin said. Cognitive behavioral therapy, tai chi, yoga and acupuncture are among the approaches that have been used to treat pain at Coatesville, according to Dr. Frank Mirarchi, a primary care psychologist at the center. While some veterans may not view them as being as practical as opioid pills, they tend to have longer-lasting benefits. “All of these modalities have been useful,” he said.

State Sen. Andrew Dinniman, a Chester County Democrat, suggested that Coatesville VA officials meet with counterparts in nearby communities to share successful approaches to the crisis. Carla Sivek, director of the center, agreed there could be “cross pollination.” VA staffers described widespread availability on their campus of naloxone, a medicine used to reverse the effects of opioid overdoses. Lt. Aaron Heft of the medical center's police service said officers have revived several overdose victims with naloxone. Kruzal, the veteran, said his brother — also a veteran, having served on submarines — suffered from cancer. Kruzal wondered if the VA had become involved with medical marijuana.

At the federal level, Shulkin said, “It is not legal and we are not even allowed to do research on it.” However, Shulkin said, the VA is watching states like Pennsylvania, where a medical marijuana program is under development. “I am very interested in learning from those programs,” he said. Shulkin noted that

some federal leaders have broached the idea of privatizing medical services for veterans. He said, “Places like Coatesville are the reason why that isn't a good idea.” [Source: Reading Eagle | Ford Turner | October 28, 2017 ++]

\*\*\*\*\*

## **Emergency Medical Bill Claims ► Court Rules VA Policy Violated Law**

A Minnesota veteran’s precedent-setting legal case is forcing the Department of Veterans Affairs to change course after years of denying payment of veterans’ emergency medical bills. A court ruled a VA policy violated federal law. As a result, the VA estimates it may be on the hook for billions of dollars in previously denied claims. The court ruling was based on what occurred in 2010, when 77-year-old Richard Staab suffered a heart attack and stroke. He was rushed to a nearby private hospital and had open-heart surgery. Medicare covered a portion of his treatment, but Staab was ultimately left with about \$48,000 in out-of-pocket expenses.

A U.S. Air Force veteran who served in Korea, Staab typically relied on the VA for care. He submitted a claim for the outstanding balance to the St. Cloud VA, expecting to be reimbursed. But his claim was denied. Jacqueline Schuh, a retired JAG attorney now in private practice with Engelmeier & Umanah, agreed to help Mr. Staab with his appeal. She took the case to the U.S. Court of Appeals for Veterans Claims, arguing that the VA regulation used to deny his claim violated the Emergency Care Fairness Act of 2009.

The denial was based upon the internal rule that the VA had been enforcing since 2010, but the internal rule was inconsistent with the law. When Congress passed the Emergency Care Fairness Act, it required the VA Secretary to cover qualified veteran’s emergency medical bills for which the veterans were “personally liable.” Schuh and NVLSP attorneys argued the law required VA to step in as a “secondary payer” when other health care insurers, such as Medicare, cover only a portion of the cost of a veteran’s emergency treatment leaving the veteran “personally liable” for the rest.

In April 2016, the three-judge panel agreed. They ruled in Staab’s favor, striking down the regulation the VA had been using to deny veterans emergency medical claims nationwide. The Court’s decision rebuked the VA, emphasizing that VA’s reimbursement regulation became “wholly inconsistent” with the governing statute when Congress amended it in 2009, but thereafter the VA unlawfully “declined to remedy this inconsistency.” The VA appealed that decision and the matter was pending before the U.S. Court of Appeals for the Federal Circuit, when in June 2017, VA Secretary David Shulkin made a surprise announcement. Shulkin said the VA would “voluntarily withdraw” its appeal of the Staab case. It was a huge victory – not just for Staab, but for veterans nationwide. And it has massive financial ramifications.

VA is now liable to pay 370,000 previously denied veteran’s claims, which according to the government agency’s own estimates totals more than \$2 billion. In June, Secretary Shulkin announced that the VA has drafted a regulation to authorize payment for Staab-related claims, and has sent the regulation to the Office of Management and Budget (OMB). The VA says the draft regulations must clear OMB and be published in the Federal Register before VA can begin reimbursements. VA estimates that this process could take between 9 and 24 months. The NVLSP offers the following advice for veterans who also had their claims inappropriately denied because of the VA’s unlawful regulation:

- “While the regulation is going through its required review process at OMB, we suggest veterans with claims for reimbursement of emergency medical expenses that were previously and finally denied because they had additional insurance, should prepare a new claim,” said

NVLSP Executive Director Bart Stichman. "Veterans may find it helpful to talk with a veterans service officer or advocate in preparing their claim."

- "Veterans have one year to appeal a denial of reimbursement for emergency medical expenses they incurred outside the VA system. If the claim was denied because they had partial secondary insurance, they should keep their claim alive by appealing to the Board of Veterans' Appeals. Veterans in this situation should file VA Form 21-0958. Veterans who have not yet filed a claim for reimbursement should file a formal written claim with the VA's Veterans Health Administration."

Refer To <http://www.kare11.com/news/investigations/investigates-mn-veterans-legal-battle-wins-billions-for-other-vets/484050995> to read the whole story on what the KARE 11 investigation uncovered. [Source: KARE 11 Minneapolis-St. Paul | A.J. Lagoe & Steve Eckert | October 2017 ++]

\*\*\*\*\*

## **VA Mammograms ► Guidelines | When, Where, & What They Mean**

VA recently adopted the American Cancer Society's (ACS) breast cancer screening guidelines. This alignment to private sector guidelines advances VA's commitment to serving the unique needs of women Veterans. Currently, 76 percent of women Veterans age 40-49 receive mammograms through VA. VA recognizes the importance of expanding access to on-site mammograms, ensuring Veterans receive age-appropriate breast cancer screenings, and using state-of-the-art information technology to meet the growing needs of women Veterans. The latest guideline applies to women at average risk for breast cancer. VA's New Breast Cancer Screening Guidelines are:

- Age 40: Talk with your doctor about when to begin screening. You have the choice to start screening with yearly mammograms as early as age 40. If you face added risk factors, such as certain genetic mutations or a family history of breast cancer, talk to your provider about getting tested earlier and more often.
- Age 45: Begin yearly mammograms;
- At age 55: Get mammograms every other year, or continue with annual mammography, depending on your preferences;
- At age 75+: Continue getting regular mammograms if you're in good health.

VA has expanded access to on-site mammograms by 62 percent since 2010, which demonstrates their focus on improving access to breast screening and coordination of care. Additionally, some facilities offer mammograms to walk-in patients and same-day ultrasounds. All eligible women Veterans have access to mammograms either on-site or through care in the community. VA has established a state-of-the-art information technology Breast Cancer Registry (BCR). The BCR integrates patient data to provide comprehensive, patient-specific information about breast cancer screening, test results, past and current breast cancer treatment, and population surveillance of breast care (both in the community and within the VA).

VA's performance measurements show that women Veterans are more likely to receive age-appropriate breast cancer screenings than women in private sector health care. In 2015, VA screened 86 percent of its women Veteran patients age 50-74, compared with the private sector at 73 percent.

**Understand your Mammogram** -- Once you get a mammogram, what do the results tell you? VA uses Breast Imaging Reporting and Data System (BI-RADS) to provide understandable information. BI-RADS

sorts the results into categories numbered 0 through 6. These categories create a consistent way for its providers to describe what they find on a mammogram. This makes it much easier to accurately inform you about test results and appropriate next steps. Mammograms can't prove when an abnormal area is cancer, but they can help your provider decide whether more testing is needed.

The provider reading your mammogram will be looking for different types of breast changes, such as small white spots called calcifications, lumps or tumors called masses, and other suspicious areas that could be signs of cancer. When possible, the provider reading your mammogram will compare it to your old mammograms. This helps your provider find small changes that could be signs of cancer. The American Cancer Society's BI-RADS table at <https://www.cancer.org/cancer/breast-cancer/screening-tests-and-early-detection/mammograms/understanding-your-mammogram-report.html> can help you better understand the categories, your results, and guide a discussion with your VA provider. [Source: Vantage Point Blog | October 19, 2017 ++]

\*\*\*\*\*

## **VA Vet Choice Update 62 ► CARE Act Could Jeopardize Veterans Services**

Officials from the largest federal workers union slammed Veterans Affairs officials' new health care reform plan as "a total dismantling of the department" that would jeopardize veterans services. "It's taking resources out of VA and shifting them into the private sector," said J. David Cox Sr., national president of the American Federation of Government Employees. "It's voucherizing veterans health care." The comments came less than a day after the formal unveiling of the new Coordinated Access & Rewarding Experiences (Vets CARE) Act, proposed by VA leaders as a way to increase patient access to physicians through expanded appointments outside the department's system.

In a statement, VA Secretary David Shulkin said the new plan puts veterans at the center of all health care plans, instead of bureaucrats. "We want veterans to work with their VA physicians to make informed decisions that are best for their clinical needs, whether in the VA or in the community," he said "This bill does just that, while strengthening VA services at the same time." The Vets CARE program would replace the three-year-old Veterans Choice program, which allows veterans to seek private sector care at government expense if they face a 30-day wait for a department appointment or a 40-mile trek to the nearest department facility.

Under the new plan — which still needs congressional approval — those options would open to any veteran who faces a wait longer than "a clinically acceptable period." VA officials could also be able to authorize outside care for a variety of other reasons, and make it easier for private-sector doctors to get reimbursed for veterans walk-in care. On 17 OCT, officials from the American Legion offered general support for the reforms, saying they are in favor of making VA health care options "more efficient, transparent, and effective." But AFGE leaders attacked the proposal, labeling it another effort to slowly undermine and destroy the VA system. "We're seeing a constant push to expand 'choice' at VA against veterans wishes," Cox said. "This is another attempt to dismantle VA from the inside out. It's appalling, and it has to stop now."

AFGE has been a frequent critic of President Donald Trump's veterans policies, including legislation he signed into law this summer which made it easier to fire VA workers. In recent weeks, those arguments have centered around the idea that Trump appointees are working to privatize VA health care, an accusation Shulkin has repeatedly refuted. Cox — whose group represents about 250,000 VA employees — said instead of opting for an expensive expansion of outside care programs, lawmakers should back plans to reinvest in existing VA facilities and more carefully rely on private-sector doctors for specialties the federal workforce lacks. Shulkin's vision has instead been focused on offering an expanded network of VA and

community physicians. Conservatives on Capitol Hill have backed that idea, with similar promises that they aren't looking to pull away resources from the department.

Will Fischer, director of government relations for VoteVets, called that approach "death by a thousand cuts." Their group, which has close ties to the Democratic Party, is working with AFGE to campaign against the new plan. "They're promising not to privatize VA, but their actions and words don't match up," he said. "Each time one of these vouchers is issued, it's money that is leaving the VA system." House lawmakers are expected to review the plan and their own health care reform proposals at a Capitol Hill hearing next Tuesday.

Meanwhile, officials from Concerned Veterans for America — which AFGE attacked in a press call Tuesday as pro-privatization, Republican activists — called the Vets CARE proposal a good start to the debate over VA's future. "There is room for improvement," said Dan Caldwell, policy director for the group. "One important modification that we believe should be made is that a veteran should be able to choose a primary care physician inside or outside of the Veterans Health Administration within the integrated care network. "This reform would be an important step towards fulfilling President Trump's promise to increase health care choice for our veterans." [Source: NavyTimes | Leo Shane III | October 17, 2017 ++]

\*\*\*\*\*

## **VA CARE Program Update 01 ► Lawmakers Unveil Planned VA Health Reforms**

House lawmakers are looking to dramatically increase the number of veterans who can seek medical care outside the Veterans Affairs system, but VA department officials want them to go even further. They're arguing in favor of an even more radical shift in traditional veterans' medical care, opening community care options to nearly any veteran and allowing free walk-in care at local doctor's offices for routine appointments. "We don't believe there should be strict mileage criteria or wait time criteria," Secretary of Veterans Affairs David Shulkin told members of the House Veterans' Affairs Committee on 24 OCT. "These are going to be individual clinical decisions based on feasibility and access."

Shulkin's plan — the new Coordinated Access & Rewarding Experiences (CARE) Act — has already received criticism from federal unions for shifting too many department responsibilities and funds to private-sector practices. Last week, those critics labeled the plan a full "voucherizing" of veterans' care. Shulkin, himself a practicing physician along with his Cabinet role, has repeatedly insisted the sweeping overhaul does not amount to diminishing or privatizing VA health care but instead, simplifying and modernizing the overburdened system. "Having a veteran drive 100 miles for a blood test or flu shot doesn't make sense," he said Tuesday. "We're trying to model VA after how medicine is practiced across America today." It's also in keeping with U.S. President Donald Trump's repeated promises to free up veterans to see doctors in their neighborhoods instead of requiring them to get their free health care directly from VA clinics and hospitals.

The CARE plan and a similar slate of VA health care reforms unveiled by the committee on 24 OCT would consolidate a host of community care initiatives into a single, more flexible program with a single funding source. That has been a goal in recent years of both Republicans and Democrats, who say current systems are too complicated for patients, doctors and bill collectors. Veterans groups have endorsed the idea. Both plans would also abandon the current eligibility rule allowing only veterans facing a 30-day wait or 40-mile distance to the nearest VA facility to access the Choice program, letting them seek private-sector care at government expense.

But the House plan, offered by committee Chairman Rep. Phil Roe, R-Tenn., would leave VA physicians with "the right of first refusal" of patients and allow them to seek outside care only if a primary care

provider or specific medical services aren't available within the VA system. "It should go without saying that VA cannot be everywhere, providing everything to every veteran," he said at the hearing. "Expecting VA to perform like that sets VA up to fail." "That is why my draft bill preserves VA's role as the central coordinator of care for enrolled veteran patients," he said. "But when VA can't do that, my bill would ensure that veterans aren't left out to dry."

Shulkin said he supports much of the House plan but indicated it still may fall short of the goal of a meeting patients' "clinical needs." He pushed for even more flexible rules with a goal of having veterans work with their VA doctors to set up a care plan that may be almost entirely outside the current department network. About one-third of VA medical appointments each year are conducted by physicians outside the department. Veterans groups have expressed concerns about a massive expansion of that number, arguing it could undermine the integrity of the department and harm veterans' health care by sending them to doctors unfamiliar with issues like post-traumatic stress disorder and traumatic brain injury.

Officials from Iraq and Afghanistan Veterans of America questioned whether VA medical records are modern enough to allow seamless sharing with private-sector offices. AMVETS officials said sending more veterans into the community to find medical appointments won't solve VA's own physician recruitment and retention problems. Several groups also objected strongly to the potential cost. Earlier this year, a coalition of veterans groups forced lawmakers to add nearly \$2 billion in funding to existing VA programs to offset a new \$2.1 billion extension of the Choice program. The CARE proposal includes a round-down of cost-of-living disability pay increases to help pay for the costs of the expanded program. Officials from the Veterans of Foreign Wars said they continue to "strongly oppose" that plan and a proposal to cap some education benefits to provide other savings.

Officials did not provide specifics on the costs of either the House or VA plans, saying the details are still being worked out. Shulkin said he suspects an overhaul of VA community care will save "billions" over the next decade, with thousands of employees potentially cut as the administrative burden of the programs are simplified. Critics have called that unrealistic and said that promises of cheaper care from private-sector offices are misleading. Committee ranking member Tim Walz (D-MN) said those cost details will determine whether his caucus will be able to support the plan. "While I am pleased at how close we are to settling on the policy underlying a Choice replacement program, I am concerned with how it will be funded," he said. "I continue to believe that veterans do not benefit when we scrape the barrel for money by skimming from some veterans' benefits or health care programs to pay for others."

Shulkin has said that lawmakers need to make a decision on potential reforms before the end of the year, when money funding the current Choice program is scheduled to run out. Without a replacement plan, medical care for tens of thousands of veterans could be disrupted in the new year. [Source: MilitaryTimes | David shane III | October 24, 2017 ++]

\*\*\*\*\*

## **VA ID Card Update 11 ► Must Obtain New Photo Cards Online**

Honorably discharged veterans of all eras who want a new identification card from the Department of Veterans Affairs will be able to apply online by registering with the VA and uploading a photo, officials said. Officials had previously told Military.com that the process will include an online application, but offered no further details. A 2015 law requires the VA to issue a hard-copy photo ID to any honorably discharged veteran who applies. The card must contain the veteran's name, photo and a non-Social Security identification number, the law states. To apply for the card, veterans must register with [www.Vets.gov](http://www.Vets.gov), a process that authenticates users through the ID.me system, VA officials told Military.com on 16 OCT.

Doing so requires users to upload a copy of a valid government photo ID, such as a driver's license or passport, and provide their Social Security number, among other information. To complete the card application process, users will then upload a recent photo to the VA site that can be printed on the ID card, according to a lawmaker who introduced the legislation requiring the IDs. The cards will be directly mailed to the veteran. No further information was available as to when in November applications will open, the turnaround time for the IDs or a specific address on the VA website where veterans can apply.

The ID cards are meant to offer a way for veterans to prove their service without carrying a copy of their DD214, which contains sensitive personal information such as veterans' Social Security numbers. The new IDs will not, however, qualify as official government-issued identification for air travel or other uses. "Every veteran -- past, present, and future -- will now be able to prove their military service without the added risk of identity theft," said Rep. Vern Buchanan, a Florida Republican who introduced the ID card legislation in 2015. "These ID cards will make life a little bit easier for our veterans."

Vets who receive health care from the VA or have a disability rating can get a photo ID VA health card, also known as a Veteran Health Identification Card. Military retirees also hold an ID card issued by the Defense Department. Veterans are able to get a proof of service letter through the VA's ebenefits website. And some states will include a veteran designation on driver's licenses if requested. The new VA ID card program begins as the military exchange system opens online shopping to honorably discharged veterans of all eras. That benefit, which will officially launch on Veterans Day, requires veterans to first be verified before they can shop. The benefit does not allow shopping at brick and mortar exchange stores or the commissary and does not include base access. [Source: Military.com | Amy Bushatz | October 16, 2017 ++]

\*\*\*\*\*

## **VA ID Card Update 12 ► Why Not Include Non-Honorable Discharge Recipients**

When the Department of Veterans Affairs starts offering new ID cards next month, they won't be available to every veteran. That's because of a decision by VA officials to issue the new IDs only to individuals with honorable discharges, a move that goes against earlier department policies at increasing outreach to veterans with so-called "bad paper" discharges. The decision has upset advocates, who see it as an unnecessary restriction. "There's really no reason to do that," said John Rowan, national president at Vietnam Veterans of America. "It doesn't serve veterans well."

Legislation authorizing the cards, sponsored by Rep. Vern Buchanan (R-FL) passed through Congress without objection in July 2015. Since then, VA leaders have spent time finalizing the rules and application process for the new IDs. VA Press Secretary Curt Cashour confirmed this week that "only those veterans with honorable service will be eligible for the ID card." The legislation as passed by Congress calls for VA officials to issue an ID **to any veteran who requests one** and "presents a copy of Department of Defense form DD-214 or other official document from the official military personnel file of the veteran that describes the service of the veteran." It does not specify excluding veterans with other-than-honorable dismissals.

Veterans advocates for years have pushed for expanded services for the estimated 500,000 veterans who have been separated from the military with so-called "bad paper" discharges, arguing that many are reputable veterans whose underlying conditions forced them out of the service. They argue that many troops booted from the ranks because of drug abuse and minor insubordination issues may actually have been suffering from untreated mental health issues like post-traumatic stress disorder and traumatic brain injury. They can appeal those rulings if medical evidence surfaces later, but advocates say it's a complicated and inconsistent process.

Veterans with other-than-honorable discharges are ineligible for a host of VA benefits and health services. But earlier this year, VA Secretary David Shulkin opened up emergency room mental health services to veterans with other-than-honorable discharges for the first time, arguing that bringing those isolated veterans back into the system would help identify their lingering medical problems and stem the problem of veteran suicide. At the time, veterans groups called that an important step forward in helping an often-shunned section of the military community.

Now, they see the ID card decision as a step backwards. "I find it incredibly frustrating, and deeply hurtful, that the VA would deny hundreds of thousands of veterans like me our very identity, after all that we know today about the nexus of PTSD and bad paper," said Kris Goldsmith, founder of High Ground Veterans Advocacy and a veteran with a bad-paper discharge. "I served on active duty, and was discharged under conditions other than dishonorable. The law says I'm a veteran. But VA's current self-imposed policy is telling me that I'm not. This is a direct contradiction of the secretary's efforts to bring veterans with bad-paper back into the fold."

Rowan, whose group has made bad paper issues one of their primary lobbying focuses in recent years, said if VA recognizes other-than-honorable veterans in emergency rooms, they should also recognize their service in less critical matters like business discounts. The new cards won't replace VA medical cards or official defense retiree cards, and will not carry any force of law behind them. Supporters have called a national veterans ID card a simple way to honor veterans' service, and a way to cut down on identity theft issues that arise from veterans carrying around their military discharge paperwork or other personal documents prove their status.

The law allows VA to collect a fee to cover the costs of the new cards, but department officials have said they will be issuing the IDs for free. Rowan said he plans to petition Shulkin personally in coming days to lift the ID restrictions. In the meantime, VA is promising more information on the application process in coming weeks. [Source: MilitaryTimes | Leo Shane III | October 19, 2017 ++]

\*\*\*\*\*

## **Western Reserve National Cemetery ► Battlefield Cross Controversy**

The Ohio Western Reserve National Cemetery in Rittman is the final resting place of thousands of patriots who served and defended their country in times of war and peace. Veterans who make the pilgrimage to the cemetery to pay their respects to their comrades-in-arms say that one of the most powerful tributes that can be paid to service men and women is a battlefield cross, made up of a helmet, a rifle and a pair of boots. Vietnam Veteran Bill Overton told Fox 8 News, "It's a great honor. That's your comrades recognizing you, what you did, who you are. You're a brother, you're a member of this military."



Overton and other members of his VFW Post in Strongsville were outraged when they learned that the Department of Veterans Affairs, which runs the cemetery, had removed a battlefield cross because of a complaint that it included the depiction of a realistic looking gun. Fox 8 spoke with the administrator of the cemetery, who told us that the removal of the battlefield cross was as a result of "guidance" from Veterans Affairs headquarters in Washington. The policy applies to all cemeteries operated by Veterans Affairs. "I think it's absolutely ridiculous, they don't know anything about our country, our history, they don't even know why they have the right to complain about it. The reason why they have the right is these guys right here. That's why they have the right to do it," said Overton.

When asked if the banning of the battlefield cross would apply to monuments as well, the administrator of the cemetery told us that the policy only applied to "three-dimensional" depictions of guns. Oddly enough, the battlefield cross can be displayed during a veteran's burial, but must be removed after the ceremony. Veterans say the rules drafted by bureaucrats are an affront to those who served their country and have no place on the hallowed grounds of a National Cemetery. "I have yet to meet the Soldier, Sailor, Marine, Airman, Coast Guard that isn't upset over this," said Overton. "They're trying to change our history, and we're not going to let them do it. [Source: FOX 8 Cleveland | Jack Shea | October 16, 2017 ++]

\*\*\*\*\*

## **VA Fraud, Waste & Abuse ► Reported 16 thru 31 OCT 2017**

**Newark, NJ** -- Associate Vice President of Academic Affairs **Dr. Lisa DiBisceglie**, 56, and **Helen Sechrist**, 61, each entered a plea deal and admitted to one count of conspiracy to commit wire fraud in Newark federal court 17 OCT. As a result of DiBisceglie's guilty plea, she was required to forfeit the \$73,055.73 she gained from the fraud, according to a court document. In a statement from the U.S. Attorney's Office in New Jersey, prosecutors said DiBisceglie, of Lavallette, and Sechrist, of Sandy Level, Virginia, knowingly bilked the GI Bill — a federal education benefits program meant to help veterans who served following Sept. 11, 2001 — of \$24 million in tuition benefits by enrolling unsuspecting veterans in online courses.

DiBisceglie and Sechrist defrauded the federal government from sometime in 2009 to about August 2013, according to the U.S. Attorney's Office. At the time the scheme operated, DiBisceglie was the former associate dean of the Office of External Partnerships at Caldwell University, a private liberal arts university in Caldwell, New Jersey. Sechrist, who lived in Fawn Grove, Pennsylvania, during the scheme, was an employee of Ed4Mil LLC, a private business in Lewisberry, Pennsylvania, that said it was in the business of "helping military members and their families take advantage of education they have earned while serving our country," according to the U.S. attorney's office. Court documents also named David Alvey, the co-owner, founder and president of Ed4Mil, as a co-conspirator, but charges against Alvey, 50, are pending.

Court documents said Alvey — then the owner of JWeb, which had a similar business purpose as Ed4Mil — contacted DiBisceglie sometime in 2009 with a proposal to administer a series of non-credit online classes to military veterans under Caldwell University's name. DiBisceglie helped Ed4Mil get approval from Caldwell administration to administer the classes for veterans in Caldwell's name, according to court documents. Later, DiBisceglie, Alvey and fellow co-conspirators submitted an application to the federal government that requested benefits in return for administering the online classes at Caldwell.

The application falsely said faculty teaching the online courses taught on campus and had been participating in various training over the years, and that students who would enroll in the online classes were "guided by the same standards of academic progress" as students who attended classes on campus. In reality, court documents said the online courses were taught via a subcontractor via Ed4Mil, which was not approved to receive GI Bill benefits.

In the statement from the U.S. Attorney's Office, William Fitzpatrick, the acting U.S. attorney in New Jersey, called the fraud an "elaborate bait-and-switch scheme." "Instead of receiving a quality education under the Caldwell brand, the veterans that were recruited by Ed4Mil were enrolled in unapproved online courses without their knowledge, all while members of the conspiracy profited from their hard-earned benefits," Fitzpatrick said in the statement. "Prosecuting fraud against the government is always a top concern of our office, especially when the conduct shamelessly exploits our servicemen and women for financial gain." DiBisceglie and Sechrist each face up to 20 years in prison. Sentencing for both is scheduled for 24 JAN. [Source: USA TODAY | Katie Park | October 20, 2017 ++]

-o-o-O-o-o-

**FTC** -- The Federal Trade Commission on 19 OCT announced a proposed settlement with a website whose "military-friendly" rankings of colleges and universities allegedly promoted institutions that paid to be included. **Victory Media** runs a number of magazines and websites targeting service members and their families and operates a tool and rankings to help prospective students find the right postsecondary program. But the FTC found that those publications basically functioned as paid advertisements for institutions.

Under the terms of the settlement, Victory is required to prominently disclose to readers that its rankings are paid endorsements. No financial penalty was included in the order, but each violation could result in a fine of up to \$40,654. "Service members and their families put themselves on the line every day to protect our nation," the acting FTC chairwoman, Maureen K. Ohlhausen, said in a statement. "We owe it to them to make sure that when they look to further their education, they get straight talk instead of advertising in disguise." The proposed settlement is open to public comment for 30 days. The commission will decide whether to finalize it after 20 NOV.

Carrie Wofford, president of Veterans Education Success (VES), said the group plans to monitor Victory Media websites and publications closely to make sure they comply with the terms of the settlement. VES documented the alleged deceptive promotions in a 2016 report. That report found that for-profit colleges, in particular, paid for exposure to service members through Victory's "military-friendly" designation. Wofford said further steps should be taken by military installations, including the removal of Victory's "military-friendly schools" list and its GI Jobs magazine -- which includes education, transition, and job assistance for veterans -- from bases and Department of Veterans Affairs hospitals.

"It's terrible for VA and DOD to be taken in by what FTC has now exposed as a fraudulent pay-to-play scheme," Wofford said. She also said Congress should take action to reinstate GI Bill benefits for defrauded veterans. Suzanne Treviño, a Victory Media spokeswoman, said the company had fully assisted the FTC and addressed every concern by the commission. "GI Jobs readers benefit by learning more about different higher-level educational institutions that can help them transition from military to civilian life," she said. "Victory Media, a service-disabled veteran-owned business, looks forward to continuing to advocate for military-friendly schools and employers because we want to make life better for veterans." [Source: [www.insidehighered.com/news](http://www.insidehighered.com/news) | Andrew Kreighbaum | October 20, 2017 ++]

\*\*\*\*\*

## **VA Mustard Gas Claims Update 02 ► WWII Vet Wins Appeal After 16 Years**

After more than two decades of appeals and denials, and involvement by Sen. Claire McCaskill (D-MO) the Department of Veterans Affairs has granted benefits dating to 1991 for a Missouri World War II veteran exposed to mustard gas at a war-time camp in the southwestern corner of the state. The family of Arla Wayne Harrell was informed 23 OCT by McCaskill's office of the decision, by a VA appeals panel, that Harrell had proven exposure and that it had led to some of the health problems he had experienced since

1945. He is in a nursing home in Macon, Mo., and his family planned to inform him of the decision either Monday night or Tuesday.



Harrell, 90, and later his children, had spent years in multiple appeals, but the government denied exposure and argued that even if exposure had occurred, that Harrell had not proven that it led to cancer and pulmonary emphysema. The VA, whose current administrator, David Shulkin, told the Post-Dispatch that he believed Harrell, reversed itself in this latest decision. McCaskill got legislation passed that shifted the burden of proof toward the government for the few surviving veterans out of hundreds of thousands exposed to mustard gas in once-secret experiments during the war. In a “findings of fact” document, the VA concluded that “the veteran was subjected to full-body exposure to mustard gas while he was stationed at Camp Crowder, Missouri, during World War II.” The document goes on to say that “the veteran has been diagnosed with squamous cell carcinoma... a disease that is presumed to be associated with mustard gas exposure.” It also said that the emphysema was proven to come from the exposure, as well.

Beverly Howe, one of Harrell’s three daughters, said that the family had been denied so long that the decision came as “a shock.” “I think he is going to be thrilled... that the VA is recognizing it did happen,” Howe said of her father. “I look at it as historical, actually, that this is a part of our history, our family’s as well as our nation’s,” Howe, a nurse trained in chemical exposures, said. “To me it is a huge deal that the VA is finally coming to terms with these veterans.”

Harrell was 18 in 1945 when he enlisted at Camp Crowder and was twice exposed in experiments that the Army had kept secret for decades after the war. They were done, in part, in anticipation of the Germans or other enemies repeating the widespread use of chemical weapons in World War I. Harrell’s children said he had struggled with his breath and stamina throughout his adult life. He did not talk about the exposure for decades. He’d told his daughters he had been threatened with military prison if he did.

Howe, and McCaskill aides, said Arla Harrell would receive a lump-sum payment dating to 1991, when he first filed claims, and monthly assistance from now on. Howe said her mother, Betty, had to sell the family home because she could no longer keep it up, and because she use the proceeds to keep her husband in a private room. The Post-Dispatch exposed Harrell’s case, including documents from other government agencies showing mustard gas experiments occurred at Camp Crowder, almost two years ago. [Source: St. Louis Post Dispatch | Chuck Raasch | October 23, 2017 ++]

\*\*\*\*\*

## **VA Disability Rating Criteria Update 01 ► New Precedent Allows Upgrading**

The U.S. Court of Appeals for Veterans Claims issued a decision last month that could make it easier for veterans with injuries to the back, neck, and joints to obtain higher disability ratings, even in cases where veterans are already receiving disability benefits for such injuries. The recent case, called *Sharp v. Shulkin*, reviewed the Department of Veterans Affairs' current system for assessing the origin and extent of a veteran's disability and clarified the responsibilities of Compensation and Pension examiners and the Board of Veterans Appeals when it comes to giving an opinion on pain flare-ups caused by musculoskeletal disabilities. The court ultimately ruled that the system was inadequate, because not all C&P examiners consider flare-ups and pain when determining what disability rating a veteran should receive.

Bobby P. Sharp, an Army Korean War veteran who suffers from numerous musculoskeletal injuries, argued that VA medical examinations he received were inadequate because the examiner failed to "ascertain adequate information — i.e., frequency, duration, characteristics, severity, or functional loss — regarding his flares by alternative means," according to court documents. Sharp contended that the 10% disability rating he received for his injuries was insufficient because his "September 2015 evaluation was inadequate for evaluation purposes and the Board's finding to the contrary was clearly erroneous." In September 2017, the claims court agreed.

The court's decision means that the VA must now enact measures to ensure that C&P examiners do not overlook flare-ups and pain when assessing a disabled veteran. The VA must attempt to schedule a C&P examination when the veteran is experiencing a flare-up, but if it can't the practitioner is still expected to offer a professional opinion on how the veteran could be "functionally limited during a flare-up," notes Military1. In theory, this will give examiners a more comprehensive understanding of the injury in question. If this isn't feasible, the examiner must prove they've collected as much information and evidence as possible before saying to the board that they can't offer a medical opinion "without resorting to speculation." Further, the appeals board bears the burden of ensuring the examiner has done their due diligence or find an examiner experienced enough to offer a more informed medical opinion.

So, if a C&P examiner doesn't witness the flare-up, how can they form a non-speculative opinion about it? As Military 1 reported, the court decided that veterans themselves can submit evidence for consideration, such as their own description of the flare-ups and pain they experience, or "buddy statements" — written statements from people who know the veteran and can testify to the extent of their suffering. All of which will make it a lot easier for veterans to secure higher disability ratings for injuries they sustained in the military.

Meanwhile, the *Sharp v. Shulkin* case, which ruled that Sharp was entitled to another C&P assessment consistent with the new guidelines set by the court provides a precedent for other veterans who want to challenge their disability ratings. If you think this applies to your case, then it is recommended you reach out to a veteran service officer to help you navigate the appeals process. [Source: Task & Purpose | Adam Linehan | October 24, 2017 ++]

\*\*\*\*\*

## **VA Medical Marijuana Update 35 ► Dems Press for In-Depth Medical Research**

The Department of Veterans Affairs has been credited with major medical advancements since its research office was created in 1925 -- the cardiac pacemaker, shingles vaccine and the first successful liver transplant topping its list of accomplishments. Now, a group of lawmakers want VA researchers to turn their attention

to marijuana. Lawmakers on the House Committee on Veterans' Affairs – led by the highest-ranking enlisted soldier to ever serve in Congress – are calling on the VA to initiate research into the efficacy of medical cannabis. In a letter Thursday to VA Secretary David Shulkin, the lawmakers cited the country's opioid crisis and the growing demand from veterans and major veterans service organizations that want cannabis available as a treatment option for chronic pain and post-traumatic stress disorder.

VA research into medical marijuana, the lawmakers wrote, is integral to the advancement of health care for veterans and the nation. "There's the possibility research can help inform not just veterans' care, but everyone's care," said Griffin Anderson, press secretary for Democrats on the committee. Rep. Tim Walz (D-MN) is the ranking Democrat on the committee and a retired command sergeant major with the Minnesota Army National Guard. He's one of nine Democrats and an Independent who signed the letter 26 OCT. The others are: Reps. Mark Takano (D-CA); Julia Brownley (D-CA); Ann Kuster (D-NH); Beto O'Rourke (D-TX); Kathleen Rice (D-NY); J. Luis Correa (D-CA); Kili Sablan, I-Northern Mariana Islands; Elizabeth Esty (D-CT), and Scott Peters (D-CA).

The letter marks the first instance that the leadership of veterans' affairs committee in the House or Senate has urged a VA secretary to conduct research on medical marijuana, Anderson said. Only recently, medical marijuana was thought of as a "fringe issue" by staff of committee Democrats. The timing of the letter was based on Shulkin's comments regarding medical marijuana in May, followed by months of advocacy from groups such as the American Legion. During a "State of the VA" address at the White House, Shulkin – who is also a practicing physician -- acknowledged there was some evidence marijuana could be effective as a medical treatment and said he was open to learning more about it.

"The secretary expressed interest to look into this. I think he was speaking from a personal standpoint, but it was on a public stage," said Megan Bland, a staff member for committee Democrats. "When you look at that, and take the veterans' suicide rates, the opioid crisis and the complexity of post-traumatic stress disorder, it just makes so much sense that if there's a solution, we should explore it."

Since May, the American Legion has strongly advocated for more research into medical marijuana. At its national convention in August, the organization adopted a resolution urging the VA to allow doctors to discuss and recommend medical marijuana in states where it's legal. That's in addition to a resolution that the group passed the previous year asking for marijuana to be removed from the list of Schedule I drugs, which include with heroin, LSD, ecstasy and others designated as having no medical use.

The Legion has been supportive of research in Phoenix, Ariz., that is the first federally approved study of marijuana's effects on veterans with PTSD. Louis Celli, a leader within the Legion, said the organization is trying to prove to lawmakers that medical marijuana is a politically safe topic. Celli described the letter that lawmakers sent Thursday as "the beginning of the snowball." He noted it carried weight being led by Walz, whom Celli called a "major player in the veteran community." "The U.S. government has to address this issue... they can't turn a blind eye and pretend it's not coming to critical mass," Celli said. "If veteran research could lead the way for a national, medical shift in the efficacy of cannabis and start that dialogue, that's good for America."

Staff for Democrats on the House committee found no regulatory barriers that would prevent the VA from immediately researching medical marijuana. Bland said the VA already possesses a Schedule I license, which is required by the Drug Enforcement Administration to study marijuana. Lawmakers asked Shulkin to respond to their letter by 14 NOV, with either a commitment to develop research into medical marijuana or a detailed reason for why the VA can't. "Everything we looked at suggests the VA can pursue this tomorrow," Bland said. "And if they can't, we want them to tell us why they can't, with the idea that hopefully we'd be able to help them overcome those barriers in the next year." [Source: Stars & Stripes | Nikki Wentling | October 26, 2017 ++]

\*\*\*\*\*

## **VA Hospitals Update 12** ► **New Rankings | The Worst Still the Worst**

Many of the worst VA hospitals in the country last year remain among the worst this year, according to internal rankings released 25 OCT by the Department of Veterans Affairs. Nearly a dozen of the medical centers who received one out of five stars in quality ratings this year received the same low score in 2016. They include three veterans' hospitals in Tennessee — in Nashville, Murfreesboro, and Memphis, where threats to patient safety have skyrocketed in recent years. Also among them is the Phoenix VA, where veterans died waiting for care touching off a national scandal in 2014. Two hospitals in Texas — in El Paso and Big Spring — and two in California — in Loma Linda and Fresno — also made the list of two-time, one-star facilities.

At the same time two hospitals managed to shake their one-star status. Facilities in Detroit and Fayetteville, N.C., improved to two-star VA hospitals. The VA regularly scores 146 of its medical centers based on dozens of quality factors, including death and infection rates, instances of avoidable complications and wait times. The agency uses a five-star scale with one being the worst and five being the best. The rankings compare VA hospitals against each other but the number of one-star hospitals is not constant. Medical centers in that bracket can be elevated to two stars based on quality-of-care factors. The agency did not start releasing the ratings until USA TODAY obtained and published them for the first time last December. The VA then committed to posting them annually.

VA Secretary David Shulkin, who took over in February, has said he is committed to making the VA “the most transparent organization in government.” VA Press Secretary Curt Cashour said 25 OCT, . "Secretary Shulkin has been clear that transparency is a crucial component of our efforts to reform the department. That's why we're posting these important end-of-year ratings, which document improvements at 64% of rated VA medical centers." How does your VA stack up? To check it out refer go to <https://www.usatoday.com/story/news/politics/2017/10/25/new-va-hospital-star-rankings-worst-still-worst/800303001> and search on a city, state or star rating to see this year's ratings and how they compare to last year. [Source: USA TODAY | Donovan Slack | October 25, 2017 ++]

\*\*\*\*\*

## **Minnesota Veterans Homes Update 04** ► **First Fixed Dental Clinic to be Built**

The Minnesota Department of Veterans Affairs announced plans 25 OCT to build the first fixed dental clinic in the country on a state veterans home property. Construction is expected to begin immediately, with completion estimated in the spring of 2018 [at the Minneapolis Veterans Home campus](#), the department said. Only a portion of veterans are eligible for dental benefits through the VA Health Care System. Veterans must be 100 percent, service-connected disabled through the VA or have a documented dental injury from their time in service. Because of the significant private pay cost, most veterans who live at the Minneapolis Veterans Home rely on other benefits or privately pay for dental services, the department said.

In addition to residents at the Minneapolis home, the clinic is expected to serve residents at the nearby Hastings State Veterans Home and veterans referred through the VA hospital system. The department is also considering similar projects for veterans homes in Silver Bay, Fergus Falls and Luverne. Construction will be funded through a \$100,000 grant from Delta Dental of Minnesota Foundation, \$60,000 from Minnesota Veterans 4 Veterans Trust Fund and \$50,000 from the Disabled American Veterans of Minnesota Foundation, the department said. [Source: Star Tribune | Mark Brunswick | October 25, 2017 ++]

\*\*\*\*\*

## **GI Bill Update 243 ► 26 Things the Forever G.I. Bill Will Do**

“This legislation will enable veterans to use the education benefits they’ve earned through the G.I. Bill when and how it suits them best, setting them up for future success in whatever career they pursue,” said Rep. Phil Roe, of Tennessee, chair of the House Committee on Veterans’ Affairs, after the Forever G.I. Bill was signed by the president. While it will indeed erase the expiration date on the benefits themselves for current and former service members and their dependents — it’s certainly not all it will do. Here’s virtually every provision (26 to be exact) in the bill that officially became law on August 16, 2017.

- **Eligibility Fix** -- Time spent in recovery due to battlefield injuries will count towards G.I. Bill eligibility. Effective August 1, 2018.
- **Purple Hearts Get More** --Approximately 1,500 Purple Heart recipients will become eligible for the G.I. Bill. Effective August 1, 2018
- **More Children Get the Yellow Ribbon Program** -- Children who lost a parent in the line of duty will have access to the Yellow Ribbon Program. Effective August 1, 2018
- **More National Guard & Reservists Get Their G.I. Bill** -- Authorizes additional G.I. Bill funding for members of the National Guard and Reserve. It increases money and eligibility for individuals who served at least 90 days but less than six months on active duty, from 40% to 50% benefit payable. It also does the same for individuals who serve at least six months but not 12 months, from 50% to 60% benefit payable. Effective August 1, 202
- **National Guard & Reservists Get Their Benefits Back** -- Education benefits that were pulled unexpectedly from Reservists and National Guard members in 2015 — when Congress repealed the Reserve Educational Assistant Program (REAP) — will have them reimplemented. Effective immediately
- **Housing Stipends Improve** -- A student taking online classes will be compensated more accurately for their cost of living. It happens by changing the way living stipend amounts are calculated — from the living stipend payment being based on where the school is located to having it calculated based on where the student takes classes. Effective August 1, 2018
- **Vets Won’t Be Charged a Whole Month for Testing** --Under the old rules, a veteran would be charged a whole month’s entitlement to pay for any national test (GMAT, GRE, SAT, etc.) or one for state licensing. It’ll now change, to pro-rate just the cost of the test itself. Effective August 1, 2018.
- **Restoring Benefits Wasted on Schools That Closed** -- It gives back benefits lost at schools that closed out of nowhere and it continues education assistance programs for vets who were disapproved or who “would not have the term during which their studies were interrupted count toward the aggregate of their G.I. Bill entitlement.” It also allows vets to continue collecting payments for education assistance “through the end of the term, quarter, or semester in which the school closes, or for 120 days from the date of the school closure, whichever is less.” Effective November 14, 2017 (applies to closures after January 1, 2015),
- **New Transferability Option** -- A vet can now transfer months worth of a G.I. Bill to another dependent if the original dependent owner dies without getting through all of the benefits. A dependent can also transfer benefits to another dependent after the death of the service member or veteran. Effective August 1, 2018 (respectfully applies to deaths on or after August 1, 2009)
- **STEM Scholarship** -- The VA can now offer a scholarship (additional G.I. Bill funds) to allow a student veteran to finish a STEM (science, technology, engineering and math) degree. Effective August 1, 2018

- **End of 15-Year Time Limit** -- The 15-year time limitation to use the G.I. Bill will no longer exist for new service members. Effective immediately for service members and dependents discharged on or after January 1, 2013.
- **Pro-Rate Housing Allowance for Activations** -- The VA can now pro-rate housing stipends for Reservists who get called up for active duty during the middle of a month. Effective August 1, 2018 for members of the Reserve component of the Armed Forces pursuing an educational program using current G.I. Bill benefits.
- **VA Must Now Submit Performance Reports** -- The Secretary of the VA must now submit reports from institutions on students' performance to Congress (no later than March 1 of every year). Effective immediately.
- **\$30 Million to Improving Claims Process** -- About \$30 million will go to improve G.I. Bill claims processing, an IT system. Effective fiscal years 2018 and 2019.
- **Tech Pilot Program** -- The VA will create a five-year pilot program that gives vets the chance to enroll in tech courses, like coding boot camp, garner IT certifications, and more. It'll provide tuition and other payments on a scale while also giving the participating schools an incentive to graduate the veteran students as well as help them find a career within their field of study. Effective no later than 180 days after August 1, 2018.
- **Work-Study Program Extended** -- Repeals the sunset date of the VA work-study benefits for outreach to student veterans. Effective immediately.
- **DEA Benefits Consolidated** -- The number of months of entitlement changes for those eligible for the Survivors' and Dependents' Educational Assistance Program (DEA) from 45 months to 36 months (similar to other programs). Effective August 1, 2018.
- **DEA Payments Increased** -- Monthly payments for assistance under the DEA will be increased by \$200 per month. Effective October 1, 2018 (applies to all survivors eligible for DEA benefits).
- **Independent Study Programs** -- Someone eligible to receive G.I. Bill benefits can now use them toward accredited independent study programs (including open circuit television) at qualifying schools and institutions. Effective immediately for those currently using G.I. Bill benefits.
- **G.I. Bill Comparison Tool Addition** -- **The useful comparison tool provided by the VA at <https://www.vets.gov/gi-bill-comparison-tool>** will now have to include whether or not a school a priority enrollment system in place especially for veterans. Effective immediately,
- **VA Advisory Committee on Education (VACOE)** -- Extends the authority of the VACOE from December 2017 to December 2022. Effective immediately.
- **Codification of Vet Success on Campus (VSOC)** -- Right now there are almost 100 schools with a VSOC program, a system that provides a counselor at each participating institution to assist vets with their transition from military to college. Effective immediately.
- **12304(b) Reservist Equity** -- Individuals who serve under the 12304, 12304(a) and 12304(b) orders will now be eligible for Post-9/11 G.I. Bill benefits. Effective August 1, 2018 (applies to National Guard members and Reservists who have received 12304(b) orders after June 30, 2008)
- **12304(b) Reservist Order Equity for Vocational Rehab** -- Vets receiving Vocational Rehab (VR&E) benefits will now be able to "pause" their benefit time after being called up for 12304(a) and 12304(b) active duty orders. Effective immediately for National Guard members and Reservists with service-connected disabilities.
- **Housing Allowance Fix** -- Some time ago, the annual percentage increase to active duty BAH (Basic Allowance for Housing) was reduced to 1% a year for five years, but G.I. Bill payments were exempt. They will now be aligned so that a G.I. Bill recipient will get the same allowance as an E-5 active-duty service member with dependents. Effective January 1, 2018 (for those using G.I. Bill benefits after this date)

- World War II Mustard Gas Exposure Restitution -- The Department of Defense will be tasked with investigating the sites of mustard gas exposures during World War II, then submitting their findings to the VA and Congress. Effective February 12, 2018

Go to <https://www.vets.gov/?next=%2Feducation%2Fgi-bill%2Fpost-9-11%2Fch-33-benefit> to check on your G.I. Bill benefits, or apply for them online. [Source: The SITREP | Kevin Hobster } August 17, 2017 by ++]

\*\*\*\*\*

## VA Compensation & Benefits ► Problem Solving Program Q&A -- 17 thru 20

**Question #17:** If veteran receives a 100 percent total combined disability rating, is there a prohibition law that prevents him from gaining full employment?

**A1:** A 100 percent "permanent and total" rating is when the VA acknowledges that the service-connected conditions have no likelihood of improvement and the veteran will remain at 100 percent permanently with no future examinations. The P&T rating provides additional benefits, such as Chapter 35 education benefits for dependents, among others. Veterans sometimes make the mistake of requesting a P&T rating simply because they want education benefits for their dependents. The one caveat that veterans need to keep in mind is that when P&T is requested, all of their service-connected disabilities will be re-evaluated. If improvement is noted during the subsequent examinations, a reduction from 100 percent can possibly be proposed. Because many veterans are service-connected for conditions that VA says have a "likelihood of improvement," most ratings are not considered permanent and are subject to future review. The only time veterans can't work a full-time position, that is considered a gainfully-employed job is if they were awarded 100 percent disability through a claim for IU. Additionally, a 100 percent rating under either IU or combined ratings may or may not be rated as permanent and total. A temporary 100 percent rating is just that: temporary due to being hospitalized or recovering from surgery on a service-connected condition. (AP) 4/2/2016

**A2:** There is no prohibition in working if you are 100% scheduler. If you are IU, then working would not be in your best interest. (CP) 4/2/2016

**A3:** The answers above are correct. I would echo the advise against asking for an evaluation to be granted P&T status. Once you open Pandora's Box, you have no control over what the VA may find. Recently I had a vet who insisted the VA evaluate him in order to add a service connected illness. Well, the VA did grant him the new disability at 0%. They then found that he was better and downgraded him. Better to be safe than sorry. (RJ) 4/4/2016

**A4:** When you are 100 percent disabled that means just that for if you are able to work they would reduce the rating and then lose DOD privileges, dental, eye coverage, etc. If your condition is permanent unless you feel it should be temporary which some have that and were expecting permanent and complain. I for one wish surgery would fix mine so I could enjoy things I used to for it takes me sometimes 3 times or sessions to mow a 30x10 front yard and a 50 x 30 backyard. Just driving or riding in a vehicle puts pressure on my spine and legs so I suffer for a few days afterwards. So keep what you have been lucky to get for it took me 34 years of fighting with the VA to get mine after my health is so far gone at least I still have some mobility with an outside doctor saying I will be crippled within 15 years at the most if I am lucky. (JRM) 4/30/2016

-o-o-O-o-o-

**Question #18:** While serving in the USAF, during the years 1969-1972, I was stationed at Kirtland AFB at the Air Force Weapons Lab. My job included working at the Underground Test Facility in Nevada, delivering, installing and retrieving samples from various underground tests that occurred during this timeframe. In addition, working in my laboratory, I handled many samples that had been exposed to radiation during these tests. This included hand polishing, metallographic and electron microscopy inspection of metal, semiconductor devices and composite heat shield materials which had been exposed to radiation, heat and shock resultant from these underground tests. My question is: does this work allow any coverage under radiation exposure compensation?

**A1:** You would have to show radiation poisoning, then have a doctor opine that your conditions were caused by this exposure while in the military. (CP) 4/2/2016

**A2:** In this case you would have to prove by providing evidence of the connection between that exposure and a disability. (LG) 5/21/2016

-o-o-O-o-o-

**Question #19:**

I've had flat feet and a heart murmur since birth. I still went in the Military. Can I get compensation for these?

**A1:** If can show these conditions were aggravated by military service, then you could file for compensation. Merely filing for these without showing that military duty caused them to become worse, then they would likely deny your claim. (CP) 4/2/2016

**A2:** Individuals may enter military service with a known disability. Should this disability become worse due to military service, VA may be able to pay compensation. This is known as aggravation; however, compensation can only be paid for the level of aggravation. For example, at entry into military service, an individual has a disabling condition that could be considered 10% disabling. In order for this condition to be considered aggravated, it would have to have worsened due to military service to at least 20%. I believe these conditions must be noted on your intake physical in order to later claim an aggravated condition. (RJ) 4/4/2016

-o-o-O-o-o-

**Question #20:**

How long does it take for DRO to send out the final decision packet after I received the per cent letter?

**A1:** No set time table, but after two months I would make an inquiry. (CP) 4/2/2016

**A2:** A DRO is allowed to work at home... You can expect it to be anywhere from 8 to 16 months for them to even find the file they bring home. (AM) 6/11/2016

-o-o-O-o-o-

**Problem Solving Program (PSP)**

Have a question about the VA? Need help with benefit questions? Need answers to your compensation questions? Use the Problem Solving Program (PSP) to get answers. Submit your question at <http://www.veteranprograms.com/compensation.html> and allow an experienced veteran(s) or VSO to answer your question. Use the PSP as often as you like. Your question will be sent to over 125,000+ [registered](#) USVCP veterans, government employees, veteran organizations, and military supporters.

[Source: USVCP | <http://www.veteranprograms.com/id2460.html> | October 31, 2017 ++]

\*\*\*\*\*

## **VAMC Bedford NH ► Vet Dies When Aide Failed to Check on Him**

Members of the Bay State congressional delegation expressed outrage after a Vietnam veteran who required round-the-clock care died at the Bedford VA Medical Center. The Boston Globe reported 18 OCT that Bill Nutter, who had lost both legs to diabetes and had a condition in which his heart could stop, died at the veterans' hospital in July 2016 after a night-shift aide failed to check on him.

U.S. Rep. Katherine Clark said in an emailed statement: "When families trust the well-being of their loved ones to the VA, they deserve the peace of mind that comes with quality, compassionate care. That any veteran is subject to the treatment described today is unconscionable, and we must use every available resource to not only get to the bottom of what happened at the Bedford VA, but also to make sure it never happens again." Matt Corridoni, a spokesman for U.S. Rep. Seth Moulton, said Moulton was expected to have a phone conversation with Veteran Affairs Secretary David Shulkin 19 OCT to discuss Nutter's death.

The Globe reported Shulkin's office suspended the nurse's aide with pay. The aide was supposed to make hourly checks on Nutter. The aide was playing video games on her computer when she should have checked in on Nutter, the report said. The VA inspector general is investigating the allegations against the aide with assistance from the FBI and U.S. Attorney General's Office, the report said. Michael Hartigan, a spokesman for U.S. Rep Niki Tsongas, said in a statement: "

A primary concern of hers has been that the Bedford VA has been without a permanent director for so long. She has repeatedly requested that VA and Administration officials update her directly with regard to actions they are taking to address complaints raised not only in these articles, but also by veterans who have reached out to our office directly." U.S. Sen. Elizabeth Warren tweeted: "This is a disgrace. Our veterans deserve better. I'll be demanding answers and accountability from @DeptVetAffairs". [Source: Boston Herald | Antonio Planas | October 19, 2017 | by ++]

\*\*\*\*\*

## **VAMC Sheridan WY ► Offering Battlefield Acupuncture Treatments**

Jimmy R. Williams Sr. served in the Marines as a third generation soldier and came home from battle with severe back pain. He used opiates to relieve that pain, but felt lethargic and bogged down by the medications. When the Sheridan VAMC started utilizing battlefield acupuncture, Williams expressed skepticism of the alternative medicine. A few months and some heavy convincing from the pain clinic at the VA got Williams into his first appointment with Susan Bullard.

Bullard serves as the pain clinic coordinator and sole administrator of battlefield acupuncture. She punches gold needles, one millimeter long, into five points on each ear, placing 10 total needles into the ears. The semi-permanent ear needles send neurotransmitters to the brain in areas that control the pain signals up and down the spine, working to relieve pain. Williams described his body's reactions to the weekly treatments as euphoric and said he has started to decrease use of his prescription medication. "I still don't believe it," Williams said of the treatment. "Opioids drag you down. With this I have a clear mind. I function like a 20-year-old."



**IN 6000 BC, Chinese medicine introduced the art of acupuncture, attacking pressure points using sharpened stones. Today, acupuncture treatments at the Sheridan Veterans Affairs Medical Center help transition veterans away from using opiates to manage pain.**

The past two decades have seen an increased dependence on opiates as a form of post-operative pain management, according to “Acupuncture’s Role in Solving the Opioid Epidemic,” an article published by six acupuncture organizations. The article said in 2012, surgeons and dentists combined prescribed 16.2 percent of all opioids in the U.S., trailing only family practices as the leading source of opioid prescriptions at 18.2 percent. Of those prescribed medications, approximately 70 percent go unused.

Acupuncture treatments reduced consumption of opioid-like medication by more than 60 percent following surgery when acupuncture is used, the article states. As a result, entities around the state, including VAs, are looking to acupuncture to help solve the opioid epidemic. Kristina Brockman Miller, the public affairs officer at Sheridan’s VA, said people would be surprised to see what technological advances are taking place behind the aged walls of the buildings on the VA campus. Bullard’s methods, brought up from her experience and training at Fort Bragg, are working to bring those methods not only to Sheridan, but to VA satellite clinics around the state of Wyoming.

There are currently more than 1,000 programs in the U.S. and Canada that now use acupuncture to help individuals overcome addiction. While Bullard said battlefield acupuncture specifically works to help acute and chronic pain, she has also seen benefits of helping sleep and stress. It isn’t without side effects, though. Williams felt nauseous the first time he had the treatment, but he credited the feelings to nervousness as well as the new treatment. Some patients do not react as well or as quickly as Williams, but Bullard said she still believes the practice to be effective. Barbara Laughlin, an acupuncturist at Powder River Acupuncture in Sheridan, said patients on heavy pain medications have a harder time reacting well to acupuncture treatments. She also said older individuals take more maintenance and might have to be treated more frequently than younger patients.

Beyond reducing the dependence on opioids for pain management, acupuncture has also gained popularity due to its cost. Local acupuncturists Michael Patty with Bubbling Springs Acupuncture and Laughlin keep prices around \$50 and \$60 per session. Bullard’s procedures cost more than \$200 for veterans, but the needles cost only \$0.50 for each 1 millimeter gold needle and \$1 for titanium. “The cost versus benefit is pretty good around here,” Bullard said. Medicare and Wyoming Medicaid currently do not cover acupuncture, but some states are starting to cover acupuncture through health insurance plans.

Sheridan pharmacist Joe Meyer said hydrocodone prescriptions cost anywhere from \$20 to \$30 per month for short-acting prescription opiates. Long-acting medications could cost upward of \$300 to \$400 per month. A typical hydrocodone tablet, one of the cheapest prescription drug options, costs \$0.40 and people usually take around three or four per day. The National Institute on Drug Abuse said rates of prescription opioid misuse are higher among service members than among civilians, typically to manage post-traumatic

stress disorder and chronic pain. Opioid addiction treatments cost anywhere from \$115 per week to \$1,176 per week, between buprenorphine, methadone or naltrexone treatments and administration of drugs, the institute reported.

Acupuncture has been around for thousands of years, yet opioid addiction still remains a significant issue in the United States. In 2016, the journal Chinese Medicine said there remains a lack of evidence that acupuncture has a strong effect in the treatment of addiction. The publication's findings said acupuncture did not show strong value as a standalone treatment for addiction. Still, medical professionals like Bullard are working daily to convince veterans who remain set on using prescription pain medications to try acupuncture to see how their bodies react, hoping to change the way pain is managed. [Source: The Sheridan Press| Ashleigh Fox | October 20, 2017 ++]

\*\*\*\*\*

### **VAMC Tomah WI Update 19 ► \$3.3M Settlement for Overdosed Marine**

The government has reached a \$2.3 million settlement with survivors of a Marine Corps veteran who died of a drug overdose at the troubled VA medical center in Tomah, WI. Court papers filed 27 OCT say about \$1.65 million would go up-front to the widow and daughter of Jason Simcakoski, of Stevens Point, WI who was 35 when he died in 2014 at the Tomah VA facility. Another \$659,000 would go into annuities for Simcakoski's widow, Heather, and their daughter, Anaya. The rest would go to attorney fees and expenses. The Wisconsin State Journal reported Saturday that a federal judge will hold a hearing 1 NPOV on whether to approve the settlement.

Simcakoski's death led to the firing of the Tomah VA's chief of staff, Dr. David Houlihan, who agreed this past January to surrender his medical license permanently. The former head of the center, Mario DeSanctis, was fired in 2015 but fought his dismissal and eventually was allowed to resign, USA Today reported earlier this month. He and his lawyer were paid \$163,000, it said. An inspector general's report in 2015 found that Tomah VA doctors commonly over-prescribed opioid painkillers, earning the facility the nickname "Candy Land." Simcakoski, honorably discharged from the Marines in 2002, had been treated from 2006 to 2014 for a variety of conditions. He was admitted to the Tomah VA's acute psychiatric unit on Aug. 10, 2014, then transferred to a short stay unit.

On the morning of Aug. 30, 2014, he was so sedated he could barely speak, his family alleged in the lawsuit. He was found unresponsive that afternoon. He died after life-saving attempts were made, although they weren't started for about 10 minutes after he was found. An autopsy determined that Simcakoski died from mixed-drug toxicity. The inspector general found that doctors who prescribed his medications failed to talk with him about the risks, and noted delays in the start of CPR and the lack of medication at the Tomah VA to reverse drug overdoses. The agreement says the settlement shouldn't be construed as an admission of fault by the government, but avoids the expenses and risks of further litigation. [Source: Associated Press | October 29, 2017 ++]

\*\*\*\*\*

### **VAMC Omaha NE Update 03 ► Secret Psychotherapy Waiting List**

U.S. Department of Veterans Affairs officials say an unauthorized, secret waiting list for psychotherapy appointments at Omaha's VA hospital delayed care for 87 veterans this year. Letters addressed to Iowa Sens. Joni Ernst and Chuck Grassley and Nebraska Sen. Ben Sasse — all Republicans — blamed the

unauthorized list on “training deficiencies” involving the hospital’s medical support assistants, the Omaha World-Herald reported Saturday.

The VA’s response to Sasse said no employees were fired, but one employee who was involved retired and another resigned. It also said no bonuses were paid based on performance data implicated in the investigation of the secret lists. Officials said the investigation is continuing into whether more lower-ranking employees in the VA’s Nebraska-Western Iowa Health Care System were responsible. That should be completed by the end of the month. “Appropriate disciplinary action will be taken if warranted,” VA Secretary David Shulkin said in his letters to the senators. Shulkin said the affected veterans did receive other types of treatment while their names were on the list, including substance-abuse treatment, inpatient treatment and counseling through primary care or Veteran’s Center clinics. Shulkin’s response did not say whether any of the veterans were told about the delays.

The list, first reported by the Omaha World-Herald, dodged strict VA requirements for establishing and maintaining waiting lists, according to a compliance officer’s memo to the director of the Department of Veterans Affairs’ Nebraska-Western Iowa Health Care System. The compliance officer’s audit included whistleblower complaints made about unauthorized lists for appointments at the VA’s mental health psychotherapy clinic in Omaha. The VA set up strict requirements for establishing waiting lists following a 2014 scandal that showed VA employees were covering up chronic delays with false paperwork and secret lists. It was reported in 2016 that 40 medical facilities maintained secret lists. The Omaha facility had not been among those 40. [Source: Associated Press | October 29, 2017 ++]

\*\*\*\*\*

## **VAMC Memphis TN Update 05 ► Two Top Doctors Fired**

The Department of Veterans Affairs has fired two top doctors at the Memphis VA in the wake of heightened scrutiny and multiple congressional investigations into the troubled hospital. But one of those doctors says through an attorney that the claims against her are "patently and provably untrue." VA officials confirmed that Susan Calhoun, former director of the hospital's anesthesiology department, and Darryl Weiman, former head of surgery, were fired Friday by Director David Dunning for "failure to lead and act." David Dunning is a Memphis native and two-time combat veteran who is the newest permanent director at the Memphis VA Medical Center.

Both Calhoun and Weiman had been temporarily reassigned during an investigation, which is now complete, the VA said. Weiman was a staff surgeon and Calhoun was a staff anesthesiologist while the investigation had been ongoing. Curt Cashour, the VA's press secretary, said the firings come as the VA attempts to improve accountability and transparency across the nation's largest health network. "Secretary Shulkin has made clear VA will not hesitate to take appropriate disciplinary action when warranted," Cashour said in a statement.

Calhoun's attorney, Kevin Owen, told the USA TODAY NETWORK that claims made by Dunning about Calhoun's "performance and professionalism" were false and the decision to fire Calhoun will ultimately be even more harmful to the veterans who use the hospital. "Unfortunately Director Dunning is more interested in reporting a body count of employees he fired in the name of reform than actually improving the Memphis VA Medical Center," Owen said. Calhoun and Weiman were among several to be reassigned or allowed to retire in a flurry of sweeping personnel changes that Dunning had endorsed in early August. Top officials in an array of areas of the hospital including surgery, research, nursing, engineering and human resources were removed or reassigned while the investigation progressed. Weiman could not immediately be reached for comment.

The moves came just weeks after Dunning assumed the director's role permanently, the first permanent director since early 2016. In that year, the hospital was subject to a number of investigations due to allegations of poor care, including botched surgeries and biopsies, delays in urgent care and other issues. Threats to patient safety at the Memphis VA also soared to 1,032 in 2016 – up from 705 in 2015. The moves also come as Dunning tries to lift the hospital from the bottom of the VA's own internal rankings. Last week, the hospital again received the VA's lowest ranking — 1 star out of 5 — one of three in the state to receive that ranking. [Source: USA TODAY | Jake Lowary & Donovan Slack | October 30, 2017 ++]

**\* Vets \***



## **Vet Service Dogs Update 22 ► Fake Dog Laws**

Chris Slavin was in an elevator a couple years ago with Earle, her yellow lab service dog, sitting calmly beside her wheelchair. The elevator doors opened and in walked a woman holding a purse. In the purse was a teacup poodle the color of apricots. The doors closed just as the poodle spotted Earle. That's when the trouble started. In an instant, the poodle leaped from the purse, flung himself at Earle, and clamped his teeth into the bigger dog's snout, leaving Earle bleeding onto the elevator floor. "As soon as this occurred the woman said the poodle was a service dog," said Slavin, who has a severe spinal injury that requires use of the wheelchair. "She then said he wasn't a service dog but an emotional support dog. Finally, she admitted he was a pet she just wanted to bring in the building with her."

Incidents like that one in Reading, Massachusetts, not far from where Slavin lives in Danvers, have spurred 19 states to enact laws cracking down on people who try to pass off their pets as service animals. The push has been gathering steam in recent years: Virginia implemented its new law in 2016, and Colorado followed suit this year. Massachusetts is now considering a similar proposal. "Today, any pet owner can go online and buy a vest for a dog to pass it off as a service animal to gain access to restaurants, hotels and places of business," said Republican state Rep. Kimberly Ferguson, who introduced the Massachusetts bill. "Their animals aren't trained and end up misbehaving in these public places, which gives real service dogs a bad name."

Service dogs, which are trained to perform tasks for a person with a disability, were first used by people with vision and hearing impairments. They are now also used by those who use wheelchairs or have other impairment in mobility, people who are prone to seizures or need to be alerted to medical conditions, like low blood sugar, and people with autism or mental illness. The American Humane Association, which promotes the welfare and safety of animals, says there are 20,000 service dogs working in the U.S.

Supporters of the new laws compare those misbehaving dog owners to people who acquire handicap signs so they can park in spaces intended for disabled people. The laws make it a misdemeanor to represent an untrained dog as a service animal, and usually come with fines of no more than \$500 for an incident. But because there is no certification or official national registry of legitimate service dogs, there is no way to verify whether a dog has undergone rigorous training to become a service animal. That makes it hard to

enforce the laws, said David Favre, a law professor at Michigan State University College of Law and editor of its Animal Legal and Historical Center website, which follows public policy issues related to animals. He said he's not aware of anyone who has been prosecuted anywhere for violating them.

Rather, he said, the laws are largely symbolic, and meant to educate dog owners as well as people who let pets into spaces where they don't belong. "Maybe you can scare some people into being honest." People who pass off their dogs as service animals in order to take them into stores, restaurants, libraries, sporting events and offices are a real problem, he said, for the proprietors of those establishments, their customers and disabled people who genuinely rely on the help of their service dogs. "A service animal is trained to be in public and to be under control and non-intrusive and not bark," Favre said. "They are trained not to be a nuisance in any way. You should hardly even know they are there."

Because of Earle's training as a service dog, Slavin said, when the poodle attacked him, "My dog never moved, never retaliated, never barked." He did nothing. That is the way a service dog is trained. They are not going to ever be aggressive. Ever." Earle performs many functions for Slavin. He picks up items she drops, retrieves keys, opens doors, puts objects like library books on counters that Slavin can't reach, and returns change or credit cards to her after purchases. She credits Earle with "enabling me to truly become part of my community."

Service dogs receive up to two years of training, which can cost more than \$40,000. Before they are placed, their new owners are often required to live at the training center for a week or two to learn about caring and interacting with their dogs. Many training centers provide the dogs free of charge to disabled clients, defraying their costs through fundraising. The waiting time for a service dog is often two years or longer. But for people who want to pass off their pet as a service dog, it's easy enough to be convincing. Anyone can go online and purchase for about \$20 the types of vests that legitimate service dogs usually wear. The vests may help the fake service dogs gain entry, but their behavior, and that of their owners, often gives them away. Trained service dogs don't go off-leash, bark, knock things off shelves, jump on people, play or fight with other dogs, or grab food off tables, trainers say. [Source: PEW Charitable Trusts | Michael Olllove | October 16, 2017 ++]

\*\*\*\*\*

## **Anthem Kneeling ► Former Player/Vet Speaks Out**

A four-time Super Bowl champion and Vietnam vet who lost part of his right foot after suffering a combat injury is the latest — and perhaps most unequivocally qualified — figure to chime in on what has become a national predicament, according to a story by Yahoo Sports. Rocky Bleier, 71, played parts of 11 seasons with the Pittsburgh Steelers, a career that was interrupted following his rookie season when he was drafted into the Army in 1968. For his actions in combat, Bleier was awarded the Bronze Star and a Purple Heart. Despite his wounds, he managed to carve out 10 more seasons in the NFL, a span that included four championships.

Now, amid the rapidly expanding societal chasm emanating from player protests that have continually drawn the ire of President Donald Trump, Bleier believes there is a simple fix. "The American people, they can't go to their workplace and start to protest about whatever may be happening in their life," Bleier said. "That wouldn't be allowed and that shouldn't be allowed in the NFL. "It's not a violation of the First Amendment at all. You have off days, you can do it outside of the stadium or on other platforms, but not the gameday platform. This sentiment is a familiar one, shared by scores of fans and owners alike, but Bleier didn't stop there. He admonished NFL ownership for their lack of initiative and leadership in the months after Colin Kaepernick began kneeling during the national anthem to protest inequality and police brutality.

“It was a year ago that Kaepernick took a knee, so if you’re the commissioner or an owner, you have to be proactive ... Somewhere along the line I have not seen the leadership maybe I expected from the commissioner and the owners in this situation. “You can’t allow it to continue to drag on,” Bleier continued. “Otherwise, it will be like an open sore that heals and if you peel off the scab again and it will continuously be there.” Bleier joins a growing list of current or former athletes, including Pittsburgh Steeler and former Army Ranger Alejandro Villanueva, who have contributed to the ongoing dialogue. [Source: MilitaryTimes | Jon Simkins | October 27, 2017 ++]

\*\*\*\*\*

## **Congressional Gold Medal Update 09 ► Filipino Vet Celestino Almeda**

Celestino Almeda joined the Philippine Commonwealth Army in 1941, fought alongside U.S. soldiers during World War II and for nearly a decade has been seeking money the federal government had promised. On 25 OCT, the 100-year-old veteran got his recognition and finally his money, too. Almeda received the Congressional Gold Medal, the nation’s highest civilian honor. Veterans Affairs Secretary David Shulkin also announced at a Capitol ceremony that Almeda was getting a check, 72 years after the war ended. Shulkin’s announcement drew gasps from some of the hundreds in attendance at the Gold Medal ceremony, which House Speaker Paul Ryan (R-WI) acknowledged was “long, long overdue.”

Almeda, dressed in his military cap, told the crowd he was glad to be able to accept the medal, noting that “many have passed away waiting for 75 years for this time to come.” Almeda said he and other Filipino veterans have long “felt unrecognized for fighting for our country,” adding, “I wondered why” since he and his fellow soldiers had brought “victory during a long war in the Philippines.” The gold medal signified that his service — and that of thousands of other Filipino veterans — is recognized, Almeda said, calling himself a warrior who “will never quit.”

Almeda was a 24-year-old teacher when he joined the Philippine Commonwealth Army in 1941. After the war, he resumed his career as a teacher and was granted U.S. citizenship in the 1990s. In 2003, he began receiving medical benefits from the Department of Veterans Affairs under a law aimed at Filipino veterans. But Almeda, now 100 and living outside Washington, has been fighting for nearly a decade to receive a \$15,000 lump-sum payment promised to Filipino veterans under the 2009 economic stimulus law. Almeda was among more than 250,000 Filipino soldiers who served alongside U.S. soldiers in World War II, including more than 57,000 who died. After the war ended, President Harry S. Truman signed laws that stripped away promises of benefits and citizenship for Filipino veterans. Only recently have the veterans won back some concessions and acknowledgment, including the gold medal.

Ryan said the Capitol ceremony was more than “a feel-good story of delayed recognition. We are here to immortalize the legacy of great liberators, who have paved the way for generations to follow.” The ceremony — and the gold medals — should “serve to ensure that those who fought for freedom are never forgotten, and always remembered,” Ryan said. Sen. Mazie Hirono (D-HI) said Filipino veterans enlisted for World War II “knowing full well that the enemy could discover who they were and retaliate against their families.” Even after their service “was practically erased from American records ... these veterans never gave up,” Hirono said. “They organized and fought for what they had earned.”

In 1990, Congress awarded U.S. citizenship to thousands of Filipino veterans and later extended VA benefits to them. The 2009 stimulus law authorized the lump-sum payments, although in some cases missing or poor records blocked the payments from being made. “After bravely serving our country, it is frankly shameful that these veterans had to fight so hard for what they were promised,” Hirono said. Today, only 18,000 Filipino veterans are still alive. “We are living in tumultuous times, and we have many disagreements,” Hirono said, “but we agree that it is our responsibility as public servants and Americans to

honor each veteran in the same way they honored our country.” [Source: The Associated Press | Matthew Daly | October 26, 2017 ++]

\*\*\*\*\*

### **NNAV Memorial ► Smithsonian Accepting Design Submissions**

The Smithsonian’s National Museum of the American Indian will accept design submissions beginning 11 NOV for a memorial that will honor the military service of Native Americans. The National Native American Veterans Memorial is scheduled to open in 2020 and will be located on museum grounds near the National Mall in Washington, D.C., according to a museum news release. A jury of both Native and non-Native American artists, designers, scholars and veterans will judge design submissions in a two-stage competition. The first stage begins on Veterans Day with an open call for design concepts; it runs through Jan. 9. Five finalists will advance to the second stage, where they’ll be asked to refine their design concepts and resubmit them to the judges, per the release.

Congress commissioned the museum to build the memorial in order to give “all Americans the opportunity to learn of the proud and courageous tradition of service of Native Americans in the Armed Forces of the United States,” the release states. An advisory committee composed of tribal leaders and Native American veterans from across the country conducted 35 community consultations between 2015 and this summer to seek input and support for the memorial. Learn more about the memorial plans, and the design contest at <https://nmai.si.edu/nnavm> . [Source: ArmyTimes | Kyle Rempfer | October 31, 2017 ++]

\*\*\*\*\*

### **Bladensburg WWI Vet Memorial Update 03 ► Ruled Unconstitutional**

The U.S. Court of Appeals for the Fourth Circuit on 19 OCT declared unconstitutional the historic cross-shaped Bladensburg World War I Veterans Memorial, which has stood since 1925 in honor of 49 Bladensburg-area men who gave their lives during WWI. “Today’s decision sets dangerous precedent by completely ignoring history, and it threatens removal and destruction of veterans memorials across America,” said Hiram Sasser, Deputy Chief Counsel for First Liberty. Law firms of Jones Day and First Liberty Institute represented the American Legion in the case.

Eight Republican and Democratic members of Congress filed a joint amicus brief with the Fourth Circuit in support of the memorial. “This memorial has stood in honor of local veterans for almost 100 years and is lawful under the First Amendment,” Michael Carvin, lead counsel for The American Legion and Partner at Jones Day, says. “To remove it would be a tremendous dishonor to the local men who gave their lives during The Great War.”

A three-judge panel of the U.S. Court of Appeals for the Fourth Circuit decided the 90-year old war memorial violates the Establishment Clause of the First Amendment to the U.S. Constitution. Writing separately, Chief Judge Gregory wrote, “This Memorial stands in witness to the VALOR, ENDURANCE, COURAGE, and DEVOTION of the forty-nine residents of Prince George’s County, Maryland ‘who lost their lives in the Great War for the liberty of the world.’ I cannot agree that a monument so conceived and dedicated and that bears such witness violates the letter or spirit of the very Constitution these heroes died to defend.”

“The American Legion’s commitment to preserving the Bladensburg Memorial has been unwavering,” said Kelly Shackelford, President and CEO of First Liberty. “Their determination is appropriately illustrated

by President Woodrow Wilson’s words engraved at the memorial’s base: ‘The right is more precious than the peace; we shall fight for the things we have always carried nearest to our hearts; to such a task we dedicate ourselves.’ We are exploring all of our options on behalf of the American Legion, including an appeal directly to the U.S. Supreme Court.”



### **Brief History of the Bladensburg WWI Veterans Memorial**

In 1925, a local post of The American Legion—the largest veterans service organization in the country with approximately 2.2 million members—erected the Bladensburg WWI Veterans Memorial, also known as “Peace Cross,” to honor 49 Bladensburg-area men who gave their lives serving in the U.S. Armed Forces in WWI. The memorial stood for almost 90 years without objection until the American Humanist Association filed a lawsuit in February 2014 alleging the cross-shaped memorial is unconstitutional and demanding it be demolished, altered, or removed. In November 2015, the U.S. District Court for the District of Maryland ruled the memorial is constitutional, citing the use of the cross as a military symbol of courage, sacrifice, and remembrance. On December 7, 2016, the Court of Appeals for the Fourth Circuit heard the case on appeal from the American Humanist Association. To learn more, about this case visit [www.FirstLiberty.org/Bladensburg](http://www.FirstLiberty.org/Bladensburg). [Source: Veteran Resources | Donnie La Curan | October 18, 2017 ++]

\*\*\*\*\*

### **Facebook Update 01 ► Imposter Vet Organization Disinformation | VVA**

Facebook Inc. disabled a page on its social media platform Tuesday after determining it violated the intellectual property of a congressionally chartered veterans service organization. The company shut down the page Vietnam **Vets** of America, which created politically divisive posts and had a following of nearly 200,000 people. That’s tens of thousands more than the number following Vietnam **Veterans** of America, a page run by the veterans service organization of the same name that accused the other page of being an “imposter.”

Vietnam Vets of America violated a section of the social media network’s Statement of Rights and Responsibilities about protecting other people’s rights, said a Facebook official who spoke on the condition of anonymity because the information had not been publicly released. The action comes months after Vietnam Veterans of America alerted Facebook’s security team. “We’re glad to see that Facebook is taking seriously the fact that agents outside the U.S. are targeting veterans on social media,” said John Rowan, president of Vietnam Veterans of America.

Rowan referred to a study from Oxford University published earlier this month that found Russian operatives used Twitter and Facebook to disseminate “junk news” to veterans and servicemembers, including propaganda, conspiracies and hyper-partisan political content. It’s unclear who is behind the Vietnam Vets of America page, and requests for comment from page administrators went unanswered.

Just last week, Facebook said it determined Vietnam Vets of America wasn't representing itself as Vietnam Veterans of America and that Facebook's community standards were not violated. At the time, a Facebook spokesman explained the network wouldn't disable a page for posting false perspectives and encouraged Vietnam Veterans of America to speak out and educate other users.

The veterans service organization responded by calling on the Departments of Defense and Department of Veterans Affairs to get involved in stopping foreign entities from targeting veterans and servicemembers online. Since then, Facebook concluded an intellectual property complaint about the page was valid, the company official said. Late Tuesday, VVA celebrated the decision to shut down the page but again called for the federal government to take action. "We can't afford to dedicate staff time and funds to play whack-a-troll on the internet to protect our members from deception," Rowan said. "We're encouraged by Facebook's action this week but want to re-emphasize that we believe the VA and DOD have a role to play in protecting troops and veterans from influence and deception by foreign actors."

Facebook, along with Twitter and Google, are expected to face questions on Capitol Hill next week about how Russia was able to use their platforms to intervene in the 2016 presidential election. Leaders of the social media networks were invited to publicly testify Nov. 1 before Senate and House intelligence committees. In an interview with the news website Axios earlier this month, Facebook Chief Operating Officer Sheryl Sandberg said the social media network would be going after fake accounts, increasing transparency and hiring thousands of staff to improve oversight. [Source: Stars & Stripes | Nikki Wentling | October 26, 2017 ++]

\*\*\*\*\*

## **Florida Vet Cemetery Update 13 ► Tallahassee National Cemetery Opens**

The new 250 acre Tallahassee National Cemetery is officially open, and dignitaries marked the moment during a ceremony 17 OCT. A contractor has wrapped up construction, turning over the property to the Federal Government. On Tuesday, an Honor Guard raised a giant American flag at the center of the cemetery for the first time, along with flags representing all branches of the Military. The cemetery will serve over 83,000 veterans with available burial space for the next 100 years. The cemetery can also accommodate interment for in-ground cremation burial and traditional in-ground casket burial. The completion of this phase will add the option of the columbarium niche for cremation, or the memorial wall to memorialize veterans who are not interred in another cemetery. The cemetery serves Veterans from parts of Florida, Georgia and Alabama. Refer to <https://www.cem.va.gov/cems/nchp/tallahassee.asp> for information on the cemetery's operation. [Source: WCTV Eyewitness News | October 17, 2017 ++]

\*\*\*\*\*

## **RSO Roster OCT 2017 ► Contact Info**

Army Retirement Services Officers (RSOs) can provide answers for retiring and Retired Soldiers and surviving spouses. Before retirement, contact your RSO for your pre-retirement and Survivor Benefit Plan (SBP) briefings. After retirement, contact your RSO for benefits assistance and for special program items such as the retiree councils, Retiree Appreciation Days, and installation retiree newsletters. To locate your nearest office refer to the attachment to this Bulletin titled, "**RSO Roster OCT 2017**". [Source: Army Echoes | Oct-Jan 2018 ++]

\*\*\*\*\*

## **Vet Toxic Exposure | Alpena CRTC ► Contaminated Groundwater**

A combat center in northern Michigan has become the third military base in the state to test positive for contaminated groundwater. Preliminary results came in early OCT for tests conducted at five locations at the Alpena Combat Readiness Training Center earlier this year, said Capt. Brian Blumline, a civil engineer for the base. Blumline said all the sites showed elevated levels of perfluorooctanoic acid and perfluorooctyl sulfonate, which are contaminants from firefighting foam that was used in training at the base many years ago. They were considered safe at the time.

Contaminants seeped into the groundwater when the foam was used, and there's concern a plume could have traveled over time and entered residents' well-water sources. "It's been in our groundwater for a long time and the test numbers came in very high," Blumline said. The maximum level of such contaminants deemed safe in Michigan is 70 parts per trillion, which Blumline described as one drop of dye in three Olympic-sized swimming pools. State Rep. Sue Allor said the test results at the base were at or about 80,000 parts per trillion. "My feeling right now is there needs to be more action and this isn't moving fast enough," Allor said. "We're talking about people's lives here. I want to make sure the health, safety and welfare of residents, animals and property are the top priority in this."

Blumline urged the public to attend an OCT informational meeting at the base. He said state environmental and health agencies will provide updates on what steps will be taken moving forward. "We're not going to be able to fight this without community support," he said. Contamination also has been found at Camp Grayling and the former Wurtsmith Air Force Base. The Alpena base is expected to receive more definitive test results in January. [Source: The Associated Press | October 14, 2017 ++]

\*\*\*\*\*

## **Arizona Vet Home Update 02 ► 3 Proposed Homes Lack Funding**

Difficulties in securing federal money for proposed veterans homes in Arizona has left the projects in limbo. The Arizona Capitol Times reports that the state has set aside funding to cover some costs for new veterans homes in Yuma and Flagstaff. But the rest of the money must be covered by the U.S. Department of Veterans Affairs, and the federal funding has proven difficult to secure. Veterans state homes are similar to nursing homes, with one big difference — the majority of the patients are veterans. Additionally, there is funding for care available to those who qualify.

The state budget in 2015 included \$9.2 million for a new veterans state home in Yuma. In 2017, \$10 million was designated to build a state home in Flagstaff. Now, the Arizona Department of Veterans' Services has asked for \$13 million more in their proposed 2018 budget for funding of another veterans state home in Mohave County. The three homes together represent a 228-bed increase in Arizona's veterans state home capacity, which is currently at 320 beds. Still that's only a portion of Arizona's 1,200-bed deficiency, identified by Veterans Affairs.

The Flagstaff and Yuma homes have applied to Veterans Affairs for federal funding and been placed on a national ranking list of proposed projects. However, there typically isn't enough money to fund everything on the list. In past years, Arizona projects have ranked in the 40s or 50s. Often only the top 10 or 15 get funded. [Source: Arizona Capitol Times | Tom Philpott | October 16, 2017 ++]

\*\*\*\*\*

## **Marine Corps War Memorial Update 04 ► Massachusetts Replica Vandalized**

Police in Massachusetts are investigating the latest case of vandalism to an Iwo Jima memorial. Officials say the memorial in Fall River was doused with the contents of a fire extinguisher last weekend. Commandant Bruce Aldrich of the city's Marine Corps League tells the Herald News that surveillance video captured a man and woman vandalizing the statue at about 4 a.m. Saturday. The fire extinguisher was left behind and is being processed for fingerprints. City Veteran's Agent Raymond Hague is concerned the statue's protective coating was damaged. The memorial is a one-third scale replica of the Iwo Jima memorial in Washington depicting Marines raising the U.S. flag on Mount Suribachi, a moment captured in a Pulitzer Prize-winning photograph. The Fall River memorial dedicated in 2005 has frequently been targeted by vandals. [Source: Associated Press | October 18, 2017 ++]

\*\*\*\*\*

## **Student Loan Forgiven Debt Tax Update 01 ► Definition Of Insanity**

The federal government forgave wounded veteran Will Milzarski's sizable student debt but, in an ironic twist, the IRS wants him to pay \$62,000 in income taxes on the loan cancellation. Retired 1st Lt. Milzarski, 47, is a lawyer from Bath Township who specialized in disability rights. At 40, he took a leave from his state job to return to the Army to attend Officer Candidate School. His two tours of duty in Afghanistan left him with a traumatic brain injury, post traumatic stress disorder and hearing loss. The Department of Veterans Affairs considers him totally and permanently disabled, leading to a cancellation of nearly a quarter-million in student loans.

Joshua Wease, a clinical associate professor of law who directs Michigan State University's low-income tax clinic, said the tax in this case is not logical. "If an individual has been deemed disabled and unable to pay their student loans, it seems incredible that they wouldn't also be deemed unable to pay the taxes on the forgiveness of those same student loans," he said. Milzarski returned to a state job but retired last year after he struggled with concentration and memory. Because he couldn't afford to pay his student loans while living on disability pay, he was happy to get the news that the U.S. Department of Education was canceling \$223,000 in debt.

But the IRS notice that followed floored him. He's also facing \$8,000 in Michigan taxes, penalties and interest in addition to the federal taxes. That's \$70,000 in all. "One part of government says, 'We recognize your service, we recognize your inability to work,' " Milzarski said. "The other branch says, 'Give us your blood.' Well, the U.S. Army already took a lot of my blood." Joshua Wease, law professor at Michigan State University says, "If an individual has been deemed disabled and unable to pay their student loans, it seems incredible that they wouldn't also be deemed unable to pay the taxes on the forgiveness of those same student loans."

Milzarski led soldiers on 244 combat missions and 43 engagements with the enemy. Six soldiers under his command died, and a ricocheted bullet hit him in the face during combat in Afghanistan. Among his 18 awards are Purple Heart and Meritorious Service medals. He receives disability pay from his state job and the military. Milzarski's high student debt was largely attributed to his law degree, which he earned in 2002 from Cooley Law School. He was able to subtract his other debts to bring down the amount of income attributed to the loan forgiveness to \$161,000. Still, that pushed him into the top tax brackets. He contacted Wease's MSU Low-Income Tax Clinic earlier this year, and they agreed to take on his case. Sixteen second- and third-year law school students work in the clinic. Wease said an offer to pay a lower amount was rejected by the IRS and that is being appealed.

Milzarski's case may be unusual because the high amount of debt, Wease said. While there are some exceptions, canceled debt is generally considered income. "It's kind of a weird area of law. A lot of people don't think when your debt's canceled that it's income because you don't have the money in your pocket," Wease said. He said he doesn't think federal law intentionally included wounded veterans who have their loans forgiven. "Sometimes the law can't always conceive of every single circumstance that comes up," Wease said. He said it may take two or three months to go through appeals.

An IRS spokeswoman said the agency is prohibited from commenting on specific taxpayers. She sent a link to a publication about debt cancellation as way of comment. Milzarski said he's facing garnishment of his disability pay and a lien against his home in Bath Township. His wife attends Lansing Community College and the couple is helping to raise three grandchildren. He's turned to his state and congressional representatives about the situation. Republican state Sen. Rick Jones said 19 OCT that a bill is being drafted to exempt loan forgiveness for wounded vets under state law. That wouldn't affect federal tax liability and probably wouldn't help Milzarski because it won't be retroactive.

He said forgiving loans because of disability but taxing canceled loan as income is "pretty much the definition of insanity." "Why should it suddenly become income? It absolutely makes no sense," Jones said. Milzarski said he'll be glad to see the legislation passed. "It's bittersweet. It will make sure that some of the other veterans out there never have it happen to them, but it won't help me," he said. [Source: USA TODAY | Judy Putnam | October 20, 2017 ++]

\*\*\*\*\*

## **Obit: Thomas Edgar Hunter ► 17 SEP 2017**

World War II veteran, Thomas Edgar Hunter, a passed away on Sept. 17, 2017 in Winnfield, Louisiana. Hunter served in the Army from 1942-49, and was one of the soldiers who survived the D-Day invasion. Unfortunately, his service record didn't get him much of a grieving party at his funeral. Hunter was never married, never had any kids, and outlived all of his siblings. Hunter's only remaining family members were nieces, making the question of who would carry his casket a tricky one. When Hunter's funeral was being arranged, the funeral director at Southern Funeral Homes, Bryan Price tried to tackle this problem — literally.

Price reached out to Lyn Bankston, a local high school football coach. He asked Bankston if any of his players would be willing to be the pallbearers. Bankston told his players Hunter's story, and it moved them. Lee Estay, Brett Jurek, Justin Lawson, Christian Evans, T.J. Homan and Matthew Harrell all volunteered to carry the man's casket. "The kids asked if it was appropriate for them to wear their jerseys, and I said absolutely it was," Bankston said. "Because you and this program stand for exactly what Mr. Hunter stood for when he was serving this country." These boys understood the sacrifices that Hunter made for this country, and they were honored to be the ones to bring him to his final resting place. As Bankston put it, "They know the sacrifice Mr. Hunter made and it meant something to them."

Days after the funeral, the players were honored by Representative Ralph Abraham during his speech on the House floor. Abraham said that the boys, "gave Mr. Hunter the hero's send-off he deserved." "They didn't know this man, but they knew that every veteran deserves to die with dignity and be honored for the sacrifices he made in defense of this nation," Abraham said. "I think the actions of these young men speak volumes about what's truly important — country, community, family, God." Coach Bankston used this opportunity to teach his kids about more than just football. "One of the things we try to teach our young people is to value history and to recognize that so many people sacrificed so they could have the life they have," he said. Although they're only in high school, these young men understood that heroic acts often go

unnoticed. Hunter may not have made headlines in his early days, but these kids gave him the hero's sendoff for his service that he deserved. [Source: Lifiable | James Russo | October 2, 2017 ++]

\*\*\*\*\*

## **Obit: David E. Patterson ► 9 OCT 2017**

A member of a Marine Corps unit trained to use the Navajo language to transmit messages during World War II has died. Navajo Code Talker David E. Patterson Sr., 94, died 9 OCT in Rio Rancho, according to a press release from the Navajo Nation Office of the President and Vice President. Patterson died of pneumonia and complications from a subdural hematoma, his son, Pat Patterson, wrote in an email to The Daily Times. "Those who were close to him knew he was a devoted Catholic. He loved bingo, baseball – Los Angeles Dodgers – and was an avid bowler, a passion in which he enjoyed doing until the very end," his son wrote.



Pat Patterson said in a telephone interview today his father moved to his Rio Rancho residence in 2012 after living for decades in Shiprock. He added his father participated in regional and Las Vegas bowling tournaments and remained active in the sport until May. "I tell people I blame him for my bowling addiction," Pat Patterson said with a chuckle then added he gave his father a bowling ball designed with the Navajo Code Talkers Association emblem. Pat Patterson said his father did not talk much about his military service, and the last time he talked publicly was to elementary students in 2012. "He wanted to fight for our county and it was his duty to do so," Pat Patterson said.

David E. Patterson enlisted in the Marines in 1943 and served in the Marshall Islands, the islets of Roi and Namur, the Kwajalein Atoll, Iwo Jima and Saipan. He was honorably discharged in April 1945 and was the recipient of the Congressional Silver Medal in November 2001. In 1948, he married Marion Patterson. Together they raised seven children in Oklahoma, California and Shiprock. He went to college in Oklahoma and in New Mexico to become a social worker. He worked at the tribe's Division of Social Services from 1975 until retiring in 1987. He also coached Little League Baseball and Softball in Shiprock.

After retirement, he volunteered as a foster grandparent to schools in Shiprock until 2012. "I think he was wanting to keep busy," Pat Patterson said about his father's involvement with the foster grandparent program. Patterson was Táchii'nii (Red Running Into the Water People Clan), born for Kinlichii'nii (The Red House People Clan). His maternal grandfather clan was Bit'ahnii (Folded Arms People), and his paternal grandfather clan was Naakai dine'é (The Mexican Clan). Leaders from the Navajo Nation expressed their condolences in statements from their offices.

- "Beyond his service in protecting our freedom, he was a beloved husband, father and grandfather. The Office of the President and Vice President extends our condolences to his family during this time of mourning," Navajo Nation President Russell Begaye said.
- Speaker LoRenzo Bates called Patterson "a great example" for the tribe though his military service.
- "We will miss his presence and service in our communities where he helped many of our Navajo people," Bates said.

Donations for the family can be made at a GoFundMe account under "David E. Patterson Sr. Memorial" and at Wells Fargo Bank under "David E. Patterson Sr. Memorial Fund." A funeral service was scheduled for 11 a.m. 12 OCT at Christ the King Catholic Church in Shiprock. Interment to follow at the Shiprock Community Cemetery in Shiprock. [Source: Farmington Daily times | Noel Lyn Smith | October 9, 2017 ++]

\*\*\*\*\*

## WWII VETS 146 ► Sydney L. Cole | 103 Years Old

News flash: There is no secret to living a long life. That's what Sydney L. Cole tells anyone who asks him how he got to be 103 years old. "I tell them 'If I tell you my secret, I won't have a secret,'" he said. Then he added, "There is no secret." Then the spry World War II pilot talked about what to avoid: "I never smoked a cigarette, I'm not a drinker, never got in trouble after school." Several dozen of Cole's friends gathered Friday afternoon to celebrate his birthday at Veterans Affairs Medical Center, where he lives in the community living care unit. Members of the Military Order of the Purple Heart presented him with a cake that honored the Purple Hearts he earned when he was shot down behind enemy lines in Belgium during the Battle of the Bulge.



*Veteran Sydney Cole celebrated his 103rd birthday at the Buffalo VA. Friday. WWII -ra period actresses from "Pin-ups for a Cause" service organization Miss Mouse Kitear, left, and Kimmy-Sue, right, treated him to a birthday kiss at his party.*

He was shot in his arm and leg as he parachuted down. "Just before he passes out, he took his dog tags, there was an 'H' on them for Hebrew. The enemy wasn't fond of Jewish people. He ripped off his dog tags and threw them as far as he could, and then he passed out," said his son, Richard. He was picked up by Germans, and he spent about a year in captivity, where he was beaten and abused, Richard Cole said. "He was 150 pounds when he went in," Richard Cole said. "When he came out he was 80 pounds." He was awarded a Bronze Star, and eventually came back to Buffalo and started a car dealership. "He's seen the worst," Richard Cole said. "He's been through it all, so if the roof blows off his house, he could care less, nothing bothers him anymore."

Sydney Cole was married more than 60 years to his late wife, Sybil. He was a championship swimmer, played handball for 55 years with the same group of guys, gave up his car – a red Mini Cooper – when he was 100, and he walked a mile in a fundraiser just two years ago. Miranda Hulse said she met Cole when she was walking in Laps for Limbs, a fundraiser for children and veterans in need of artificial limbs. "He walked a mile when he was 101, she said. "We just became friends since then." Hulse often visits him, takes him for coffee and dinner. She often brings her 2-year-old German Shepherd service dog, Bolt, along. "The three of us pretty much go everywhere," she said. "I come and see him about every day."

Cole is used to being the oldest guy in the room with most people from his generation no longer alive. "They're all dead. My squadron, my high school, my college – all dead. Nobody ever lives to be a hundred, you know what I mean?" Sydney Cole said. "Where ever I went, I had to make new friends." But he's pretty good at that, judging from those who attended his party. Cole has affected those at the VA, from the volunteer at the front desk to the emergency department staff. "I believe there are 11 floors here in the VA, and every floor knows who my father is. They've heard his story and they come and shake his hand," Richard Cole said. [Source: The Buffalo News | Barbara O'Brien | September 2, 2017 ++]

\*\*\*\*\*

## **AFL Q&A 08 ► AO Related Birth Defect VA Compensation**

**Q.** My two children have birth defects due to my exposure to Agent Orange. Two of my boys have web toes. *What compensation are they entitled to as I was a paratrooper exposed to Agent Orange 1967/68?*

**-o-o-O-o-o-**

A1: If you are a male veteran, the only birth defect that the VA recognizes is Spina Bifida and it has been recommended for demotion by the Institutes of Health Sciences as not having significant evidence of a link. The downgrading of spina bifida marks only the second time the IOM Agent Orange committee has demoted a health outcome related to the herbicide. (AP) 12/2/16

**-o-o-O-o-o-**

If you have a question you want answered you can submit it at <http://www.armedforceslocator.com/ask-a-question.html>. Armed Forces Locator was developed to help veterans, active duty, servicemembers, Reservists, National Guard members and ROTC members locate old friends, current colleagues, and family members who serve or have served in the armed forces. Their mission is to provide an opportunity for those who served to reconnect again with war buddies. Also, locate many topics that are of interest to veterans, active duty servicemembers, and veterans organizations. [Source: <http://www.armedforceslocator.com> | October 15, 2017 ++]

\*\*\*\*\*

## **Retiree Appreciation Days ► Scheduled As of 31 OCT 2017**

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](http://www.hostmtb.org/RADs_and_Other_Retiree-Veterans_Events.html)

== PDF: [http://www.hostmtb.org/RADs and Other Retiree-Veterans Events.pdf](http://www.hostmtb.org/RADs_and_Other_Retiree-Veterans_Events.pdf)

== Word: [http://www.hostmtb.org/RADs and Other Retiree-Veterans Events.doc](http://www.hostmtb.org/RADs_and_Other_Retiree-Veterans_Events.doc)

This schedule has been expanded to include dates for retiree\veternans 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, mouse over or click on the event under Event Location. Please report comments, changes, corrections, new RADs and other military retiree\veternans related events to the Events Schedule Manager at [milton.bell126@gmail.com](mailto: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**

<b>RETIREE APPRECIATION DAYS</b>					
Attend and receive benefits information, renew acquaintances and ID Cards, get medical checkups, and receive other services.					
Some RADs include dinners or golf tournaments. For more information, contact the Retirement Services Officer sponsoring the RAD.					
Location	Date	Contact	Location	Date	Contact
JB Myer-Henderson Hall, VA	Oct. 6	(703) 696-5948	USAG-Ansbach	Oct. 25	0981-183-3301
Carlisle Barracks, PA	Oct. 7	(717) 245-4501	USAG-Italy	Oct. 26	0039-0444-61-7493
JB Ellington Field-Houston, TX	Oct. 7	(210) 221-9004	Fort Meade, MD	Oct. 27	(301) 677-9603
Fort Knox, Ky	Oct. 13	(502) 624-1765	Fort Rucker, AL	Oct. 27	(334) 255-9124
Rock Island, IL	Oct. 14	(563) 445-0191	Fort Hood, TX	Oct. 27-28	(254) 287-5210
JB San Antonio, Fort Sam Houston, TX	Oct. 14	(210) 221-9004	Wiesbaden, Germany	Oct. 28	0611-705-5338
Fort Wainwright, AK	Oct. 14	(907)353-2099	Fort Leavenworth, KS	Oct. 28	(913) 684-2425
Camp Humphreys, Korea	Oct. 14	(315)753-8839	Fort Hamilton, NY	Oct. 28	(718) 630-4552
Fort Carson, CO	Oct. 14	(719)526-2840	Fort Benning, GA	Nov. 3	(706) 545-1805
Rheinland-Pfalz/Ramstein, Germany	Oct. 18	0631-411-8838	Fort Gordon, GA	Nov. 4	(706) 791-2654
Stuttgart, Germany	Oct. 19	07031-15-3442	Daegu, Korea	Nov. 4	0503-353-3872
Fort Riley, KS	Oct. 20	(785)239-3320	Yongsan, Korea	Nov. 18	0503-323-3735
Schinnen, Netherlands	Oct. 20	0032-65-44-7267	Fort Huachuca	Feb. 10	(570) 533-5733
Fort Bragg, NC	Oct. 20-21	(910) 396-5304	Fort Stewart, GA	Feb. 24	(912) 767-5013
BENELUX-Brussels	Oct. 21	0032-65-44-7267	Peoria, IL	Apr. 7	(309) 676-9725
Fort Polk, LA	Oct. 21	(337) 561-0402	Fort Jackson, SC	May 17-19	(803) 751-6715
USAG-Bavaria	Oct. 24	0964-183-8709	JB Langley-Eustis, VA	May 19	(757) 878-5884
			Presidio of Monterey, CA	Jun. 9	(831) 915-7342

[Source: RAD List Manager & Army Echoes | Milton Bell | October 31, 2017 ++]

\*\*\*\*\*

## **Vet Hiring Fairs ► Scheduled As of 31 OCT 2017**

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. refer to the Hiring Our Heroes website <http://www.hiringourheroes.org/hiringourheroes/events>. Listings of up upcoming Vet Job Fairs nationwide

providing location, times, events, and registration info if required can be found at the following websites. You will need to review each site below to locate Job Fairs in your location:

- <https://events.recruitmilitary.com>
- <https://www.uschamberfoundation.org/events/hiringfairs>
- <https://www.legion.org/careers/jobfairs>

[Source: Recruit Military, USCC, and American Legion | October 31, 2017 ++]

\*\*\*\*\*

## **Vet State Benefits & Discounts ► Maryland OCT 2017**

The state of Mississippi provides several benefits to veterans as indicated below. To obtain information on these refer to the attachment to this Bulletin titled, “**Veteran State Benefits –MD**” for an overview of the below those benefits. The below are available to veterans who are residents of the state. For a more detailed explanation of each refer to <http://militaryandveteransdiscounts.com/location/mississippi.html> & <http://www.mass.gov/veterans> .

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

[Source: <http://www.military.com/benefits/veteran-state-benefits/massachusetts-state-veterans-benefits.html> | October 2017 ++]

### **\* Vet Legislation \***



**Note:** To check status on any veteran related legislation go to <https://www.congress.gov/bill/115th-congress> for any House or Senate bill introduced in the 115th Congress. Bills are listed in reverse numerical order for House and then Senate. Bills are normally initially assigned to a congressional committee to consider and amend before sending them on to the House or Senate as a whole.

## **VA Vet Choice Update 61 ► CARE Act | Eliminate 30-day/40-mile Rule**

The Department of Veterans Affairs sent a bill proposal to Congress that would overhaul how veterans receive health care in the private sector and do away with the widely criticized "30-day/40-mile" rule, the agency announced 16 OCT. The long-awaited proposal, titled the Veterans Coordinated Access & Rewarding Experiences Act, or CARE, promises to give veterans and their VA physicians flexibility in choosing whether they receive care at a VA facility or from a private-sector provider.

VA Secretary David Shulkin announced in February -- during his first public address as secretary -- that he intended to do away with the rule that allows veterans to go outside the VA for health care only if they had to wait more than 30 days for an appointment or if they live more than 40 miles driving distance from a VA facility. The rule, implemented as part of the Veterans Choice Program in 2014, has been criticized by veterans as complex, bureaucratic and restrictive. "We want veterans to work with their VA physicians to make informed decisions that are best for their clinical needs, whether in the VA or in the community," Shulkin said in a prepared statement. "This bill does just that, while strengthening VA services at the same time."

Under the proposed changes, veterans would be eligible to receive private-sector health care if the VA can't schedule an appointment within a "clinically acceptable time period" or if veterans and their physicians decide it's in their best interest. It would also consolidate the VA's multiple community care programs and allow veterans access to walk-in clinics to be treated for minor illnesses and injuries. The proposal was shared with House and Senate staff members in recent days, and it will be part of a House Committee on Veterans' Affairs hearing 24 OCT. The committee already drafted its own legislation to overhaul the Choice program, which will also be discussed at the hearing.

"Chairman [Phil] Roe, [R-Tenn.,] and committee staff are reviewing VA's community care proposal and will take it and stakeholder feedback into consideration as the legislative process moves forward," said Tiffany Haverly, the committee's communications director. The cost of the new program and where the funding will come from is expected to be the subject of debate among lawmakers and veterans organizations. The American Federation of Government Employees, a union that represents about 230,000 VA workers, is warning of attempts to push veterans and funding into the private sector while undermining VA health care. The union has repeated the need to fill vacancies within the VA health care system. As of the end of June, the VA reported 34,000 job vacancies system-wide. Some major veterans organizations are also weary of neglecting VA services to pay for private-sector care.

But the VA said the new CARE proposal contains measures to "strengthen the VA's world-class medical staff" and "ensure VA is improving medical facilities and staffing levels to meet veterans' needs in areas where VA care is substandard." Shulkin wants Congress to approve the new program before lawmakers leave for Thanksgiving break in mid-November. Congress is working on a deadline, as the Choice program is expected to run out of funding at the end of the year.

President Donald Trump signed legislation 12 AUG that immediately provided \$2.1 billion for the Choice program to prevent a funding shortfall. The money, originally estimated to last until February 2018, is being spent faster than predicted. Last week, Sen. John McCain (R-AZ) and other senators called for more oversight of VA finances because of multiple unexpected funding shortfalls in the Choice program. The new CARE Act contains "business process enhancements" that the VA said would improve financial management. [Source: Stars and Stripes | Nikki Wentling | 16 Oct 2017 ++]

\*\*\*\*\*

## **Vet Urgent Care ► S.1261 | Vet Emergency Room Relief Act of 2017**

Senator Bill Cassidy (LA), a member of the Senate Veterans' Affairs Committee, introduced S.1261, the Veterans Emergency Room Relief Act of 2017. This bill would require VA to contract with community urgent care providers and pay reasonable costs for such care provided to veterans who are enrolled in the VA health care system and have received care in the system within the preceding two years. It would also establish cost-sharing amounts for certain veterans receiving care at a VA emergency room. However, veterans who are hospitalized as a result of their urgent care visit and veterans seeking care for a service-

connected condition in addition to veterans meeting criteria for hardship exceptions would be exempt from copayments.

DAV Resolution 242 calls upon Congress to authorize urgent care as part of VA's basic health benefits package. Please write your Senators and urge their co-sponsorship and support for passage of S. 1261. This can be easily done by utilizing DAV's Commander Action Network. To send a preformatted editable click <https://www.votervoicenet/BroadcastLinks/h1oKPVOUrbfTJsXTmoshA> to log in and send your message. [Source: DAV National Commander | October 24, 2017 ++]

\*\*\*\*\*

## **WV State Income Tax ► Military Retiree Pay Exempted**

Both chambers passed a bill 18 OCT that exempts military retirement from personal income tax. Lawmakers passed House Bill 201 in its Tuesday's floor session. After a lengthy debate in the House of Delegates, the House overwhelmingly voted to pass the bill. Delegates debated two similar amendments proposed by delegates Michael Folk, R-Berkeley, and Isaac Sponaugle, D-Pendleton, which would have broadened the class of people who would be exempt from personal income tax. Both sought to broaden the exemption to include people receiving Social Security. "This exempts Social Security for those making less than \$50,000 from this current egregious double taxation that occurs," Folk said. "We've been talking about that for years and both sides of the aisle has been wanting to do something about this for years."

House Speaker Tim Armstead ruled neither amendment was germane to the fundamental purpose of the bill. "The fundamental purpose is to exclude veterans' pensions from taxation," Armstead said. "Both amendments were taking that direction beyond the fundamental purpose of this bill, which is exemption of veterans' pensions from taxation." Folk challenged the ruling and the House recessed for about 15 minutes while Democrats and Republicans caucused.

After reconvening, legislators debated whether the ruling that the amendments were not germane should be upheld. Armstead defended his ruling, repeating that they went beyond the fundamental purpose of the bill. "The bill introduced at the request by the governor has one specific purpose," Armstead said. "That is those who have served in the military will not have to pay income tax on their retirement. That's what the purpose of this bill is. There is no ambiguity." Folk said to him, this issue was about principal, not party. He said the bill would have about a \$24 million full financial effect on revenue if the exemption for Social Security were added. The House upheld Armstead's ruling that the amendment was not germane to the purpose of the bill by a 63-33 vote.

The bill exempts all military pension income beginning Jan. 1, 2018. Delegate Eric Nelson, R-Kanawha, said the cost is an additional \$3 million per year and would affect about 3,800 additional people. He said 22 states, including bordering states of Ohio and Pennsylvania, fully exempt retirement income. He said 11 states, including Virginia, fully tax these benefits. The rest of the states, including West Virginia, exempt a portion of pensions. "Taking this move will, in fact, be very positive at having more military people move into the area," Nelson said. The House passed the bill in a 95-1 vote with Delegate Saira Blair, R-Berkeley, as the sole no vote.

Not taking the new tax break for military retirees into consideration MoneyTalksNews reports West Virginia has a lot of negatives for retirees, as evidenced by the second-to-last overall rating as a place for retirees by [Bankrate](#). Senior citizens' well-being came in dead last, and the quality of its health care was ranked at 48th (Mississippi and Nevada scored worse). Cultural vitality ranked nearly rock bottom (at 49th, second only to Mississippi). [WalletHub](#) ranked the state low (39th out of 51) but not bottom of the heap

because of its affordability (13th out of 51). For a breakdown of communities, check out [Niche](#). [Source: The Register-Herald & MoneyTalksNews | Andrea Lannom | October 19, 2017 ++]

\*\*\*\*\*

## **Military Sexual Trauma Update 05 ► S.833 | Proving Service Connection**

DAV supports S. 833, the Servicemembers and Veterans Empowerment and Support Act of 2017, in accordance with DAV Resolution No. 042, which calls for improvement to the process for determining service connection for conditions related to military sexual trauma (MST). Enacting this legislation would expand MST counseling and treatment and ease some of the evidentiary requirements for veterans filing claims for service-connection for conditions related to the after-effects of a MST.

Sexual trauma during military service is ever more recognized as a hazard of service for one percent of men and 20 percent of women who have served. It often results in mental health conditions for veterans and the need for complex care and specialized treatment from VA. An absence of documentation of MST in the personnel or military unit records of individuals often prevents or obstructs adjudication of claims for disabilities of veterans suffering the devastating after-effects of sexual trauma associated with military service. Accordingly, based on an internal survey, VA verified that grant rates for post-traumatic stress disorder resulting from MST were 17 to 30 percent below grant rates for PTSD resulting from other causes.

This bill would relax the standard of proof for MST-related claims using mental health professionals to verify a mental health diagnosis and opine about the likelihood of MST occurring given the veteran's circumstances and conditions. Furthermore, the bill would require VA to resolve every reasonable doubt in favor of the veteran with the reasons for granting or denying service-connection recorded in full. DAV is asking readers to use their prepared email to urge their Senators to cosponsor and support for final passage, S. 833, the Servicemembers and Veterans Empowerment and Support Act of 2017. To log in and access DAV's message go to <https://www.votervoice.net/BroadcastLinks/3LZqX375UPZinZvrf4jqHQ>. [Source: DAV Commander's Action Network | Delphine Metcalf-Foster | October 18, 2017 ++]

\*\*\*\*\*

## **VA S-DVI ► Bill Introduced to Raise Cap From \$10,000 to \$95,000**

A New Mexico congressman wants to increase disabled veterans' life insurance payouts more than eightfold, arguing the program hasn't received a proper update in almost 70 years. On 27 OCT, Republican Rep. Steve Pearce introduced legislation to overhaul the life insurance program for service-connected disabled veterans, raising the cap on payouts from \$10,000 to \$95,000 and giving eligible veterans more time to sign up for the program. "Veterans injured in combat face many challenges as they return home and adjust back into civilian life," he said in a statement. "What makes it even more challenging for veterans and their families is having to accept an antiquated insurance system that does little to provide the quality care and services they deserve."

The S-DVI program, created in 1951, provides life insurance to disabled veterans who often would be rejected for private-sector policies because of their service-connected injuries. But Pearce said the current premium and payout structure for the program is based on annuity tables from 1941. His legislation would bring those figures up to 2017 standards and mandate regular updates every few years. Veterans with a service-connected disability and who left the military under other-than-dishonorable terms currently have to enroll in the program within two years of receiving their rating from the Department of Veterans Affairs. Pearce's bill would extend that to 10 years to allow more veterans the opportunity to participate.

The measure has already received backing from several veterans groups, including Paralyzed Veterans of America, Veterans of Foreign Wars and the Fleet Reserve Association. “The S-DVI program was designed to provide affordable life insurance coverage to disabled veterans unable to purchase private insurance due to their service-connected disabilities,” said Garry Augustine, Washington executive director for Disabled American Veterans. “However, its cost and benefits have been seriously eroded over the past 50 years.”

“Rep. Pearce’s legislation will modernize the program by using current actuarial data to lower premiums as well as adjusting for inflation to significantly increase the benefit payout.” Currently, premiums for the S-DVI program run about \$25 a month for \$10,000 of coverage. Supporters hope the new updates will provide more value for veterans and possibly lower premiums, as well. [Source: MilitaryTimes | Leo Shane III | October 27, 2017 ++]

\*\*\*\*\*

## **VA VR&E Program Update 01 ► H.R.3562 | Disabled Housing Cap**

Through the Vocational Rehabilitation and Employment program, the Department of Veterans Affairs (VA) provides assistance to veterans whose disabilities prevent them from working. That assistance can include the cost of modifying veterans’ homes to enable them to live independently. The cost of those benefits are paid from mandatory appropriations. H.R. 3562 would cap payments for housing modifications at \$79,874 per beneficiary in 2018; that amount would be adjusted annually for inflation.

However, the bill would allow VA to waive the cap if higher amounts are necessary. The bill also would transfer the management of those benefits to a related program that pays for housing adaptations for severely disabled veterans. On the basis of information from VA regarding how it would implement the bill, CBO expects that very few veterans would be affected. Over the last four years, an average of eight veterans a year have received housing adaptations under the vocational rehabilitation program in amounts that would exceed the limit in H.R 3562. In addition, the department indicates that it would likely waive enforcement of the cap in most cases. [Source: Congressional Budget Office | October 27, 2017 ++]

\*\*\*\*\*

## **VA Aid & Attendance Update 19 ► H.R.3122 | Vet Scammer Protection**

Veterans who are elderly or on the lower end of the income spectrum would have greater protection from unscrupulous persons or businesses, under a proposed law now pending before the House. Under H.R. 3122, the Department of Veterans Affairs (VA) would be required to reach out to state and other federal agencies to craft a plan to protect these veterans from scammers. Specifically, the legislation focuses upon enhancement of VA’s existing Aid and Attendance (A&A) benefit, under which veterans who get in-home care or are in assisted living can receive financial help and counseling.

The bill would take aim at scammers who have been targeting veterans who receive the counseling. According to the measure’s sponsor, Rep. Matt Cartwright (D-PA) some of these veterans have been targeted by persons who charged them fees to obtain these benefits. In some cases, the predators have been able to take control of these veterans’ assets and move them into irrevocable trusts or annuities. Veterans who are taken in by this activity, in some instances, stand at risk to lose their eligibility to Medicaid or other federal programs. “Scam artists are turning the well-deserved A&A benefit into a financial nightmare for those who can least afford it. There needs to be greater safeguards for our veterans,” said Cartwright. The bill cleared the House Veterans’ Affairs Committee on 18 OCT. [Source: Armed forces News | October 27, 2017 ++].



### **Military Preparedness ► No Imminent Plans to Put B-52s on 24-Hour Alert**

The U.S. Air Force has no immediate plans to put its nuclear-capable B-52 bombers back on 24-hour alert, although officials have acknowledged the service is making improvements to facilities that could support a change in status should U.S. Strategic Command make that decision. In an 22 OCT story, Defense One [reported](#) that the Air Force was preparing to put the Boeing B-52 Stratofortress back on 24-alert for the first time ever since 1991. The story, based on an interview with Air Force Chief of Staff Gen. David Goldfein, noted that an alert order had not been given by STRATCOM head Gen. John Hyten.



**A B-52 Stratofortress, flown by Capt. Will Byers and Maj. Tom Aranda, prepares for refueling over Afghanistan during a close-air-support mission.**

The report ignited a firestorm of media attention from mainstream publications that interpreted the return to alert status as a foregone conclusion, not as a possibility, and questioned whether this was yet another sign of increasing tension with North Korea. In a statement, Air Force spokeswoman Ann Stefanek clarified that a return to alert status is not imminent. However, she acknowledged there are preparations happening — albeit of a more mundane sort — that would support a future decision to return B-52s to a 24-hour alert

should combatant commanders decide to do so down the line. “Preparations like updating base infrastructure,” such as improvements to alert facilities, munitions storage and dining facilities; “conducting exercises; and modernizing equipment are necessary to maintain a baseline level of readiness,” she said. “We do this routinely as part of our organize, train and equip mission so our forces are ready to respond when called upon.”

Up until 1991, bombers equipped with nuclear weapons sat on the runway on “strip alert,” and pilots — temporarily housed in alert facilities — would prepare to grab their gear and take off if a contingency should arise. That stopped after the fall of the Berlin Wall, said Brig. Gen. Ed Thomas, the Air Force’s public affairs director, although the service maintains a continuous bomber presence in Guam. 4Top of Form Part of the confusion likely stems from the convoluted chain of command involving the nation’s nuclear enterprise. It’s the responsibility of the Air Force chief of staff to ensure the service is manned, trained and equipped to respond to any contingency — basically to make certain that its bombers and intercontinental ballistic missiles are ready to go.

“This is yet one more step in ensuring that we’re prepared,” Goldfein told Defense One during a six-day tour of Barksdale and other Air Force bases that support the nuclear mission. “I look at it more as not planning for any specific event, but more for the reality of the global situation we find ourselves in and how we ensure we’re prepared going forward.”= However, it’s up to the STRATCOM commander to determine the posture and operations of the bomber force, including whether to move B-52s to a 24-hour alert.

So while Goldfein may be talking about making base infrastructure improvements that would support a return to an alert posture in the future, the arms of the military responsible for conducting missions with nuclear bombers — in this case, STRATCOM and Air Force Global Strike Command — are not having those discussions, Thomas said. “I’ve talked to [STRATCOM]. I’ve talked to Global Strike Command a few minutes ago. I talked to the 2d Bomb Wing” at Barksdale Air Force Base, Louisiana, “a few minutes ago. There are not any plans,” he said. “Right now those discussions are not happening. Could they or would we be ready for them? Absolutely. Could we be doing the mission? We could stand that up very quickly. I just don’t want to overplay something.”

The Defense One report cited multiple improvements the Air Force is making at Barksdale that could lay the groundwork for a return to a 24-hour alert. For instance, it is upgrading an alert facility with more than 100 beds for crew members. Although B-52 crews could potentially use those spaces, it would more likely house the crews of the four nuclear-hardened E4-B “Doomsday” planes that regularly pull 24-hour alerts, Thomas said. The base is also building storage facilities for the Long Range Stand-Off weapon, a new cruise missile that can be nuclear or conventionally armed. [Source: AirForceTimes | Valeria Insinna | October 23, 2017 ++]

\*\*\*\*\*

## **Underground/Urban Warfare ► Army Preps on Korean Peninsula**

US Army war-planners and weapons developers have been intensifying efforts to fast-track networking technologies designed to potentially counter or destroy a North Korean ground invasion – by better enabling soldiers to operate underground in tunnel complexes and in dense urban environments. While Army innovators and entities such as the service’s Rapid Equipping Force (REF) consistently look to address fast-emerging threat scenarios, the prospect of major ground war on the Korean peninsula has, quite naturally, taken on increased urgency in recent months, service weapons developers told Scout Warrior. “We have

been looking at Korean peninsula ops,” Col. John Lanier Ward, REF Director, told Scout Warrior in an interview.

As might be expected, this threat scenario has a particular impact upon Army units such as the REF – who exist to identify pressing soldier combat needs, quickly create requirements and work closely with industry and Army program developers to identify quick-turn, often interim technologies able to have an immediate impact. Preparing for tunnel and urban combat against North Korea is, without question, not something to be seen as entirely new or recent. However, while specifics of military options for North Korea are naturally not being discussed by Pentagon war planners, many observers, analysts and experts are talking about various threat contingencies, combat scenarios and military strike possibilities. “We really focus on the soldier on the ground. Any soldier can come to our website and say ‘I have a problem that I do not have a material solution to,’” Ward said.

There are clearly many facets, nuances and contingencies when it comes to the possibility of land war on the Korean peninsula, not the least of which are regularly echoed concerns that North Korean conventional missiles and artillery would pose a substantial threat to populated areas south of the DMZ. Any kind of ground incursion, with or without the anticipated barrage of conventional missiles, would bring similar threats. Furthermore, mechanized ground conflict would unquestionably call upon a wide range of necessary tactics – large armored vehicle formations, long-range precision-guided weaponry, combined arms maneuver and air-ground coordination, among other things.

Given this, a point not lost on Army planners and threat assessment professionals is that any assault, defense, weapons system employment or platform utilization would – particularly in today’s technological environment – rely upon necessary networking systems, communication devices and other means of synchronizing force movements and activities. In a networked modern weapons environment, command and control takes on even greater tactical relevance, Ward said, making connectivity in line-of-sight challenged areas a particularly pressing concern. “As an Army we are becoming mission command and communications based. How do you get weapons systems and coms that can operate underground?” Ward asked.

Of course Army officials did not specifically mention any particular war plans for North Korea, but weapons developers do say there is a fast-increasing need to engineer, harness and deliver communications technologies particularly suited to a modern threat environment. Fighting land war underground or in compact urban environment is by no means specific to North Korea, however Army officials say that the terrain, geographical layout and urban area on the Korean peninsula would clearly require ground combat forces to pursue extensive underground and urban war missions. Citing historic instances of underground tunnel warfare such as operations in the Korean War, Vietnam and even Iwo Jima in World War II, Ward referenced Army Chief of Staff Mark Milley’s special teams designed to look toward future threats with a specific mind to the likelihood of an increased need for the Army to operate underground and in condensed urban environments.

Interestingly, Army’s REF received a request from the 2nd Infantry Division in 2012 for an equipment set to conduct operations in tunnel complexes in Korea. The U.S. Army Asymmetric Warfare Group partnered with REF to assemble and assess government-developed subterranean systems and commercial off-the-shelf technologies, Army officials explained. The Army’s Rapid Equipping Force is testing a wave relay radio technology that enables soldiers to connect with one another while fighting underground, service officials said. When in a subterranean environment, line-of-sight radio connectivity and other forms of networking are often compromised. To address the issue, the Army is evaluating a small terrestrial-based ad hoc radio that uses frequency modulation, Rapid Equipping Force developers explained.

Subterranean operations include an inability to communicate via analog or digital communications, conduct unmanned reconnaissance and persistent surveillance, see without ambient light, maintain situational awareness of friendly forces, and see through obscurants, said service officials. Also, weapons

and technology developers emphasize that these types of environments often have insufficient force protection, present hazardous air conditions, and inhibit the transportation of heavy loads. Ward cited some specific combat scenarios wherein tactics and technologies used in underground combat would need to be much different than those used above ground. “If I am breaching something above ground, I will use C4. Underground, I may not want to subject my people to overblast,” Ward said.

An emerging networked system relies upon a MPU5 Mobile Ad Hock Networking unit using a small puck engineered with a WiFi repeater that can function like a relay radio. It is designed to connect maneuvering soldiers to an aboveground commander who can track their movements and activity. REF officials say It is battery operated and kept on the ground. It uses bright LED lights with an adhesive on it as part of a visual augmentation piece, an REF developer told Warrior. The small puck works in tandem with an electronic warlock personal tracker device attached to a soldier’s boot. As long as there is a line-of-sight connectivity from the puck to a node on the network, it functions as a key relay to connect soldiers in tunnels with soldiers aboveground, REF developers said. The pedometer works directly with the wave radios, sending signals wirelessly to an end user smartphone device, REF developers explained.

Bluetooth wireless technology tracks soldiers’ distance, sending a signal through radios to the end user device. This creates a mesh network with multiple radios functioning as nodes on a larger communications system. The ad hoc wireless network is intended to work in tandem with image-intensifying infrared night vision technology able to function without external illumination of any kind, REF officials said. The 82nd Airborne Division at the Muscatatuck Urban Training Complex, North Vernon, Ind., has previously conducted a week-long subterranean training event, culminating in a simulated underground rescue mission, service officials said. [Source: Scout Warrior | Kris Osborn | October 17, 2017 ++]

\*\*\*\*\*

## **SMET Hunter Wolf** ► **Soldier's New Remote-Controlled Vehicle**



A new remote-controlled vehicle designed by HDT Global could reduce the heavy loads carried by soldiers on the battlefield. The Hunter Wolf was designed as part of an Army program called Squad Mission Equipment Transport, or SMET. It's remote controlled and operated using a small joystick that follows troops on patrol, according to Rob Hodges, vice president of Army programs for HDT Global. The vehicle can drive up to 60 miles over a 72-hour period. However, during an Army assessment last month at Fort Benning, Georgia, the Hunter Wolf drove 60 miles in 40 hours, Hodges said. It is capable of carrying 1,000 lbs of equipment in support of a squad-sized element. The vehicle is a hybrid and boasts a 20-gallon fuel tank. HDT Global plans to make the vehicle full tele-operational in the future, meaning the vehicle can be operated by a soldier in the rear and not actively on patrol, Hodges said. The Hunter Wolf is the latest iteration of potential Army robotic vehicles designed to reduce loads and support U.S. troops on the battlefield. [Source: Defense News | Shawn Snow | October 9, 2017 ++]

\*\*\*\*\*

## **USS Fitzgerald (DDG-62) Update 06 ► ACS Will Not Be Upgraded**

USS Fitzgerald (DDG-62) won't be upgraded to the latest version of the Aegis Combat System (ACS) when it completes its repairs following a collision with a merchant ship off of Japan, according to Naval Sea Systems Command. Instead of upgrading the combat system of the destroyer to the new Baseline 9 standard, which allows the ship to simultaneously take on ballistic missile and traditional air warfare threats, Fitzgerald will retain a legacy version of Aegis when the destroyer returns to the fleet after its planned repair at Ingalls Shipbuilding in Pascagoula, Miss, NAVSEA said in a statement to USNI News.

Fitzgerald was already scheduled to undergo a midlife upgrade in Fiscal Year 2019, though the Navy intended to conduct a scaled-down availability that would cover hull, mechanical and electrical (HM&E) improvements but not a combat system upgrade to Baseline 9. Following the collision, despite the need to replace portions of the ship's combat system, radar and electronics, the Navy decided to go along with its original decision to keep the ship in a legacy configuration instead of upgrading to Baseline 9. "There are no additional DDG-51 Flight I ships planned to receive Baseline 9 upgrades. The USS Fitzgerald (DDG-62) is capable of performing Ballistic Missile Defense (BMD) operations and is planned to receive all FY19 scheduled alterations to include HM&E, [command, control, communications, computers, cyber and intelligence] and BMD upgrades during the restoration availability," reads the statement.

The planned HM&E availability is estimated to cost about \$170 million and will retain the legacy military computers instead of upgrading the destroyer with modern servers. The full mid-life upgrade for a destroyer would have cost around \$270 million. In total, the final cost for the repair for Fitzgerald is estimated to run about \$367 million and take more than a year.

The ship was severely damaged when it collided with a merchant ship ACX Crystal off the coast of Japan on June 17 resulting in the death of seven sailors. The flared bow of Crystal caved in the superstructure of the ship, crushing the radar face and twisting the metal of the superstructure. The bulbous bow of Crystal punctured the ship below the waterline and flooded the ship's berthing and several machinery spaces.

Guided-missile destroyer USS John S. McCain (DDG-56) is being repaired at the U.S. Navy facility in Yokosuka, Japan, after its own fatal collision with a merchant ship off of Singapore that

resulted in the death of 10 sailors. McCain completed its mid-life upgrade in FY 2015. [Source: USNI News | Sam LaGrone | October 16, 2017 ++]

\*\*\*\*\*

## **USS Fitzgerald (DDG-62) Update 07 ► Command Climate Surveys**

While the Navy has yet to provide answers for how a hulking merchant vessel struck the destroyer Fitzgerald in June, killing seven sailors, command climate surveys from a few months before the disaster depict a crew proud of their ship and its mission. Navy Times obtained the surveys, a mandated annual gauge of crew morale, via a Freedom of Information request. The last survey was dated in March, before Cmdr. Bryce Benson took command of the Fitz two weeks before the 17 JUN collision off Japan.

Benson was injured when his quarters were crushed by the MCX Crystal, and he was found dangling off the side of the ship by his crew after they pried their way into his berthing. Benson was relieved of command this summer. The Fitz incident — and another involving the destroyer John S. McCain in August that killed 10 sailors — have spawned questions about readiness and operational tempo in the Navy’s 7th Fleet. The most recent survey was completed by only about 122 crew members of the ship’s roughly 320 sailors. But among those ranks, and despite the fast pace of 7th Fleet life, 90 percent of responding Fitz sailors reported being proud of their ship.

Under Benson’s predecessor, Cmdr. Robert Shu, about 83 percent of sailors were motivated to do their best, and 90 percent rated their ship’s performance highly compared to other ships, according to the survey. Survey sections where sailors can share thoughts in their own words were entirely redacted from the documents the Navy provided. Navy Times is appealing those redactions on the basis they were improperly applied.

March’s survey shows the opinions of responding sailors hewed with Navy averages on things like organizational commitment, trust in leadership and job satisfaction, among others. Roughly 86 percent of responding Fitz sailors said they trusted their fellow crew members to get the job done, while 88 percent affirmed that the destroyer’s shipmates look out for each other. In a February 2016 survey of the crew, 75 percent of sailors said they liked their job. That number grew to 83 percent by March. Shu received high marks for his leadership in the most recent survey. About 87 percent said they were comfortable approaching the CO with any issue, and 94 percent characterized Shu as accessible. All but one of 119 responding sailors characterized him as a competent leader, while 93 percent said he took steps to ensure sailors were treated with respect.

While the March survey suggests things were relatively stable aboard the Fitz earlier this year, they offer little insight into life under Benson, the skipper who took command only 18 days before the deadly collision. The lone record reflecting Benson’s command tenure is his response to a comment left in the CO suggestion box by an anonymous sailor. It came after Benson hosted a “Waffle House Wednesday” (WHW) meal for his crew on May 31, the day after he took command. “Command Master Chief and I really enjoyed sponsoring the event as it is one small token we can give back to the crew for the hard work and dedication you put into our great warship everyday,” Benson wrote in response. After a sailor asked for the special meal to be a regular occurrence, Benson noted such special meals fall outside Navy regs. “Realizing that we love ‘WHW’ for the good food aka ‘CMC Special’ and the boost in morale, CMC and I paid for the food,” Benson wrote. “Unfortunately, we cannot afford to pay for it every Wednesday, but other groups, associations, and/or clubs may sponsor a future WHW.” [Source: NavyTimes | Geoff Ziezulewicz | October 24, 2017 ++]

\*\*\*\*\*

## **B-21 Stealth Bomber Update 01 ► Cost Info to Stay Secret**

Don't hold your breath waiting for the contract value of the B-21 Raider to be revealed. While the U.S. Air Force's top general reviews the bomber program every few months to see whether new details can be released, it will be "some time" before the service divulges more cost information, the Air Force undersecretary said 12 OCT. Out of the Air Force's top three acquisition priorities, the B-21 Raider is its most secretive, with only a few details disclosed to the public, such as the estimated price per aircraft and a list of the major contractors.

The service has taken a hard line against releasing the value of the development contract awarded to Northrop Grumman in 2015, with officials saying that doing so would give adversaries information that would allow them to extrapolate on the bomber's design. But as the service's No. 2 civilian, Air Force Under Secretary Matt Donovan finds himself in an interesting predicament. Just months ago, as the majority policy director for the Senate Armed Services Committee, he helped helm committee Chairman John McCain's arguments in favor of releasing more information on the B-21 Raider, including the contract value. Now that Donovan is working for the Air Force, part of his job is to support and implement the decisions of Chief of Staff Gen. David Goldfein and Secretary Heather Wilson.

The irony isn't lost on Donovan. "It's funny because they knew I was the guy that was always pushing on that from the Senate side [to release the B-21 contract information]," he told Defense News in his first-ever interview. "One of the things that I've been able to do is come over here and say: 'We need to release things as sure as we know that we can.' And I know that Gen. Goldfein still does a review every couple of months, and the B-21 folks come talk to him and give him an update because he is very responsive to Sen. McCain's desires to make sure the American people know." Even so, Donovan added that "it will be some time" before Goldfein and Wilson feel comfortable disclosing the contract value, but "if conditions change as we get farther along in the program, I think the chief and the secretary will certainly consider that and release as much as they can."

Air Force leaders claim that the B-21 program is going swimmingly and has remained on budget and on schedule. Earlier this year, Gen. Stephen Wilson, the Air Force's vice chief of staff, told lawmakers it had recently completed its preliminary design review. The service plans to buy at least 100 Raiders — although that number could change as a result of the Trump administration's defense strategy review and the Air Force's bomber road map — at a price of about \$550 million (in 2010 dollars) per copy. The engineering and manufacturing development phase is being carried out under a separate, cost-plus contract that is estimated to amount to about \$21.4 billion.

"The program is on track," Lt. Gen. Arnold Bunch, the service's top uniformed acquisition official, said 17 OCT. "What I will say is that we are marching to the acquisition program baseline timelines that we've established, and we don't have anything ... that has risen to a red flag." Even though it will be up to Goldfein and Wilson to make the final call on what B-21 information to release and when, Donovan said he will continue to turn a critical eye on the program. In the past two months since he was sworn in as undersecretary, he visited Northrop Grumman facilities to get an update on the Raider's progress.

And although his main priority is to support Wilson and Goldfein during the budget development process, Donovan also wants to help broker a better relationship between the Air Force and Congress. The service and McCain (R-AZ) have had a famously contentious relationship over a number of programs such as the B-21 and F-35 — an assessment Donovan said he couldn't dispute. But it has improved since Goldfein took the chief of staff position.

“The Air Force used to submit their budget and then go tell the Congress what they were going to do. In other words, a fait accompli,” though Goldfein would talk to Senate Armed Services Committee staffers like Donovan about emerging changes to force structure and weapons programs, he said. “Then I would bring him in to see Sen. McCain, and he would have a good discussion with Sen. McCain and get his advice.” That process is how the Air Force and the committee eventually worked through disagreements about the A-10 Warthog, he said. [Source: Defense News | Valerie Insinna | October 18, 2017 ++]

\*\*\*\*\*

## **Military Recruiting Update 08 ► Threatened by Childhood Obesity**

Even the kids in America's fittest state are too fat to fight their nation's wars, a pro-military nonprofit argues in a new study. The military has long bemoaned America's tubby youth, and the Council for a Strong America says Colorado is part of the problem, with more than 27 percent of the state's children categorized as overweight. "Low levels of physical activity and the obesity epidemic are contributing to an unprecedented readiness problem for our armed forces," the nonprofit said. Those extra candy bars compound a complex problem for military recruiting. Between other health issues, criminal records and other troubles from facial tattoos to drug habits, a full 70 percent of Colorado teens are ineligible for military service.

Retired Command Sgt. Maj. Terrance McWilliams said extra pounds are of special concern because weight can cost lives on the battlefield. "It gets extremely dangerous when you can't keep up with the rest of the pack," said McWilliams, the former top enlisted soldier at Fort Carson. "You are putting your fellow comrades at greater risk." Strong America's lament might sound familiar. The nonprofit has been citing the issue for years as a danger to America's national security. The federal Centers for Disease Control and Prevention says about 17 percent of America's kids are overweight. But the military has a tougher standard. A 6-foot teenage recruit is expected to weigh less than 184 pounds by military standards, when most medical charts would let him have 12 more pounds of cheeseburgers.

M. Michael Cooke, Strong America's state director, said the nonprofit sees the goal of slimmer kids as more than a military imperative. "It does render those kids unfit to fight but there are many other reasons to combat childhood obesity," she said. Cooke said fat children face health challenges for a lifetime, costing society. But as the Army aims to bring in 80,000 recruits in the next year, having too many obese teens is troubling for the military. In a news release, Army Recruiting Command's Maj. Gen. Jeffrey Snow said it met 2017 targets by bringing in 69,000 recruits, but hitting the goal came at a cost. "The command achieved its mission by the use of enlistment bonuses for as much as \$40,000, with an average bonus of \$12,800 for 33,000 recipients to attract the best-quality candidates for service," the command said.

To help the military get more fit recruits, Strong America wants state-mandated physical education classes in public schools, more bicycle lanes and boosts to programs that provide healthy food to the poor. Cooke said while Colorado is known for having the leanest adult population in America, that hasn't translated to thinner kids. "We are one of three states in the nation that doesn't mandate physical education," she said. Cooke said she hopes to push lawmakers into policies that lead to healthier kids. Most of what the group wants, she said, can be accomplished for little tax money. "It remains an important message and we haven't solved the problem," Cooke said.

Retired Air Force Gen. Gene Renuart, who headed U.S. Northern Command in Colorado Springs, said the nonprofit is on the right track. He said families have a big role to play, too. Renuart said parents need to turn off the television and send kids outside more. They also need to keep an eye on what their kids eat, he said. "It requires parents be participants and leaders in their children's activity and eating lifestyles," Renuart

said. Another option remains for the military: Allowing more fat recruits into the ranks. McWilliams said that would be a dangerous move. "When you have people who aren't physically fit, it degrades the accomplishment of the mission."

The Army tried easing standards at the height of wars in Iraq and Afghanistan, including allowing heavier troops. McWilliams said that caused a nightmare for commanders preparing their units for combat overseas. "When you do introduce that rigorous physical activity to some of them, that's when you discover the serious health issues that went undiagnosed," he said. The whole problem of military readiness, though, shares a common thread Cooke asserts. "You need to make an investment in children in their younger years."

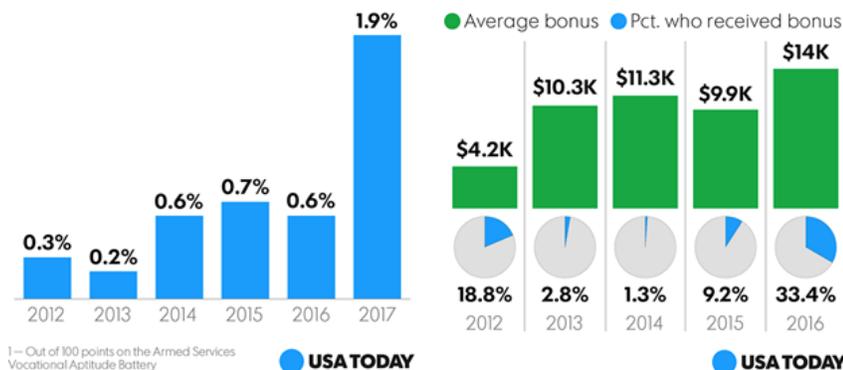
Strong America is broken into several wings, aimed at fighting crime, boosting the military and keeping children in school. The charity, backed by nonprofit giants including the Gates Foundation, plans on taking the obesity issue to the Colorado General Assembly next year. [Source: The Colorado Springs Gazette | Tom Roeder | October 15, 2017 ++]

\*\*\*\*\*

## Army Recruiting Update 02 ► Pot Waivers Up, Testing Standards Down

America's Army is looking more like America, warts and all. The ground service, looking to enlist nearly 20% more recruits than it did last year, is relaxing ASVAB/AFQT scoring requirements and easing the process to get a waiver for past marijuana use. Army officials hope to bring 80,000 new soldiers on board in the 2018 fiscal year, a significant increase from the 69,000 recruited in fiscal 2017, USA Today reported 10 OCT. Hitting those numbers is no small goal in an economy with 4.5% unemployment while hotspots for U.S. deployment pop up all over the world.

To pick up the slack, the service is increasing its enlistment of so-called "Category Four" applicants: those who scored between the 10th and 30th percentile on the Armed Forces Qualification Test. DoD regulations permit the services to have no more than 4% of their force made up of Cat 4 service members. The Army's share of Cat 4 recruits more than tripled last year, USA Today shows: "We made a conscious decision to bring in some more Category 4 soldiers during the months that it is most difficult for us to meet the training seat requirement," Gen. Jeffrey Snow, head of Army Recruiting Command, told USA Today.



The service also implemented a rule change to increase the number of marijuana waivers granted to aspiring soldiers. Such waivers previously required a sign-off from a flag officer; now, a recruiting

command O-5 can approve them. As a result, USA Today reported, Army pot waivers more than doubled last year, to 506 from 191 in fiscal year 2016. To be clear, the Army hasn't suddenly become more chill about weed — enlistees still have to promise not to violate the military's regs against drug use in the future — but they are concerned with saving bonus money, which has exploded in recent years — and accessioning recruits with drug waivers, who don't typically qualify for bonuses, helps the bottom line:

Don't expect the standards to stay this relaxed forever; recruitment guidelines shift as wars and economic conditions change. But for those otherwise-qualified recruits who expected reefer-enjoyin' to disqualify them from serving their country: Smoke 'em if you got 'em. Just give 'em 30 days to leave your system before heading to MEPS. [Source: Task & Purpose | Adam Weinstein | October 12, 2017 ++]

\*\*\*\*\*

## **Air Force Recruiting ► 2017 Goal Met**

The Air Force recruited 33,071 new airmen in fiscal 2017 — a slight drop from the previous year's recruiting bonanza, but still far above other recent years. The Air Force Recruiting Service on 6 OCT announced that the service had met its recruitment goals and helped grow the service's end strength to 322,500. On 13 OCT, AFRS said that the 2017 recruiting drive brought in 31,001 newly enlisted airmen, 295 who were previously enlisted, 1,201 new Line of the Air Force officers, 529 health professionals, and 45 chaplains. "Once again, our Air Force recruiters rallied to change the vector of the Air Force, growing our family and positively changing the lives of 33,000 young people and starting them on the greatest adventure of their lives," AFRS commander Maj. Gen. Garrett Harencak said in the 6 OCT news release.

The Air Force brought in 33,645 new recruits in fiscal 2016, which was the highest recruitment since the Vietnam era, and smashed through that year's original goal of 28,000. In fiscal 2015, the Air Force recruited 24,137 airmen. The recruiting boom is being driven by the Air Force's need to rebuild the force after years of manning declines — particularly in 2014, when nearly 20,000 airmen were cut as part of a major drawdown. Air Force Secretary Heather Wilson has repeatedly expressed concern about the service's undermanning. "We are a service that is too small for what's being asked of us," Wilson said in an 31 AUG editorial board meeting with Air Force Times.

The Air Force says it doesn't plan on using new flexibility under an executive order signed by President Donald Trump to address a pilot shortage by recalling retired pilots. Ann Stefanek, the chief of Air Force media operations, said 22 OCT the added power provided by Trump is appreciated but the Air Force does not "currently intend to recall retired pilots." Trump on 20 OCT signed the order to address what the Pentagon says is a serious pilot shortage. A Pentagon spokesman says the Air Force is currently short about 1,500 pilots, and had indicated that the Secretary of Defense would allow the Secretary of the Air Force to recall up to 1,000 retired pilots for up to three years. Under current law, the Air Force is limited to recalling 25 pilots. [Source: AirForceTimes & AP | Stephen Losey | October 15 & 23, 2017 ++]

\*\*\*\*\*

## **Air Force Readiness Update 04 ► Indefinite Enlistments Under Consideration**

Chief Master Sergeant of the Air Force Kaleth Wright on 27 OCT suggested the service move to a so-called "indefinite enlistment" system that automatically keeps senior enlisted airmen in until they decide it's time to leave. Wright, speaking at the Airlift/Tanker Association Symposium in Orlando, Florida, said that shifting the re-enlistment process could be a way to reduce paperwork and administrative tasks that unnecessarily keep airmen busy, according to a release posted on the Air Force's website 23 OCT.

According to the release, Wright — who has been in the Air Force nearly 29 years — told the crowd that he’s got to arrange to re-enlist soon after getting back to the Pentagon, which drew applause. “Don’t clap,” Wright said. “Every four years, I’ve got to go through the ‘Yeah, I’m still here’ [process]. Now, it’s a time-honored tradition, I love it, but I think we’d like to get to once you hit your 15-year mark, then you’re an indefinite enlistment — you’re good until your high year of tenure. I believe at 15 years of service, most of us are plugged in, dedicated and ready to roll.” Wright said that, if such a program went into effect, airmen could still receive selective re-enlistment bonuses, and the Air Force would ensure airmen have the right active-duty service commitment.

Chief Master Sgt. Katherine Grabham, Wright’s assistant, outlined in an email how the program might work. Airmen who hit 15 years time-in-service would automatically have their enlistments extended to their high year of tenure mark, which varies by rank, Grabham said. They can apply to retire once they become eligible — for example, at 19 years and one day for those who are planning to retire at 20 years. And if an airman wants to separate before becoming retirement-eligible, as long as they don’t have an active duty service commitment, the Air Force would allow them to do so. If an airman gets promoted, their service would then be extended to their new rank’s high year of tenure, Grabham said. But again, they would have the option of retiring, when eligible, or separating, as long as they don’t have a service commitment.

Grabham said this is similar to how the Army handles enlistments, although the Army begins automatically extending enlistment at 10 years of service. The change would be a time-saving measure for airmen, Grabham said. She said recent re-enlistments meant two weeks of sending paperwork up through the chain of command and multiple trips to personnel offices, which is typical for most airmen. Grabham said that despite the program’s name, it does not mean airmen will be “locked in” to the Air Force indefinitely if they don’t want to stay. Wright is still working with the Air Force Personnel Center and Air Force personnelists at the Pentagon to make sure the program is done right, Grabham said.

“There are still a lot of moving parts to be worked out, but it is definitely on his list of things to get after to help airmen save time (and help the Air Force save man hours) where we can,” Grabham said. “It’s a little thing, but his thought is that if we add up the little things and multiply them by the number of people it affects and the number of agencies involved each time, it starts to add up quickly.” Wright also said that the Air Force is close to cutting the paperwork needed to nominate airmen for service-wide awards. Today, a nomination requires 27 bulleted accomplishments, the release said, but Wright said they’re working on getting it down to 16 — 12 job performance bullets and four “whole airman” bullets. “That gets us to the point where 80 percent of what you’re evaluated on is your job and primary mission, and 20 percent is the other things that we ask you to do as airmen,” Wright said. Wright hopes that major commands and other units follow suit and cut the requirements for their own awards. [Source: AirForceTimes | Stephen Losey | October 30, 2017 ++]

\*\*\*\*\*

## **USS Cole Attack Update 02 ► Supreme Court Won't Hear Pretrial Challenge**

The U.S. Supreme Court declined 16 OCT to consider a pretrial challenge to the war court brought by death-penalty defendant Abd al Rahim al Nashiri, the former CIA captive accused of orchestrating al-Qaida's 2000 USS Cole bombing. It was the second rejection of a Guantanamo captive's appeal to the high court in two weeks. No other explicit military commissions challenges are up before the justices this session. Nashiri, 52, is accused of orchestrating al-Qaida's Oct. 12, 2000 suicide bombing of the warship off Yemen. Seventeen U.S. sailors died in the attack, and dozens of others were wounded.

Pentagon-paid defense lawyers for the Saudi captive asked the Supreme Court in *Nashiri v Trump* to consider the case as an exception to law that generally requires a conviction before civilian court review. Nashiri's lawyers argued his years of torture in CIA custody merits pretrial review of the case, notably to resolve the legal question of when the "War on Terror" began. The decision also comes just days after Nashiri's three civilian lawyers invoked an ethical conflict and quit the case, with permission of the Marine general overseeing war court defense teams. That leaves just one other attorney who has met with and been accepted by Nashiri on his case -- a Navy lieutenant with no death penalty experience.

The Chief Defense Counsel, Marine Brig. Gen. John Baker, said he is looking to hire a new lawyer learned in the practice of capital punishment defense to replace veteran death-penalty defender Rick Kammen, who quit. By law a capital case can't proceed without a so-called learned counsel in court to proceed. It is unclear what Air Force Col. Vance Spath, the USS Cole case judge, will do about an upcoming three-week hearing scheduled to start 30 OCT. But the chief of the war court judiciary questioned in open court Monday whether Baker had the authority to paralyze the case through excusals. "I have no idea the factual predicate of what happened in Nashiri," said Army Col. James Pohl, presiding in a pretrial hearing of the Sept. 11 death-penalty case Monday. "I have no idea whether it is relevant to this case or not." [Source: Miami Herald | Carol Rosenberg | October 16, 2017 ++]

\*\*\*\*\*

## **UGV's** ► **America's More Modest/ Less Lethal than Other Countries**

American military leaders talk how artificial intelligence will change the face of war, but the **Unmanned Ground Vehicles** (UGVs) actually in development are much more modest and less lethal. They're mostly small, mostly unarmed, and fall short not only of Pentagon visions of future warfare, but of the tank-like machines the Russians are experimenting with today. While the US Army spent \$521 million on robotics in 2017, 79 percent went to aerial drones. Only \$20.6 million went to buy unmanned ground vehicles in 2017, almost all for UGVs to clear mines and roadside bombs, while \$91.4 million on R&D — and 40 percent of that was for mine-clearance as well.

So, walking the exhibit halls last week at the Association of the US Army annual conference, CNA analyst Sam Bendett did see plenty of unmanned ground vehicles. But most were lightweight, unarmed, and remote-controlled: bomb squad bots, scout bots, cargo haulers, and other "supporting elements," he told me, not true fighting robots. "There were some armed UGVs, but they were light, at most several hundred pounds," Bendett said. "What was notably absent was any large-sized combat UGV." (The only partial exception was Ukrainian).

"It would have been interesting to see what larger concepts are being tested," Bendett said. At a previous AUSA event in Huntsville, Ala, the displays did include a remote-controlled mini-tank, BAE Systems' Armed Robotic Combat Vehicle, but that exception proves the rule. ARCV was originally developed for the Future Combat Systems program (under the name Black Knight) and has been orphaned since FCS was cancelled in 2009. I know of no one in the US who's built anything so ambitious since. By contrast, "the Russians are pursuing a wide range of systems, even building and developing tank-sized devices," Bendett said. "A lot of these heavier machines are heavily armed, and Russians often display these prototypes at exhibitions."

"Russia is building a whole menagerie of armed ground robots all the way up to the size of armored personnel carriers," agreed Paul Scharre, director of technology and security at the Center for a New American Security and author of a forthcoming book on robotics, *Army of None*. Examples include the 11-ton Uran-9 and the 16-ton Vikhr (Whirlwind), derived from the standard BMP-3 troop carrier. There's even

talk of an unmanned version of the new T-14 Armata tank, Scharre told me, although the basic manned version is just entering production.



Ukrainian Phantom/Fantom



Russian Vikhr (Whirlwind)



Russian Uran-9

Some of these designs are more publicity stunts than practical war machines. For example, the Russians tout a man-shaped machine named F.E.D.OR. that was able to fire a pistol in each hand. The more realistic Russian UGVs are conventional armored vehicles refitted for remote control, not truly autonomous robots. That means they require constant human supervision over an uninterrupted communications link, much like the Predator drone. Such “teleoperated” systems require a human crew, just not inside the vehicle. They can be paralyzed, crashed, or even hijacked if someone interferes with the control signal, making their value dubious against a high-tech enemy.

What about artificial intelligence? The Russians have developed an autonomous gun turret that can be attached to a wide variety of vehicles, Bendett said, “but it has trouble distinguishing between friend and foe in autonomous operational mode.” No wonder, then, that Russian leaders seem to have some reservations about truly autonomous armed robots, just like American policymakers. Instead, Bendett told me, Russian research currently seems focused on developing sufficient artificial intelligence for an unmanned ground vehicle to get itself out of trouble if it loses communications with its human overseers — not to press the attack. So who’s really ahead? “In a technical sense of what their vehicles can actually do autonomously as opposed to teleoperated, I don’t know if the Russians are ahead of the United States or anyone else,” Scharre told me, “but conceptually, Russia is clearly in a different place in the United States.”

In war, concepts matter at least as much as technology. Britain and France had more tanks in 1940 than Nazi Germany, and the Allies’ machines were generally better armed and armored. But the Germans used theirs better – in what became known as blitzkrieg – because they’d thought about it longer and harder, developing new tactics and sticking radios on planes, tanks and trucks to coordinate fast, far-ranging maneuvers. With robotics today, Scharre said, “we’re in a place similar to the tank in 1919. We know tanks are going to be important in warfare, but we don’t know how. (Likewise), we don’t know what the most game changing aspects of robotics are.” “There’s obviously some hesitation in DoD (the Department of Defense) as a whole in thinking about autonomous armed robotic systems... but the US Army in particular is very hesitant to arm ground robots, for reasons I don’t entirely understand,” Scharre said. “Even at the furthest horizon they still envision robotics systems complementing human units... Russian generals have talked about fully robotic units that would operate independently.”

Why is the US Army so cautious? Part of the problem is ethics. While the Russian military flattened Grozny and aids Assad’s barrel bombers in Syria, a generation of US soldiers has grown up fighting under strict rules of engagement. Robots can’t navigate these ethical and tactical complexities as well as humans, especially since artificial intelligence is still prone to stunning stupidity in situations it wasn’t programmed for. Even allowing for these deep cultural differences, however, Scharre fears part of the US Army’s problem is a simple failure of imagination. “What really matters is whether a country is serious about pursuing that technology and experimenting with it and incorporating it into its force,” he said, and he’s not seeing that. [Source: Breaking Defense | Sydney J. Freedberg Jr. | October 18, 2017 ++]

\*\*\*\*\*

## **Presidential Condolences ► Military Death Response Protocol**

President Donald Trump on 16 OCT defended his response to the deaths of four U.S. soldiers killed in Niger earlier this month, promising he would reach out to their families in coming days. He also accused previous commanders-in-chief of sometimes ignoring those mourning families, mistakenly saying they avoided calling them. “I’ve written (those families) personal letters. They’ve been sent, or they are going out,” Trump said in a previously unannounced White House press conference Monday afternoon. “I will at some point during the time call the parents and the families, because I have done that traditionally. “I felt very badly about that. It’s the toughest calls I have to make, the calls where this happens, soldiers are killed. It’s a very difficult thing.”

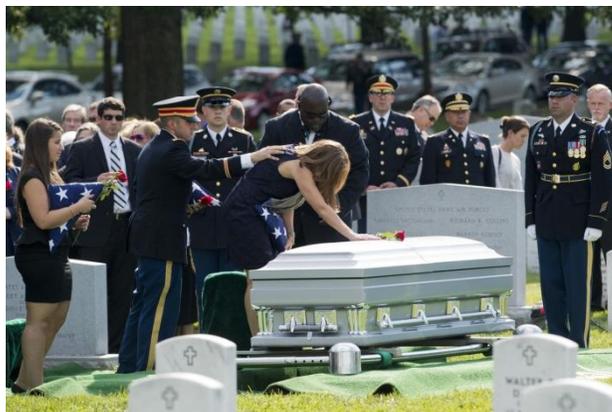
Four special forces soldiers were killed in an ambush in southwest Niger on 4 OCT during a joint patrol with foreign troops. Officials from U.S. Africa Command said the American servicemembers were providing “advice and assistance to Nigerien security force counter-terror operations” when the attack occurred. Trump has received criticism in recent days for failing to publicly address the issue. While White House staffers have offered condolences on behalf of the administration in recent days, Trump has not. When asked why during Monday’s press conference, Trump said he has done more to comfort grieving families than past presidents. “The traditional way, if you look at President Obama and others, a lot of them didn’t make calls,” he said. “I like to call when it’s appropriate, when I am able to do it. They have made the ultimate sacrifice.” Later, when questioned about that accusation, Trump appeared to backtrack, saying he was “told” that Obama and others did not reach out to those families.

Former aides to Obama quickly took to social media to criticize Trump’s remarks. “This is an outrageous and disrespectful lie even by Trump standards,” Benjamin J. Rhodes, a former deputy national security adviser to Mr. Obama, posted on Twitter. “Also,” Mr. Rhodes added, “Obama never attacked a Gold Star family.” Mr. Trump’s assertion belied a long record of meetings Mr. Obama held with the families of killed service people, as well as calls and letters, dating to the earliest days of his presidency. Before he decided to deploy 30,000 troops to Afghanistan, Mr. Obama traveled to Dover Air Force Base in Delaware to greet the coffins of troops. While Mr. Obama’s former staff members have grown used to Mr. Trump’s gibes about the “failure” of the Affordable Care Act or the “disastrous” Iran nuclear deal, they lashed out at his remarks on Monday with unusual bitterness. [Source: MilitaryTimes | Leo Shane III | October 16, 2018 ++]

\*\*\*\*\*

## **Presidential Condolences Update 01 ► Leave Gold Star Families Out of Politics**

Advocates for the families of fallen service members hope their sacrifices aren’t being overshadowed by the growing controversy surrounding President Donald Trump’s recent handling of condolences related to the deaths of four soldiers in Niger. “Beyond the back and forth going on right now, I’m worried about the politicization of Gold Star families that is happening,” said Ryan Manion, president of the Travis Manion Foundation. “We never saw this in the past. There are some things that have to transcend politics.”



In recent days, Trump received harsh criticism first for his delay in reaching out to the families of the fallen soldiers, then for telling one grieving widow that her husband “knew what he signed up for” before his death. In an interview with the Washington Post, the mother of that soldier — Sgt. La David Johnson, one of the four troops killed in the 2 OCT Niger ambush — said Trump’s comments “did disrespect my son and my daughter, and also me and my husband.” Before details of that call emerged, officials from Tragedy Assistance Program for Survivors released a statement calling for respect for the families involved.

- “While there is no one way to acknowledge the death, what is important for the family is that the president acknowledges the life and service of their loved one, and expresses gratitude on behalf of the nation,” said Bonnie Carroll, founder of the group.
- “Just as there is no right or wrong way to grieve, there is no right or wrong way to express one’s condolences. What matters is that we honor the lives and the sacrifice, and provide support for all grieving families so no one has to walk such a difficult journey alone.”

Manion, whose brother, Travis, was killed in Iraq in 2007, said she feels the contentious 2016 presidential campaign opened up those Gold Star families to the harshness of partisan politics in a way she had never seen before. During the campaign, Trump drew harsh criticism for his handling of Khizr Khan, a Gold Star father who spoke out against the Republican frontrunner at the Democratic National Convention. Trump attacked Khan for spreading “inaccuracies” about his qualifications to be president and implied that Khan may have forced his wife into silence under Islamic law.

Manion thinks both sides share the blame for politicizing those families’ sacrifices. She said reaction to Trump’s highlighting a Gold Star widow during his address to Congress in February was upsetting, with critics viewing it as pandering and supporters extolling it as a sign of leadership. “What we want to do now is try to find a way to shift the narrative away from using Gold Star families as talking points in political fights,” she said. That starts with more education about them. Manion said if there is a positive development to come out of the latest controversy, it’s more discussion about the thousands of military family members who have been affected by the death of a loved one on duty. “People outside our community don’t always think about them,” she said. “I’ve had people ask me how I earned my gold star, not understanding what that means.”

TAPS officials are asking Americans to “reach out to families who live in your community, co-workers at your office, and those you encounter elsewhere to reassure them their loved ones lives and sacrifice will never be forgotten.” Officials at the Travis Manion Foundation have a stated goal of “empowering veterans and families of fallen heroes.” Ryan Manion said she wants to emphasize how those families have overcome tragedy, and the important perspective they bring to national conversations of service and leadership.

“Maybe we can make this less of a conversation about grieving families and more about their incredible stories,” she said. [Source: ArmyTimes | Leo Shane III | October 18, 2017 ++]

\*\*\*\*\*

## **Presidential Condolences Update 02 ► COS Kelly on Controversy**

White House Chief of Staff John Kelly lauded President Donald Trump for “bravely” calling the families of fallen soldiers this week and condemned criticism of the act as destroying a “sacred” pillar of American society. “He called four people the other day and expressed his condolences in the best way he could,” said Kelly, a former Marine Corps general whose own son was killed in Afghanistan in 2010. His emotional comments came during a White House press conference on 19 OCT, after four days of controversy over Trump’s handling of the deaths of four special forces soldiers in Niger earlier this month.

The president first drew criticism for waiting nearly two weeks to publicly address the deaths, then for implying that was being more sensitive than previous commanders-in-chief in reaching out to fallen families. After saying that former President Barack Obama didn’t call troops’ next of kin, he told media “you could ask Gen. Kelly” about the issue. When he did make calls to the four families on 17 OCT he was blasted by the family of Sgt. La David Terrence Johnson and congresswoman Rep. Frederica Wilson (D-FL) for saying that the dead soldier “knew what he signed up for.”

Pentagon officials have avoided commenting on the ongoing controversy. Earlier on Thursday, when asked about the issue, Defense Secretary James Mattis replied that “we honor our fallen in America and that’s all I’ll say.” Kelly on Thursday angrily responded to Wilson’s accusations by accusing her of twisting the president’s comments for personal gain. “It stuns me that a member of Congress would have listened in on that conversation,” he said. “I thought at least that was sacred.” Wilson called the call insensitive and hollow. Kelly called her characterization ridiculous. Kelly said he advised Trump not to make the calls to the grieving families, in part because of the difficulty of the moment, and in part because the most meaningful calls he received after his own son’s death came from others who served alongside him. “If you’re not in the family, if you’ve never worn the uniform, if you’ve never been in combat, you can’t even imagine how to make that call,” he said.

Trump felt it important to reach out to the families anyways. He asked Kelly for advice on what to say. “I said to him: Sir, there is nothing you can do to lighten the burden on these families. But let me tell you what I tell them. Let me tell you what my best friend, [Marine Gen.] Joe Dunford told me when he was my casualty officer. “He said: ‘Kell, he was doing exactly what he wanted to do when he was killed. He knew what he was getting into by joining that 1 percent. He knew what the possibilities were, because we’re at war. When he died – and the four cases we’re talking about, Niger, and my son’s case in Afghanistan – when he died, he was surrounded by the best men on this earth, his friends.’” “That’s what the president tried to say to four families the other day.”

Kelly did not address other issues related to the latest controversies, including a Washington Post report that the president has not reached out to several other families of fallen troops and offered but did not send a \$25,000 check to one father of a dead soldier. He also declined to give specifics on the U.S. operation in Niger, but did say all those serving overseas should be recognized for their bravery and sacrifice. “At the end of the day, these young people ... put on the uniform, go where we say to protect the country,” he said. “They’re helping those partner be better at fighting ISIS in North Africa, so we don’t have to send our soldiers and Marines there in the thousands.”

He also implored the public to not let the recent controversies overshadow that effort. Advocates for Gold Star families have offered similar pleas in recent days “I still hope as you write your stories, let’s not let this

last thing that is held sacred in our society — a young man, young woman going out and giving his or her life for this country — let’s try to somehow keep that sacred,” he said. [Source: NavyTimes | Leo Shane III & Jeff Schogol | October 19, 2017 ++]

\*\*\*\*\*

## **Army Bonuses Update 01 ► Emphasis on Reenlistments vice Extensions**

If you missed the big re-enlistment bonus bucks the Army was offering this year, you’re in luck. Soldiers whose last day in the Army is coming up in the next 15 months could earn up to \$12,000 on top of a selective retention bonus if they re-up in the next several weeks. The Army brought back the so-called “kicker” in its latest SRB message, offering \$3,000 for four years, \$6,000 for five years and \$12,000 for six years to soldiers who are in their re-enlistment windows and eligible for a retention bonus. Additionally, MilPer message 17-331 includes a new SRB chart, with big bumps in bonus dollars for a range of military occupational specialties. At the top of the list are 11Bs — particularly those with no additional skills or special qualification identifiers — who are eligible for bonuses at every rank. The infantryman MOS has been up and down this year in terms of re-enlistment bonuses.

Other big winners are fire support specialists: a staff sergeant, for example, is eligible for between \$15,200 and \$46,000 to re-enlist, and that’s before adding the kicker. Also eligible for big bonuses are combat medics, Criminal Investigation Command special agents, cyber network defenders, cryptologic linguists and psychological operations specialists. The armor branch, on the other hand, saw a drop in bonuses for cavalry scouts and crewmen, including the end of bonuses of 19Ks above E-5. Soldiers who have a training spot scheduled to transfer into one of the SRB-eligible MOSs are also eligible for bonuses. On the other hand, soldiers who are currently eligible for an SRB but are scheduled for training to re-class into a non-eligible MOS are not able to get an SRB.

The changes are part of the Army’s evolving strategy to get its active duty end strength up to 476,000 by the end of September, 16,000 more than what was originally planned for this year. The new bonus program is operational as of 23 OCT, but is subject to unannounced changes after 23 NOV according to the message. The Army’s deputy chief of staff for personnel told Army Times in September that the service is hoping to add another 17,000 troops to the total force in the coming year. In January, the Army set a goal to grow the total Army to 1.018 million soldiers by the end of September. And they want to do it again in 2018.

On the retention side, said Lt. Gen. Thomas Seamands, the plan is to stick to bonuses, rather than offer large lump sums for one-year extensions, as they did in 2017. “We don’t think we will do an extension. That was a decision that made sense last year in ’17,” Seamands said. “What we’re looking for now is a longer commitment. We will have re-enlistment bonuses for our NCOs. But, they won’t be for extensions. I don’t see that happening.” [Source: ArmyTimes | Meghann Myers | October 25, 2017 ++]

\*\*\*\*\*

## **USS John S. McCain (DDG-56) Update 04 ► New Structural Issues**

The collision-damaged USS John S. McCain -- en route from Singapore to Japan via a heavy-lift vessel -- has been diverted to the Philippines because of new structural issues and a typhoon. The guided-missile destroyer developed a 4-inch-long crack along its starboard side while transiting to Yokosuka Naval Base aboard the MV Treasure, 7th Fleet spokesman Cmdr. Clay Doss told Stars and Stripes on Saturday. Weather conditions associated with Typhoon Lan had already slowed the McCain's journey to Japan, and the crack's

discovery led to the diversion to Subic Bay, Philippines, Doss said. "Once pier side, experts will inspect the crack and determine if any additional repairs are needed before continuing to Yokosuka," he said.



The cause of the crack and the extent of the structural issues are unknown, Doss said. The majority of the crew has already returned to Yokosuka, with only about 10 sailors remaining aboard the ship. The McCain departed Singapore earlier this month after a deadly collision with an oil tanker on Aug. 21 killed 10 crew members. Sailors, families and base workers held a memorial ceremony at Yokosuka on Oct. 4 for those who perished in the collision. The McCain's commanding officer, Cmdr. Alfredo Sanchez, and executive officer, Cmdr. Jessie Sanchez, were relieved earlier this month for what the Navy called a "preventable" collision. Alfredo Sanchez displayed "poor judgment" while Jessie Sanchez "exercised poor leadership of the ship's training program," a statement said.

The Navy intends to fix the McCain at Yokosuka, while its sister ship, the USS Fitzgerald, will be sent to Ingalls Shipbuilding in Pascagoula, Miss., for repairs. Seven Fitzgerald sailors were killed in a June 17 collision with a merchant vessel off Japan. Although the McCain collision was deadlier, the ship suffered less damage, allowing it to be repaired at its homeport, officials said. "Damage is less significant, impacted fewer systems compared with [Fitzgerald]," 7th Fleet spokesman Cmdr. Clay Doss previously told Stars and Stripes. "For example, there was no significant damage to the superstructure, which is more likely to require U.S.-based shipyard repairs." [Source: Stars and Stripes | Tyler Hlavac | October 23, 2017 | by ++]

\*\*\*\*\*

## **USS Lake Champlain (CG-57) ► Navy Mum On Cause Of Ship Crash**

Nearly six months after the guided-missile cruiser Lake Champlain collided with a 70-foot fishing vessel east of the Korean peninsula, Navy officials are declining to disclose what caused the crash. Officials say that Capt. Chris Cegielski, the ship's CO at the time, was administratively disciplined after the collision

along with the executive officer and sailors who were on the watch team. But Cegielski remained in charge of the ship until he handed over command last month during a standard change-of-command ceremony.



The Lake Champlain’s May 9 mishap was one of four this year within 7th Fleet’s Western Pacific waters. The Navy fired the captains of the three other ships. The two most catastrophic incidents resulted in 17 sailors drowning after the destroyers Fitzgerald and John S. McCain collided with commercial vessels this summer, disasters that have prompted demands for command accountability and a reassessment of basic operations capabilities in 7th Fleet. Like the Fitz and McCain collisions, a primary question in the Lake Champlain incident is how a civilian vessel was able to close in on a state-of-the-art warship.

No one was injured when the San Diego-based ship collided with the South Korean vessel late that morning, according to the Navy. The ship was deployed as part of the Carl Vinson Strike Group. An internal Navy investigation into the Lake Champlain incident was completed in June. This week, the Navy denied Navy Times’ Freedom of Information request for a copy of the investigation, a decision currently being appealed. Pacific Fleet spokesperson Lt. Cmdr. Nicole Schwegman said it won’t be released because “it is privileged information due to pending litigation.” She declined to comment further.

Seventh Fleet’s at-sea mishaps began in January, when the cruiser Antietam ran aground in Tokyo Bay, spewing 1,100 gallons of oil into the water and prompting a multimillion dollar repair job. The Antietam’s commanding officer at the time of the incident was subsequently fired, as were the captains of the Fitz and McCain. Basic seamanship failures have played a role in this year’s mishaps, and the Antietam investigation cited problems with anchoring as contributing to the grounding. Pacific Fleet commander Adm. Scott Swift said in a fleet-wide message after the August McCain disaster that such incidents were taking place during “the most basic of operations.” [Source: NavyTimes | Geoff Ziezulewicz | October25, 2017 ++]

\*\*\*\*\*

## **Bergdahl Plea Hearing Testimony** ► **Search Endangerment to Comrades**

Soldiers and an airman described a shattered hand and a head wound 27 OCT as prosecutors presented evidence that Army Sgt. Bowe Bergdahl’s disappearance endangered those who searched for him. The testimony came during the sentencing phase for Bergdahl, who faces up to life in prison after he pleaded guilty to desertion and misbehavior before the enemy. Bergdahl was held captive by Taliban allies for five years after abandoning his remote post in 2009. Several witnesses described a search mission by U.S. and Afghan troops to comb two villages for information related to Bergdahl days after he disappeared.

Among the most vivid testimony came from Jonathan Morita, describing how his hand was shattered by a rocket-propelled grenade. He has since had multiple surgeries and is left without full use of his right hand. “Right about here is where they sowed on my thumb where it was dangling off,” he said, pointing to a picture of sutures displayed on a video monitor. He said he can’t bend his index finger and thumb and had to learn again how to write and brush his teeth with limited mobility in his dominant hand. He was with a half-dozen U.S. troops that were accompanying a larger group of Afghan soldiers on the July 2009 search mission when they were ambushed by insurgents using small arms, machine guns and explosive projectiles. One rocket-propelled grenade hit Morita’s rifle, shattering his hand. A second landed nearby, lodging shrapnel in his left elbow. “I just thought I was going to definitely die right there in Afghanistan,” said Morita, who earned the rank of sergeant before leaving the Army.

After his injury during the firefight, he said he “pulled out a Bible, read a quick verse” and then grabbed a handgun to return fire before a medical helicopter arrived. Nearby, Master Sgt. Mark Allen suffered a head wound during the ambush. National Guard Staff Sgt. Jason Walters testified that Allen was trying to make a radio call when Walters saw him get hit by a bullet. “I watched just as a cloud of his blood came out the side of his head,” Walters testified. Walters became emotional when he described tending to his friend’s wound. “I grabbed a pressure bandage, and started. Sorry ma’am,” he told a prosecutor before pausing and resuming testimony. “I started treating his wound ... telling him to hang on.” Allen now uses a wheelchair and is unable to speak, requiring assistance for everyday tasks such as getting out of bed. Walters said it was difficult visiting Allen in a hospital after the deployment. “Seeing him like that is something I don’t wish anyone would have to see,” he said.

While Bergdahl acknowledged at his plea hearing that his actions triggered the search missions that resulted in the wounds, his lawyers argued Thursday that there’s a limit to his responsibility for a lengthy chain of events including others’ decisions and enemy fighters. “Enemy forces were the direct cause of the horrific wounds to Master Sgt. Allen,” said Army Maj. Oren Gleich, a defense lawyer. Allen’s wife was expected to testify on 30 OCT. Gleich told the judge he believes it’s appropriate for her to testify to the wound’s effects on Allen himself, but the defense could object if prosecutors steer her toward testimony that goes too far into the impact on his family. The judge, Col. Jeffery R. Nance, said he would have to wait and see what the objections were before weighing in on the defense’s stance.

Bergdahl, a 31-year-old soldier from Hailey, Idaho, has said he was caged by his captors, kept in darkness and beaten, and tried to escape more than a dozen times before President Barack Obama brought him home in 2014 in a swap for five Taliban prisoners at Guantanamo Bay. [Source: The Associated Press | Jonathan Drew | October 26, 2017 ++]

\*\*\*\*\*

## **Bergdahl Plea Hearing Testimony Update 01 ► Former Navy SEAL James Hatch**

Former Navy SEAL James Hatch, whose career as a commando ended when he was shot while searching for Bowe Bergdahl, said his feelings toward the Army sergeant have gone from “I would like to kill him” to thanking the soldier’s lead attorney for working so hard to defend him. Hatch, who testified this week at Bergdahl’s sentencing hearing on charges he endangered comrades by leaving his post in Afghanistan in 2009, has had eight years to think about the nighttime raid that ended with insurgent AK-47 spray ripping through his leg.

Sent home, he sank into a depression he nearly didn’t survive. Through therapy, charity work with dogs and a cathartic book-writing process, his thinking has evolved on more than a few things — including Bergdahl’s fate. In an interview with The Associated Press, the retired senior chief petty officer said he’s still angry at Bergdahl but doesn’t envy the military judge who must decide his punishment after sentencing

resumes 30 OCT. “It has gone from ‘I would like to kill him’ to ‘he should go to jail forever,’ to where I’m at now, which is far more peaceful. Having spoken to others who are aware of more of the details of his walking off, and his treatment once he was captured, I am very happy that I do not have to choose what happens to him,” Hatch said. Still, he said, it’s important that Bergdahl not receive an honorable discharge. “The most important thing to me personally is that I would hope that he would be dishonorably discharged, and therefore ineligible for the benefits that veterans that have served with honor are eligible for,” Hatch said.

Bergdahl faces up to life in prison after pleading guilty to desertion and misbehavior before the enemy for leaving his post in Afghanistan in 2009, but the military judge has wide leeway to determine a sentence. Hatch said he wants Bergdahl to have a fair hearing, and appreciates the hard work of all involved — even the defense. He had a cordial encounter with Bergdahl’s lead attorney, Eugene Fidell, at breakfast in the hotel where both were staying this week. “I shook his hand, and I said: ‘Thank you for being a good American and taking care of that kid even though I don’t care for him,’” he said. According to Hatch, after the two chatted awhile, Fidell “put his arm around me and said: ‘Hey, your fly is open.’” “How can you hate a guy like that?” Hatch said. Fidell said his interactions with Hatch have been pleasant, calling him a patriot who sacrificed for the country. “I think it would be wonderful if, after the case is over, Senior Chief Hatch and Sgt. Bergdahl could sit down one on one,” Fidell said. “I know Sgt. Bergdahl would like to do that.”

During testimony, Hatch spoke stoically about his own wound during a July 2009 search mission and the 18 surgeries he’s had. But he cried when discussing the military dog, Remco, who died in the same barrage of gunfire. Hatch credits the dog’s handler, another member of his team, with helping to save his life. “I knew going into that line of work that was a possibility. That dog didn’t have a clue,” he told AP, explaining his strong emotions. “It is incumbent upon us to protect them. They provide us with their senses and their courage, but they don’t understand bullets. We failed. I, in particular, I failed to protect that dog.” Another military dog, Spike, is the namesake of a nonprofit group Hatch started to support military and law enforcement canines. Hatch was Spike’s handler when that dog died on a mission in Iraq.

Hatch, now 50, said the inspiration for Spike’s K9 Fund came out of a dark time in the months after he returned wounded from the 2009 mission to find Bergdahl. “I just was washing down my pain meds with booze,” he said. “I wanted to be a zombie and I didn’t want to be alive anymore.” Police in Norfolk, Virginia were called to his house because he was suicidal and “acting a fool with a gun,” he said. Officers called men Hatch had served with, who helped get him treated<sup>41</sup> for depression. As a thank you, he helped raise money for the care of a police dog. Now, his charity — which he refers to as “my purpose” — also helps with medical expenses for families who take in retired military dogs.

Writing a book about his life, due out in 2018, with a longtime friend has also been therapeutic. “It’s one thing to go to a psychologist or a social worker and talk to them about things that are troubling you right now,” said Hatch, who grew up in Utah. “It’s another thing entirely when you’re doing it with someone who’s known you for 15 years through many of the big trials, so that you have a backstop about where those emotions may have come from.” [Source: The Associated Press | Jonathan Drew | October 27, 2017 ++]

\*\*\*\*\*

## **Abrams M1A1 Tank ► Upgrades | Turret & Thermal Sights**

Marines' M1A1 Abrams tanks are about to get even more awesome. The improvements to 400 tanks will include a button that will allow the tank commander to move the main gun on a target being tracked by the tank's .50 caliber machine gun, and improved day and thermal sights, said Mike Kreiner, M1A1 project officer for Marine Corps Systems Command. All of the improvements were inspired by feedback from

Marine tankers in Iraq, Kreiner told Marine Corps Times. They will be installed between October and December 2017, he said.

The M1A1 Abrams tank has a turret and a 120 mm smoothbore main gun operated by the gunner and a .50 caliber machine gun operated by the commander from inside the tank, Kreiner said. Now MARSYSCOM is making it easier for commanders to move the main gun as well. "That allows them to engage targets quicker, specifically when the tank is moving," Kreiner said. "He [the commander] can track a target on the move using his .50 caliber and then press the button and the main gun can come over there." Without these improvements, tank commanders have to visually acquire the target and use an override to move the turret, he said. "It's just difficult to do on the move," Kreiner said. Making it easier for tank commanders to move the turret and main gun can shave precious seconds off the time it takes to acquire a target, depending on how far commanders need to traverse the turret, he said.

The tank's day and thermal sights are also being improved by adding a color camera and a color display, Kreiner said. The existing camera and display for both sights shows targets in green and black. "We couldn't distinguish blue, red, white, yellow, purple targets, specifically in vehicles," Kreiner said. "Color cues are very important for positive identification. You might have two trucks in a column waiting a checkpoint and one's red and one's green, and they say, 'Hey, you need to target that green truck.' Well, they couldn't distinguish that." Both the day and thermal sights will also be able to see much further than they can now, he said. When asked if the M1A1 Abrams improvements are meant to counter the latest Russian tanks, Kreiner said categorically "they were not." "This requirement was not based on any specific threats," he said. [Source: MarineCorpsTime | Jeff Schogol | August 26, 2016 ++]

\*\*\*\*\*

## **Abrams M1A1 Tank Update 01 ► Upgrades | Armor & Programmable Ammo**

The Marines Corps is upgrading its M1A1 tanks so that gunners can program when 120 mm main gun rounds detonate. "It puts several ammunition capabilities into a single round," said Lt. Col. Mark Braithwaite. "Given the logistics challenges of carrying multiple types of unique rounds for unique applications, having a round that can handle more than one type of target is particularly advantageous." Some Marine tanks already have a version of the system, and all of the Corps' roughly 400 tanks will get newer ammunition datalinks in 2020, said Braithwaite, team lead for tank systems at Marine Corps Systems Command.

Using a console, gunners can program Multi-Purpose High Explosive rounds to detonate on impact, explode after a delay or airburst, he said. That way, one type of tank round can be used against enemy armor or infantry, depending on when it explodes. "The airburst is specifically an anti-infantry capability," Braithwaite said. The Army's tank fleet includes variants of the M1A2 Abrams tank, which has been produced since 2005, but the Marine Corps has no plans to acquire the newer tanks, he said. Corps officials are committed to making sure the M1A1 is still relevant on the battlefield. Toward that end, the Corps will begin adding new front and side armor to all of its M1A1 tanks starting in fiscal 2019, said Braithwaite, who could not discuss what the new armor's capabilities are or what types of threats it is designed to defeat.

Unlike recent upgrades to the Marines' tanks, the new armor was not inspired by experiences in Iraq, he said. It is expected to take about 15 years to add the armor to the Corps' tanks because the armor is best added when tanks are completely rebuilt at the Anniston Army Depot in Alabama, he said. "Fifteen years is not set in stone because there are a lot of contributing factors to that," Braithwaite said. "The modification is going to be applied as we rebuild tanks, and those numbers can change based on funding how many tanks we do per year." [Source: MarineCorpsTimes | Jeff Schogol | October 26, 2017 ++]

\*\*\*\*\*

## Overseas Troops ► Sgt. Seth Mullins



An Alabama native and gunner with Tank platoon, U.S. Marine Sgt. Seth Mullins' duties are operating and firing the weapons systems on board the M1A1 Abrams.

\* **Military History** \*



## Battle of Gettysburg ► The Civil War's Bloodiest Battle

On July 3, 1863, the three-day Battle of Gettysburg ended, leaving behind an estimated 51,000 total casualties - the highest number of any battle in the Civil War. Following a series of military successes in Virginia, Confederate general Robert E. Lee took his troops north in June 1863 into south-central Pennsylvania. Lee was unaware until late June that the Union's Army of the Potomac, under General George G. Meade, had followed his army north, as Lee's cavalry, under JEB Stuart, was separated from the main body of the army and was thus unable to provide intel on the enemy's movements. On July 1, elements of Lee's army came up against Union cavalry by chance outside the town of Gettysburg and fighting broke out. Both sides received reinforcements, and the Confederates were eventually able to push back the Federals to the south of Gettysburg. During the evening and the following morning, both sides gathered the rest of their armies, for a total of 83,000 Union troops and 75,000 Confederate.

At the commencement of fighting the following afternoon, July 2, the Union army was arranged like a fishhook, with the Confederates surrounding them to the north and west in roughly the same shape. The 2nd saw bloody fighting on the Union left and center, but despite high casualties, the Union was generally able to repulse the Confederates. Fighting also occurred on the Union right later that evening and continued after dark in a rare night battle.

On the 3rd, the Confederates once again launched an attack on the Union right, which was ultimately unsuccessful. Then, following a massive artillery bombardment, Lee attacked the Union center in what is commonly known as Pickett's Charge. During this attack, approximately 12,000 Confederate troops crossed nearly a mile of open ground to attack Union positions but were decimated by Union fire. The Confederates who made it to the enemy lines managed to briefly break through, but they were eventually repulsed. Also on this day, the Confederate cavalry - which had arrived on the afternoon of the 2nd - was put into action off the Union right flank, but with little result.

On the 4th, Lee waited for Meade's counterattack on his position, but it never came, so Lee's army withdrew back over the Potomac. Gettysburg was the bloodiest battle of the war, with 23,000 Union casualties and 28,000 Confederate. It is often considered the turning point in the war and commonly referred to as the "high tide" of the Confederacy. [Source: Together We Served Newsletter | Mike Christy | September 2017 ++]

\*\*\*\*\*

## **Women in Military Service Memorial Update 04 ► 20th Anniversary**

Right next to Arlington National Cemetery, which draws about 4 million visitors a year, is a national memorial to military women. It draws about 200,000 visitors a year. The 33,000 square-foot memorial, known formally as the Women in Military Service for America Memorial, has been celebrating its 20th anniversary the weekend of 20 OCT with a series of events.

Among those attending events this weekend is Rosemary Bryant Mariner, 64, a retired Navy captain who was one of the first women to earn her wings as a naval aviator in 1974. She's now a resident scholar at the Center for the Study of War and Society at the University of Tennessee. When she was breaking barriers, she said, feminism was in force and "we thought the doors were going to swing wide open." Instead, progress has come only in fits and starts. Not until 2016 did then-defense Secretary Ashton Carter remove all restrictions on women's service in the military, making women eligible for all positions in all branches, including combat and special operations forces. Asked about her thoughts on another potential milestone -- a first female Navy SEAL -- Mariner said it should be based on an individual's ability and aptitude. "If that person is qualified and wants to do that, I think it's great," she said. "We'll get there."

Roughly three million women have served in the U.S. military throughout its history, some going back to the Revolutionary War. A goal of the memorial is to have all three million included in its official register, a database that includes facts about all of the individual women and their service. "The database is truly our treasure. It's the heart of our memorial," said the memorial foundation's spokeswoman, Marilla Cushman, who retired from the Army as a lieutenant colonel after a 25-year military career. So far, though, only about 269,000 women veterans are registered. Women can register themselves through a form on the memorial's website. Family members can also register a woman veteran. The registry is not online out of privacy concerns; visitors must come to the memorial to view it.

Cushman encouraged all female veterans to register. She said family members light up when they enter the memorial and retrieve information about their loved ones. Conversely, visitors are disappointed when

they look up a family member only to find they aren't included. "It's their opportunity to take their rightful place in history, and it will be there for generations to come," she said.

Although the memorial is located next to the cemetery, it is not part of the cemetery but falls under the administration of the National Park Service. While a nonprofit foundation is responsible for funding day-to-day operations, including exhibits in the education center and registry, the Park Service is responsible for maintaining the memorial's exterior. Cushman said the foundation has "financial challenges, like all nonprofits." Some supporters of the memorial say the challenge is even more stark and that the memorial, without public funding, faces a real risk of ceasing operations.

A fundraising campaign launched late last year by a group called AcademyWomen on fundrazr.com at <https://fundrazr.com/find?search=AcademyWomen> has so far raised more than \$113,763 in 50 weeks. The goal is \$1.5 million. Katherine Sharp Landdeck, an associate professor of history at Texas Woman's University who has researched women's military history, said the memorial fills a valuable role. "The story of women serving in the American military gets forgotten," she said. "The memorial is a gathering place where people can see what these women have done." [Source: Associated Press | Matthew Barakat | October 20, 2017 ++]

\*\*\*\*\*

## **WWI Memorial Update 10 ► 100 Cities/100 Memorials Refurbishment Program**

A World War I monument in Rhode Island no longer bears the names of soldiers who died fighting; the bronze plaques were stolen decades ago. A statue of a WWI soldier in New York City has a dented helmet and missing rifle. The wooden rifle stack on top of a monument in Washington state has rotted away. Trees memorializing soldiers from Worcester, Massachusetts, have died. The 100th anniversary this year of America's involvement in the "Great War" has drawn attention to the state of the monuments to its soldiers and galvanized efforts to fix them.



**In this March 30, 2016, photo provided by NYC Parks, the World War I Highbridge Doughboy statue is repaired at the NYC Parks monument repair facility in the Brooklyn borough of New York.**

Many were forgotten about over time, or no one took responsibility for their care. Some were looked after, but they're in need of repairs, too, after being outside for so long. "There are some cases of vandalism, but in general it has been time and a lack of maintenance and really nobody paying much attention," said Theo Mayer, program manager for the U.S. World War I Centennial Commission's 100 Cities/100 Memorials program. "Somehow the war slipped into our historic unconscious, and so did the memorials."

The centennial commission and the Pritzker Military Museum and Library in Chicago are helping communities that are restoring and rescuing their memorials. Fifty matching grants of up to \$2,000 each were awarded in late September. They're accepting applications for another 50 grants, to be awarded in April. Go to <https://www.worldwar1centennial.org/index.php/2016-07-06-00-52-42.html>. The nation owes it to WWI veterans, "lest we forget," said Kenneth Clarke, president and CEO of the military museum. "They can't speak for themselves. There's none of them left. It's up to us to carry this legacy forward," said Clarke. "That's a responsibility we have as citizens of this great country."

The first group of grant recipients includes a project to replace the plaques in Newport, Rhode Island; repairs to the World War Memorial in Raymond, Washington, and to the Highbridge Doughboy statue in New York City; and tree plantings and restoration work for Memorial Grove at Green Hill Park in Worcester.

- The plaques were stolen from the Miantonomi Memorial Park Tower in Newport nearly 40 years ago. "Why hasn't anyone replaced them? I don't know. Apathy? I just don't understand," said Bob Cornett, who's working with the city on the project.
- The Washington memorial, tucked in the corner of a park, was becoming an eyesore because of the missing top and paint peeling off the pillar, said Army veteran Gordon Aleshire. Now it has been recoated, a bronze rifle stack has been made and it's being moved next to another war memorial. "We were embarrassed over it," said Aleshire, coordinator of the project. "The VFW thought the city was going to take care of it, and the city thought the VFW was going to take care of it, and no one did. Now we'll have a plan to make sure we won't let it get into such disrepair in the future."
- The Highbridge Doughboy was erected in the Bronx in 1923. It was later vandalized and moved into storage in the 1970s. It's currently on display in Central Park. It will be relocated to a park near Yankee Stadium when it is cleaned and fixed. The grant will help the city's parks department replicate the main dedication plaque.
- In Worcester, an American Legion post planted maples to honor those who died in WWI, dedicating it in 1928. The post later closed, and about half of the trees have died. The Green Hill Park Coalition is working with the city to restore the grove.

The first 50 memorials selected are in 28 states. The Victory Memorial in Chicago, also known as Victory Monument, commemorates the 370th Infantry Regiment, an all-black unit that served with French soldiers. It has been well cared for. Local residents are going to plant a memorial garden and teach high school students more about the war. A poppy garden is being planted at North Carolina State University's Memorial Bell Tower, as well. The projects that received grants must be completed by the centennial of the war's end, Nov. 11, 2018. The centennial commission is building the National WWI Memorial in Washington, D.C. [Source: MilitaryTimes | October 11, 2017 ++]

\*\*\*\*\*

## **American Revolution Quiz 2 ► Questions**

### **How Well Do You Know The American Revolution?**

1. Which pamphlet, published by Thomas Paine in early 1776, made a persuasive and impassioned case for American independence?
2. What was the legendary winter military camp where Washington's army took refuge during the war?
3. Which former Prussian military officer was responsible for the training of the Continental Army at Valley Forge that would ultimately help them win the war?
4. True or False? George Washington never lost a battle during the Revolution.

5. From which battle came the quote, "don't fire until you see the whites of their eyes"?
6. True or False? There was an important battle during the Revolution called the Battle of Cowpens.
7. Who was King of Britain at the time of the Revolutionary War?
8. The American Revolution ultimately helped cause which successive revolution?
9. What slogan helped lead to the American Revolution?
10. What organization was founded by Samuel Adams in the 1760s to encourage independence?
11. What was the name of the Treaty that officially ended the Revolutionary War?
12. Who said, "Give me liberty or give me death!"?
13. Who supposedly designed the very first American flag in 1776?
14. Which earlier war helped lead to the American Revolution?
15. Francis Marion was a Continental guerrilla leader. What was his nickname?
16. During the Revolution, which Founding Father served as Ambassador to France?
17. What was the nickname given to the colonial militia in Massachusetts?
18. Which founding father is famous for signing his signature really, REALLY large on the Declaration of Independence?
19. What were the last words of Colonial soldier and spy Nathan Hale before being executed?
20. What New York battle was seen as a turning point in the war?

[Source: Frontlines of Freedom | <http://offbeat.topix.com/quiz/17242/qidx1> | October 28, 2016 ++]

\*\*\*\*\*

## **WWII Raid On Cabanatuan ► Most Successful Rescue Mission In U.S. Military History**

By April 1946, Allied losses and the lack of supplies in Bataan were so bad that Maj. Gen. Edward King, the local commander, ordered the surrender of 70,000 troops (Filipinos and Americans); the largest American army in history to surrender. Having made plans to accept the surrender of about 25,000 soldiers, the Japanese were overwhelmed with POWs. Food, water, and housing for all the unexpected prisoners were never supplied. Less fortunate than the men on Corregidor who surrendered a few months later, the exhausted, sick men pouring out of the Bataan jungles were force-marched through the heat on what survivors called "the Hike." History named it the Bataan Death March after thousands of United States Army Forces in the Far East (USAFVE) soldiers died from deprivation, disease, or simple execution; all stragglers were killed. Prisoners who reached the squalid prison camps alive realized that hunger, thirst, sickness, and brutal treatment would now be routine.

Imperial Army soldiers had been trained to commit suicide to save their families from the "dishonor" of surrender. Ready to take their own lives, they had little concern for the lives of a dishonored enemy. Still, deadly as they were, Philippines POW camps weren't extermination camps - not until December 1944. By then, the Allies were winning battle after battle and MacArthur was making good on his promise to "return." Japanese commanders of POW camps were given the option of killing their prisoners rather than return them to the Allies. On December 14, guards at the Palawan prison camp, fearing defeat, herded nearly 150 prisoners into bunkers and set the bunkers on fire.

MacArthur's forces invaded the Philippines in January. As they advanced, word reached Lt. Gen. Walter Krueger of the Sixth Army about the Cabanatuan POW camp north of Manila, where 516 British and American Soldiers still survived. Many of them were survivors of the Hike. Krueger ordered a rescue

mission. But how to do it? Cabanatuan was 30 miles (48 km) inside enemy lines and heavily guarded. Surprise was essential: the Americans had to take control before the guards had time to kill the prisoners. But the prison was on open ground, and Caucasian U.S. Soldiers didn't exactly blend in with the Filipino community. And if the raid was successful, how could they move the prisoners out of enemy territory? The survivors in Cabanatuan were living skeletons who could barely walk. But after all those soldiers had suffered, Kreuger refused to let the men of Cabanatuan die. To accomplish his mission impossible, the general called on the Rangers.

The Sixth Army Rangers started out as "mule skinnners," leading mules that packed heavy artillery through the mountains of New Guinea. The army decided pack mules were obsolete, but they kept the guys-sending them to train under Lt Col. Henry Mucci. Under Mucci's tough regime, homegrown farm boys became experts at hand-to-hand combat, bayonet and knife fighting, and marksmanship -elite fighters. Mucci asked for volunteers who would "die fighting rather than let harm come to those prisoners." Every single Ranger volunteered. And on 28 JAN, 1945, they set out on their liberation mission. Guiding them secretly through rice paddies and cogon weeds were the Alamo Scouts (a Sixth Army outfit that gathered intelligence behind enemy lines) and Captain Eduardo Josen's group of Filipino guerrillas. The Scouts would provide information on the prison layout and the numbers and positions of the guards. Josen's guerrillas would cover the Rangers during the attack and -if all went well- on the return to base camp, too.

After close calls with enemy patrols and acquiring plenty of blisters, 120 Rangers and their guides ended their march successfully five miles from Cabanatuan. But Scouts brought bad news of heavy Japanese activity in and around the prison. A surprise attack and safe escape seemed more impossible than ever. Then salvation appeared in the form of Captain Juan Pajota. The United States Army Forces in the Far East guerrilla captain had heard that the Rangers planned the surprise break that night. Pajota and his men had arrived to help, but the Captain warned the Rangers to wait 24 hours, since many of the Japanese would be moving on. Mucci didn't like the delay, but he eventually agreed to it and to some of Pajota's more unusual ideas, too.

On the evening of 30 JAN, Filipino guerrillas cut the phone lines to Manila. Captain Josen and Captain Pajota's combined forces of about 300 Filipino guerrillas blocked the east and west ends of the road that passed the POW camp, isolating the camp from enemy forces. But as the Rangers crawled the last mile through an open field, they knew the guards would spot them. Suddenly, a P-61 night fighter or "black widow" buzzed Cabanatuan POW camp. The plane (Pajota's idea) had been requested by Mucci. While the Japanese guards stared up at the sky, wondering if the plane would crash, the Rangers crawled into position.

They divided up, some going to the main front gate and hiding until the others reached the back entrance, where signaling shots were fired. Then locks were shot off and the Americans moved inside the prison, guns blazing. They quickly overwhelmed the guards and the raid went like clockwork until the evacuation. Hearing gunfire and sure they'd be murdered, many POWs hid. Others, out of touch for years and nearly blinded from starvation, didn't recognize the Rangers uniforms or weapons. Some POWs fled at the sight of their saviors; a few believed it was a trick and refused to go anywhere.

Pushing some prisoners toward freedom and carrying others, the Rangers hustled them to a site where Filipino civilians waited with Pajota's final gift, ox carts pulled by tamed carabao (water buffalo) for the prisoners to ride in. As Filipino guerrillas bravely held off the Japanese, and the Scouts stayed behind to fend off any retaliating Japanese, a strange band of prisoners, carabao, and former mule skinnners traveled all night to the safety of the Allied front lines. About 1,000 people, including the U.S. Army, Filipino guerrillas, and unnamed Filipino civilians, had worked to set them free, resulting in the most spectacular and successful rescues in military history. For the Allies they liberated 552 Allied prisoners of war suffering 2 killed,4 wounded, and 2 prisoners deaths. The Japanese suffered 530 - 1,000+ killed



Eventually 272 American survivors of Cabanatuan sailed into the San Francisco Bay. Greeting them were crowds massed on the Golden Gate Bridge. As the former POWs sailed underneath the bridge, the cheering crowds threw gifts (coins, show tickets, and even lingerie) down to the deck of their ship. These heroes of the Philippines hadn't been forgotten after all. In late 1945, the bodies of the American POWs who died at the camp were exhumed, and the men moved to other cemeteries. Land was donated in the late 1990s by the Filipino government to create a memorial. The site of the Cabanatuan camp is now a park that includes a memorial wall listing the 2,656 American prisoners who died there. Lt. Col. Henry Mucci and Capt. Robert Prince received the Distinguished Service Cross for their part in great raid on Cabanatuan - the most successful rescues in military history. A short film on survivors following their liberation can be viewed at [https://www.youtube.com/watch?v=63Fzw6\\_b7qA](https://www.youtube.com/watch?v=63Fzw6_b7qA). . [Source: Together We Served Newsletter | Mike Christy | September 2017 ++]

\*\*\*\*\*

### **GWOT Memorial Update 03 ► Dedicated 16 OCT 2017**

The National Infantry Museum in Columbus, Georgia, on 16 OCT dedicated the new Global War on Terrorism (GWOT) Memorial. The memorial consists of eight granite panels etched with the names of nearly 7,000 service members who have died in the Global War on Terrorism since 9/11.. Two concrete columns representing the Twin Towers hold up a 13-foot steel beam salvaged from the World Trade Center and donated by New York City Firefighters. Nine bronze statues representing a squad of infantry soldiers line the monument, along with narrative panels chronicling the United States' longest war. The memorial was designed to honor all branches of the armed forces, and has illustrations of each service's role in the Global War on Terrorism.



[Source: MilitaryTimes | Kyle Rempfer | October 14, 2017 ++]

\*\*\*\*\*

## **Soviet 1972 ASW Capabilities ► Recently Declassified CIA Report**

In the late 1980s, the Soviet Union claimed a feat many military experts thought impossible. K-147, a Victor-class nuclear-powered attack submarine, secretly followed the trail of a U.S. boomer (most likely the USS Simon Bolivar) in an underwater game of chase that continued for six days. U.S. observers at the time thought the Soviets lacked the tech for effective sonar, at least in comparison to the capabilities of the U.S. and its NATO allies. Now, a newly declassified CIA report shows how hunter submarines like the K-147 went on secret missions to track American subs without using sonar at all.

The CIA's Directorate of Science & Technology produced the report on Soviet Antisubmarine Warfare Capability in 1972, but it was declassified only this summer. Even forty-five years on, lines, paragraphs, and even whole pages are redacted. A lengthy portion about Soviet technology under development gives details never previously revealed about devices with no Western equivalents. While NATO were concentrating almost all their efforts on sonar, the Russians created something else entirely.

### **WHY SONAR IS KING**

Seawater blocks radio waves. So radar, while effective on the surface, is useless underwater. Sound waves, on the other hand, travel better through water than they do through air, and as early as WWI they were put to work finding submarines. Sonar comes in two basic types. There's active sonar, which sends out 'pings' that are reflected by the target, making it an underwater version of radar. Passive sonar, on the other hand, is based on sensitive listening devices that can pick up sound from a sub's engines or propeller—and unlike active sonar, it does not give away your position. Depending on conditions, sonar can find a submarine from many miles away and in any direction.

The U.S. and its allies developed sophisticated sonar systems, which soon became so effective that other methods of detection were left behind or forgotten. For decades, non-acoustic methods were considered inferior for being limited in range and reliability compared to sonar. "It is unlikely any of these methods will enable detection of submarines at long ranges," concludes a 1974 intelligence report. In the USSR, it was a different story. The Soviets were hampered by primitive electronics and struggled to make sonar work at all. So instead they developed other weirdly clever means of submarine detection.

### **ENTER SOKS**

One such method highlighted in the report is the Soviet's mysterious SOKS, which stands for "System Obnarujenia Kilvaternovo Sleda" or "wake object detection system." This device, fitted to Russian attack submarines, tracks the wake a submarine leaves behind. SOKS is actually visible in photos of Russian subs as a series of spikes and cups mounted on external fins. The Soviet claim of following subs without sonar sounded like typical Russian bluster, but without knowing how (or whether) SOKS worked, a realistic assessment was impossible. The Pentagon has classified this entire area of research and scientists simply didn't talk about it. Rumors out of Russia about SOKS have been inconsistent and often contradictory, with some saying SOKS measured changes in water density, or detected radiation, or even used a laser sensor.

What the West knew for sure was that SOKS gear first appeared on K-14, a November-class sub, in 1969. Since then, subsequent versions with codenames like Colossus, Toucan, and Bullfinch have appeared on every new generation of Soviet and Russian attack submarines, including the current Akula and forthcoming Yasen class. According to these newly declassified documents, the old rumors were accurate in one way – the Soviets did not develop just one device, but several. One instrument picked up "activation radionuclides," a faint trail left by the radiation from the sub's onboard nuclear power plant. Another tool

was a "gamma ray spectrometer" that detects trace amounts of radioactive elements in seawater. "The Soviets had reportedly had success detecting their own nuclear submarines [several words redacted] with such a system," the document says.



The report also describes how submarines leave behind a cocktail of chemicals in their wake. Sacrificial anodes that prevent corrosion leave a trail of zinc in the water. Minute particles of nickel flake off the pipes circulating seawater to cool the reactor. The system that makes oxygen for the crew leaves behind hydrogen that's still detectable when dissolved in seawater. Together these chemical traces may measure only a few tenths of a part per billion, but sophisticated equipment can find them.

And as you'd expect, a nuclear reactor also leaves behind tons of heat. According to the report, a large nuclear submarine requires "several thousand gallons of coolant a minute". This water, used to take heat from the reactor, may be 10 degrees Celsius warmer than the surrounding seawater, creating a change in the water's refractive index—a change that's detectable with an optical interference system. And the Soviets did exactly that. "A localization system based on this technique, capable of detecting wakes up to several hours after the passage of a submarine, could theoretically be built now," says the report, though it was not known for sure if the Russians had done so.

### SEPARATING FACT FROM FICTION

While many of these techniques had been suggested before, there was no indication of which ones were theoretical and which ones were actually used. "This report lends a lot of credibility to submarine detection systems that many still believe are little more than myths," defense analyst Jacob Gunnarson told *Popular Mechanics*. Previously, a 1994 U.S. study found it doubtful whether submarine wakes could be detected, stating that "whether or not hydrodynamic phenomena are exploitable is open to question."

The sensors would not simply say "here is a sub," but would generate a stream of numerical data. Picking out the signature of a submarine from the background noise in the data takes some computing power, and the report notes that, in the 70s, the Soviets were far behind in this area. These days the Russians can acquire commercial machines thousands of times more powerful than any they had then, and that may have given SOKS a major boost.

The report shows that even in 1972 intelligence agencies were aware of how U.S. subs might be tracked. Countermeasures surely would have been put in place since then, such as reducing the chemical and radioactive trails, which is probably why it took 45 years for this document to be brought to light. Still, new versions of these technologies are far more capable than their water-snooping forebears. Recent scientific papers suggest the Chinese are now investigating new submarine tech, and even the U.S. Navy and DARPA have started to take an interest in wake tracking, suggesting that the tech isn't quite as inferior as previously thought. Whether Russians can still stealthily follow submarines, or if the U.S. found a way to foil them, is impossible to know. We'll probably have to wait another 45 years for the [heavily redacted] answer.

To watch how a submarine can hide using radar and sonar go to <https://youtu.be/sMe7TovEneA>. To see what makes submarines silent go to [https://youtu.be/KqK8\\_6ItGwQ](https://youtu.be/KqK8_6ItGwQ). [Source: Popular Mechanics | David Hambling | October 23, 2017 ++]

\*\*\*\*\*

## **Abandoned Military Bases [10] ► Nekoma South Dakota**



**This missile site radar was control of the Safeguard system based in North Dakota. This site safeguarded computers and the radar necessary to track and defend against incoming ICBM warheads. The pyramid-style structure housed 30 Spartan missile launchers and 16 Sprint missile launchers.**

\*\*\*\*\*

## **American Revolution Quiz 2 ► Answers**

### **How Well Did you do?**

1. Common Sense. It is still the best-selling book in American history.
2. Valley Forge where starvation, disease, and the bitter cold plagued the Continental troops all through the winter of 1777-78 ultimately causing 2500 casualties.
3. Friedrich von Steube - Though he spoke little English, he succeeded spectacularly at turning the undisciplined Continental Army into an imposing fighting force.
4. False! Very, very false. Washington actually lost a lot of battles early in the war. It wasn't until the later stages (and heavier French involvement) that the Continental Army really started winning.
5. Though its unclear who actually issued the order, "don't fire until you see the whites of their eyes" has become part of the legend of the Battle of Bunker Hill.
6. True! It took place in South Carolina on January 17, 1781, and was a decisive Continental victory which ultimately helped the United States recapture South Carolina.
7. George III, sometimes known as Mad King George, was British monarch through the entire war.

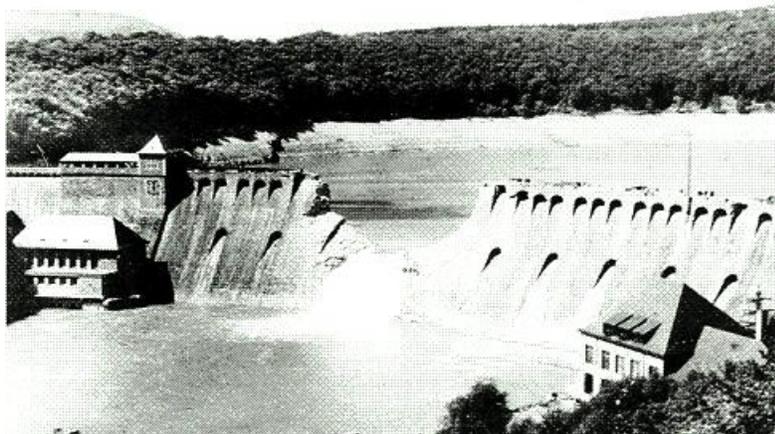
8. The country's involvement in the Revolutionary War helped put France deeply in debt, a contributing factor to the French Revolution in 1789. It didn't end as well for France as the American Revolution did for the US.
9. No taxation without representation which is actually still the city motto of Washington DC
10. The Sons of Liberty which included members such as John Hancock, Patrick Henry, Paul Revere, and Benedict Arnold
11. The Treaty of Paris officially ended the Revolutionary War on September 3, 1783.
12. Patrick Henry. The speech containing that line is credited with helping to sway the Virginia Convention in March of 1775 towards delivering troops to the cause of the Revolutionary War.
13. Betsy Ross. Though the Ross family claims she presented the flag design to Washington in 1776, it's not clear whether that ever actually happened.
14. Called the Seven Years War outside the US, the French and Indian War led to the taxation acts which in turn led to the Revolution.
15. The Swamp Fox - Marion led a band of irregular fighters in South Carolina (largely striking from the swamps -- hence the nickname) and was a constant thorn in the side of the British. He is considered one of the fathers of guerrilla warfare.
16. Benjamin Franklin - He and the French got along famously, and his popularity in Paris helped serve to keep US-French relations cordial and close-knit.
17. The militia were known as "minutemen" because they were said to be ready to fight at a minute's notice.
18. John Hancock- His name has become shorthand in America for "signature."
19. I only regret that I have but one life to lose for my country. Hale's patriotic last words served as an inspiration to the colonists.
20. The surrender of John Burgoyne's entire army at the Battle of Saratoga was seen as a major turning point in the war, as the colonial army had been getting beaten repeatedly before it.

[Source: Frontlines of Freedom | <http://offbeat.topix.com/quiz/17242/qidx1> | October 28, 2016 ++]

\*\*\*\*\*

## **Insanely Daring Air Raids ► No. 9 | Operation Chastise**

Air raids were one of the military strategies that were used to attack enemies using fighter planes which would drop bombs and blow buildings apart. This task was perhaps the most dangerous and terrifying mission during the times of war. However, many brave aviators risked their lives and conducted daring raids against insane odds. Following covers one often of the most daring raids to ever been conducted in history, the story behind the raids and the crews who flew the military planes.



On the night of 16-17 May 1943, an RAF bomber raid destroyed three dams in the Ruhr Valley. The mission codenamed Operation ‘Chastise’ was aimed at destroying the Möhne, Edersee and Sorpe Dams, which were fiercely protected with torpedos in the waters to stop underwater attacks and anti-aircraft guns to defend against enemy bombers.

Between 1938 and 1941, a number of proposals and studies were undertaken by the British. It was found that multiple strikes with a high degree of accuracy would be necessary. Considering the feasibility of the mission, the British specially developed a “bouncing bomb” invented and developed by Sir Barnes Wallis. Also, with a new squadron, which had been formed at Scampton on 21st March 1943, and led by the 24-year-old Wing Commander Guy Gibson, the British were ready for the mission.

At 9.28pm on 16 May 1943, the first of 19 Lancaster heavy bombers lifted off the runway into a clear, still early summer night. The mission went as planned resulting in the destruction of two hydroelectric power stations. Several other were damaged, and the floods drowned and killed approximately 1,300 people.

\*\*\*\*\*

## **USS Constitution Update 02 ► First Spin In Three Years.**



The newly refurbished USS Constitution has taken its first spin in three years. October 20's joyride from Charlestown Navy Yard in Boston to Fort Independence on Castle Island celebrated the U.S. Navy's 242nd birthday and the 220th anniversary of the iconic vessel's maiden voyage. The world's oldest commissioned warship afloat fired a 21-gun salute in the waters off the fort. Its cannons boomed another 17 times as it passed the U.S. Coast Guard station, the former site of the shipyard where the Constitution was built and launched in 1797. It is the warship's first time underway since October 2014. The ship earned the nickname Old Ironsides during the War of 1812 with Britain. [Source: NavyTimes | October 22, 2017 ++]

\*\*\*\*\*

## **Military History Anniversaries ► 01 thru 15 NOV**

Significant events in U.S. Military History over the next 15 days are listed in the attachment to this Bulletin titled, “**Military History Anniversaries 01 thru 15 November**.” [Source: This Day in History <http://www.history.com/this-day-in-history> | October 2017 ++]

\*\*\*\*\*

## Medal of Honor Citations ► Funk~Leonard A. Jr. | WWII



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

### **Leonard A. Funk, Jr.**

**Rank and organization:** First Sergeant, U.S. Army, Company C, 508th Parachute Infantry, 82d Airborne Division

**Place and date:** Holzheim, Belgium, 29 January 1945

**Entered service:** June 1941 in Wilkinsburg, Pa.

**Born:** August 17, 1916 Braddock Township, Pennsylvania

#### *Citation*

He distinguished himself by gallant, intrepid actions against the enemy. After advancing 15 miles in a driving snowstorm, the American force prepared to attack through waist-deep drifts. The company executive officer became a casualty, and 1st Sgt. Funk immediately assumed his duties, forming headquarters soldiers into a combat unit for an assault in the face of direct artillery shelling and harassing fire from the right flank. Under his skillful and courageous leadership, this miscellaneous group and the 3d Platoon attacked 15 houses, cleared them, and took 30 prisoners without suffering a casualty. The fierce drive of Company C quickly overran Holzheim, netting some 80 prisoners, who were placed under a 4-man guard, all that could be spared, while the rest of the under strength unit went about mopping up isolated points of resistance. An enemy patrol, by means of a ruse, succeeded in capturing the guards and freeing the prisoners, and had begun preparations to attack Company C from the rear when 1st Sgt. Funk walked around the building and into their midst. He was ordered to surrender by a German officer who pushed a machine pistol into his stomach. Although overwhelmingly outnumbered and facing almost certain death, 1st Sgt. Funk, pretending to comply with the order, began slowly to unsling his submachine gun from his shoulder and then, with lightning motion, brought the muzzle into line and riddled the German officer. He turned upon the other Germans, firing and shouting to the other Americans to seize the enemy's weapons. In the ensuing fight 21 Germans were killed, many wounded, and the remainder captured. 1st Sgt. Funk's bold action and heroic disregard for his own safety were directly responsible for the recapture of a vastly superior enemy force, which, if allowed to remain free, could have taken the widespread units of Company C by surprise and endangered the entire attack plan.



He enlisted in the Army in June 1941 at 21 years of age, and volunteered for airborne training. After earning his wings, he was assigned to Co C, 508th Parachute Infantry, Camp Blanding, Florida. He went with the 508th to England and was with unit when it became part of the 82nd Airborne Division.

He jumped into France with 82nd, June 6, 1944, during the Normandy Invasion and into Holland during Operation Market Garden, September 17, 1944.

His service with the airborne unit took him through Belgium, across the Rhine River in Germany, to the banks of Elbe River where the unit waited to enter Berlin as the war came to an end.

British and US soldiers were dropped into Holland during Market Garden in an attempt to secure bridges over the Rhine into Germany. It was here that the 5-foot 5-inch Funk earned Distinguished Service Cross for leading his men in an attack on enemy strong point. By beginning of Battle of the Bulge three months later, he was his company's first sergeant. When the German army tried to break through Allied lines in Ardennes, Omar N. Bradley committed his only strategic reserves to stem the flow. That 2-Division force included 82nd Airborne, this time deployed by truck. It was after the German assault in the Ardennes was broken that he earned his Medal of Honor.

In addition to Medal of Honor and Distinguished Service Cross, he had earned the Silver Star, Bronze Star and 3 Purple Hearts. When he was discharged, he returned home to the job he held before war as a clerk. Two years later he went to work for the Veterans Administration, and he retired as a Division Chief in the Pittsburgh Regional Office in 1972.

His wife, Gertrude, joined about 100 people who braved the cold and wind to pay their last respects to the non-commissioned officer whose worse flaw was "he even liked and sometimes appreciated officers," according to a member of Leonard A. Funk Association. A 3-man color guard from the 82nd Airborne Division carried unit flag in his honor.

"My name is not important," said one association member at the burial service. "What is important is the final good-bye to a man who loved soldiers, privates, NCOs and yes, even officers. He loved people. He treated every soldier from private on up as if they were a four-star general." He was the sole surviving 82nd Airborne Division World War II Medal of Honor recipient.

He was discharged from Army in June 1945. His other medals included Distinguished Service Cross, Silver Star, Bronze Star, Purple Heart with 2 oak leaf clusters, the Good Conduct Medal, Presidential Unit Citation, American Defense Service Medal, European Theater of Operations Medal with Arrowhead and four Bronze Campaign Stars, Combat Infantry Badge, Parachutist Badge, Chevalier de L'Ordre de Leopole II Aves Palme, Croix de Guerre Avec Palme by the Belgium government, Belgian Fourragere, French Fourragere and Netherlands Orange Lanyard. Burial: November 27, 1992. Survivors include wife, Gertrude; 2 daughters, one brother; two grand-children; two great grandchildren and other relatives. He now lies at rest in Arlington National Cemetery (Section 35, Grave 2373-4). [Source: <http://www.history.army.mil/moh/wwII-a-f.html> | October 2017 ++]

**\* Health Care \***



## **TRICARE Changes 2018 Update 05 ► Payment Options**

With the Jan. 1, 2018 changes to new stateside regions and contractors, you may need to update your payment option to guarantee continued payment of your TRICARE enrollment fees and monthly premiums. There are currently three TRICARE regions in the United States. In the new year:

- TRICARE North and TRICARE South will combine to form TRICARE East. Humana Military will manage the East region. Under the new regional contracts, the East Region is a merger of the North and South Regions and includes:
  - Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa (Rock Island area), Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri (St. Louis area), New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas (excluding El Paso area), Vermont, Virginia, West Virginia, and Wisconsin. contract. Health Net Federal Services, LLC will manage the West region
  - Alaska, Arizona, California, Colorado, Hawaii, Idaho, Iowa (excludes Rock Island arsenal area), Kansas, Minnesota, Missouri (except St. Louis area), Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Texas (southwestern corner including El Paso), Utah, Washington and Wyoming.
- TRICARE West will largely remain the same.

You will no longer be able to make payments via paper check. Acceptable methods of payment will continue to be allotment, electronic funds transfer, and debit or credit card. If you sign in to your regional contractor's website to make payments online, this option will also still exist. If you currently pay your enrollment fees or premiums by allotment through a Defense Financing and Accounting Service (DFAS) or other Uniformed Services Pay Center, you will not need to update your payment information. Your payments will automatically transfer to the new regional contractor on Jan. 1, 2018. Unless you cancel your allotment, TRICARE will continue to deduct your enrollment fees and premiums.

If you live in an area where a new regional contractor will be delivering services, you'll need to update your payment information to go to your new regional contractor. This applies if you currently pay

enrollment fees or premiums by electronic funds transfer from your checking or savings account or via a debit or credit card. Your new regional contractor will contact you with instructions on how to update your payment information. You must proactively update your payment information to make sure payments start going to your new regional contractor and stop going to your previous regional contractor. This action will help you avoid disenrollment from TRICARE.

Are you ready for the upcoming TRICARE changes? The best way to prepare is to update your information in DEERS (<https://tricare.mil/Plans/Eligibility/DEERS> ), sign up for TRICARE benefit updates ([https://public.govdelivery.com/accounts/USMHSTMA/subscriber/new?topic\\_id=USMHSTMA\\_347](https://public.govdelivery.com/accounts/USMHSTMA/subscriber/new?topic_id=USMHSTMA_347)) and visit the TRICARE Changes page (<https://tricare.mil/changes>). [Source: TRICARE Benefits Update | October 13, 2017 ++]

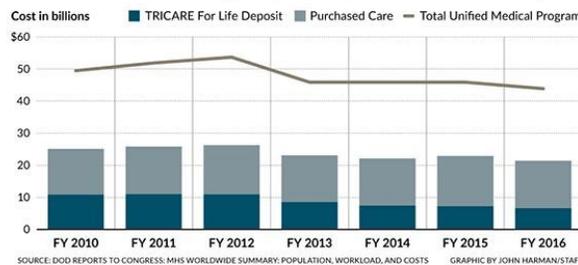
\*\*\*\*\*

## TRICARE Changes 2018 Update 06 ► Oppose New Fee Hikes

It's hard to distinguish fact from fiction these days. But one thing military personnel, their families, retirees who've served a career, and all other eligible TRICARE beneficiaries know is, their earned health care benefit is under siege. The simple facts as we know them: First, DoD's health care costs have remained the same - or even declined - for decades and take up no more of the budget than they have in years past. And second, DoD has been relentless in its attempts to have beneficiaries pay disproportional amounts for something they earned with their service and sacrifice.

### DoD health care costs continue to decline

Officials claim health care costs are "eating the department alive," but the numbers don't back that up.



### What Is Happening Right Now:

DoD is making an end run late in the budgetary game. This is a manipulative attempt to get more of your money to fund its readiness accounts and other, unspecified programs. As directed in last year's National Defense Authorization Act (NDAA), which grandfathered current beneficiaries from increased fees, DoD used its authority as an agency to publish new rules pertaining to upcoming TRICARE program changes, set to take effect on Jan. 1. But, surprisingly, they took this as an opportunity to change the cost shares, [as MOAA detailed in a recent article](#) effectively bypassing the legislated grandfathering.

TRICARE officials have said the motivation behind these cost share changes in the new TRICARE Select option is to make costs more predictable for beneficiaries. They plan to accomplish this by changing the percent cost share applied to TRICARE in the beneficiary's bill (usually 15 percent for active duty families and 25 percent for retirees) to a fixed amount - hence, the claimed predictability. (The head of the Defense Health Agency also will have discretion to change these fees on an annual basis, among other program authorities.)

While the exact methodology DoD used is not apparent, MOAA understands the new fixed costs were derived from an average of what beneficiaries actually spend in a variety of outpatient settings. MOAA

assessed the impact these new TRICARE fees will have on beneficiaries, using basic assumptions and very conservative health care utilization patterns for an E5 family of four. These tables do not include ancillary services, like lab tests, radiology, or diagnostic testing. The results (shown in the tables below) are hardly surprising: The costs to the beneficiary went up.

### TRICARE Select New DoD Fees Will Cost Beneficiaries More

ACTIVE DUTY FAMILY	COST SHARES APPLIED TO TYPICAL OUTPATIENT UTILIZATION*		RETIREE FAMILY	COST SHARES APPLIED TO TYPICAL OUTPATIENT UTILIZATION*	
	CURRENT**	DOD 2018		CURRENT**	DOD 2018
Annual deductible	\$300	\$300	Annual deductible	\$300	\$300
Primary care Outpatient visits (15% cost share)	\$73.38 3 Visits	\$81 3 Visits	Primary care Outpatient visits (25% cost share)	\$91.71 3 Visits	\$105 3 Visits
Specialty care Outpatient visits (15% cost share)	\$59.78 1 Initial visit, 2 follow up visits	\$102 1 Initial visit, 2 follow up visits	Specialty care Outpatient visits (25% cost share)	\$99.46 1 Initial visit, 2 follow up visits	\$135 1 Initial visit, 2 follow up visits
Emergency Room visits (15% cost share)	\$124.00 3 Visits	\$261 3 Visits	Emergency Room visits (25% cost share)	\$206 3 Visits	\$348 3 Visits
Urgent Care visits (15% cost share)	\$28 2 Visits	\$54 2 Visits	Urgent Care visits (25% cost share)	\$38 2 Visits	\$70 2 Visits
<b>Total:</b>	<b>\$585</b>	<b>\$798 (\$213 over current plan)</b>	<b>Total:</b>	<b>\$735</b>	<b>\$958 (\$223 over current plan)</b>

\* Family of 4 Does Not Include Pharmacy

To view the new fee schedule go to <https://tricare.mil/About/Changes/General-TRICARE-Changes/Costs>. MOAA is concerned the introduction of this new fee structure:

- Raises fees above COLA across most categories of beneficiaries, to support department readiness costs;
- Takes control of setting and then adjusting these fees on an annual basis without regard to an index or other supporting data; and
- Ignores the 2017 NDAA's grandfathering of beneficiaries, as evidenced in the way DoD has set up the fee structure between active duty and retired service families.

MOAA is asking readers to contact their elected official today with a MOAA-suggested message at <http://takeaction.moaa.org/moaa/app/write-a-letter?0&engagementId=409553> opposing these fee hikes. [Source: MOAA Legislative Update | October 19, 2017 ++]

\*\*\*\*\*

## TRICARE Changes 2018 Update 07 ► Tricare for Life Impact

Almost all types of Tricare coverage will face sweeping changes, upgrades and reforms in 2018 resulting from legislation passed last year and a contractor changeover. The only part of Tricare that won't be dramatically impacted is Tricare for Life. That's because Tricare for Life, used by military retirees over age 65, isn't like the Defense Health Agency's other plans. Rather than provide stand-alone comprehensive coverage, Tricare for Life pairs with Medicare Part B as wrap-around coverage. Quick facts:

- Tricare's major changes impact almost all plans, including active-duty families and military retirees.
- Tricare for Life is almost entirely exempt for the changes.
- The only change to Tricare for Life is a shift in the annual date deductibles and cost caps reset.

Like many of Tricare's other plans, Tricare for Life includes an annual deductible that users must pay out-of-pocket when receiving care. Tricare for Life users pay a deductible of \$150 per individual or \$300 per family. Also like other plans, those beneficiaries have a maximum amount they will pay out-of-pocket in any given year of \$3,000, known as a "catastrophic cap." In the past, both of those costs -- the deductible and the cap -- reset every 1 OCT with the new fiscal year. But starting in 2018, that will no longer be the case.

That means for the remainder of 2017 only, all users who have hit their cap have an extra three months -- October, November and December of this year -- to receive care without additional fees. Those who have not yet hit their cap or deductibles will continue to pay toward the fee ceilings. Like Tricare's other plans, starting in 2018 Tricare for Life will instead reset every 1 JAN, bringing the plans in line with the annual calendar used by most health insurers, as well as Medicaid and Medicare. [Source: Military.com | Amy Bushatz | October 26, 2017 ++]

\*\*\*\*\*

## **Mammograms Update 01 ► Recommended Annually for 40+ Women**

Medical officials recommend women age 40 and older have a mammogram annually to detect for signs of breast cancer. “Mammography has helped reduce breast cancer mortality in the U.S. by nearly 40 percent since 1990. Annual mammograms can help detect cancer in its earliest stages when it’s most treatable,” said Army Maj. Sara Michael, a diagnostic radiologist and Chief of Mammography and Ultrasound at Blanchfield Army Community Hospital.

A mammogram is an x-ray that shows the tissue inside of a breast. The x-ray creates an image that a radiologist like Michael can use to look for abnormalities in the breast. In most cases a patient is fine and won’t need another mammogram until the following year. Regular mammograms can better help your healthcare team in detecting cancer by giving them a progressive look at your breast over time. “For every 1,000 women who have a mammogram, about 100 are called back for another look with an additional mammogram or an ultrasound. If the Radiologist sees an abnormality, then a biopsy can be ordered which allows the medical team to collect tissue from the breast for a pathologist to evaluate and determine if cancer is present,” said Michael.

A mammogram can detect signs of cancer well before it can be detected during a self-breast exam, which is the reason women over 40 are encouraged to have the procedure annually. Detecting cancer early improves a woman’s chance of a successful treatment. Aside from some skin cancers, breast cancer is among the most common cancer affecting women. More than 200,000 cases are diagnosed annually. Michael recommends not having a mammogram the week before or during your period. Breasts may be tender or swollen during that time causing discomfort during the procedure. Once a mammogram is scheduled, Michael offered the following tips:

- Don’t apply deodorant, perfume, or powder before your mammogram because these can show up as white spots on the X-ray
- Dress comfortably in a top and bottom so you can easily undress from your waist up for the mammogram.
- Plan to spend about 30 minutes in the clinic. While the mammogram takes just minutes, patients should allow time to complete paper work.

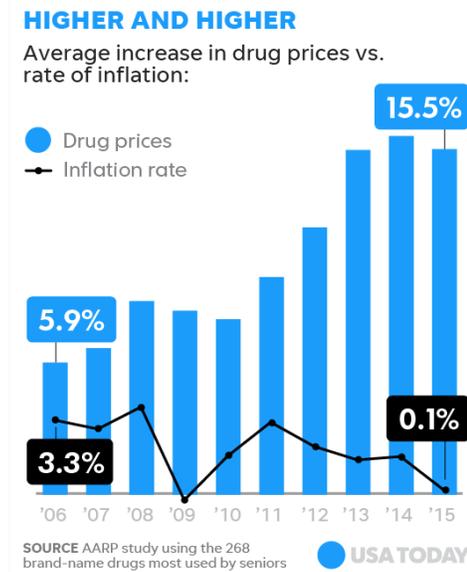
Once completed, patients will receive a letter in the mail explaining in easy to understand wording what, if any, next steps need to be taken. The clinic personnel will call patients who need additional imaging due to an abnormality seen on their screening mammogram, so it is very important to ensure a proper phone number is on the intake form. According to the TRICARE website, women beneficiaries over 40 are authorized a mammogram annually. Additionally, younger patients with certain risk factors can ask their healthcare physician or provider for a referral and use risk models to determine if additional screening measures are needed. [Source: Health.mil | Maria Christina Yager | October 23, 2017 ++]

\*\*\*\*\*

## Drug Cost Increases Update 10 ► 2018 Projections | 9/9% to 11.6%

Few things are more infuriating to consumers than the constant, surging increases in drug prices. Americans under 65 are projected to pay an additional 11.6% this year, while seniors are expected to see increases of 9.9%. These increases follow similar ones in recent years. Price hikes like these, which run well above inflation and wage growth year after year, are a keen indication of how the drug industry lacks market fundamentals. Or, as President Trump put it Monday, prescription drug prices "are out of control" and the big pharmaceutical companies "are getting away with murder."

11



This has happened in some cases because generic drug makers have begun to act like the name-brand producers they were supposed to compete with. Mylan, for instance, is a generic drug maker. It is also the company that bought the EpiPen auto-injector and jacked up its prices to obscene levels. Mostly, it is the result of brand-name drug companies using ploys to keep generics off the market. One favored technique is to simply pay generic makers to keep their products out of drugstores. These "pay to delay" schemes are often embedded in some kind of legal dispute designed to obscure the wildly anti-competitive nature of the deal. Another tactic is for branded drug makers to make minor tweaks to their products to claim whole new patents.

But perhaps the most novel ruse involves preventing generic drug makers from getting access to doses of branded drugs they need to run tests. Generic makers need roughly 5,000 doses of branded drugs to show that their products are truly equivalent. The Food and Drug Administration has received approximately 150 letters sent by companies complaining about access to the doses they need. About half of these involve branded drug makers claiming that the Risk Evaluation and Mitigation Strategies, an FDA-required process designed to promote drug safety, prohibits them from providing doses. As the result of this infuriating tactic, patients, insurance companies and the federal government pay an additional \$5.4 billion annually on drugs, according to a study by Matrix Global Advisors for the Generic Pharmaceutical Association.

Drug makers "game the system and game the rules," FDA administrator Scott Gottlieb said during a recent visit with USA TODAY's Editorial Board. Government agencies can and should be more aggressive in fighting off these schemes. Gottlieb said the FDA will fight harder to get generics on the market. And the Federal Trade Commission is stepping up its efforts to combat blatantly anti-competitive practices. These

steps will help. An even fuller solution is to give big buyers more leverage in negotiating prices, starting with the federal government's purchase of drugs for Medicare. That, however, would require Congress to shake its addiction to campaign contributions and put patients ahead of Big Pharma. [Source: USA TODAY | Editorial Board | October 16,,2017 ++]

\*\*\*\*\*

## Medicare vs. Medicare Advantage ► How To Choose | Pros & Cons

As health insurers struggle with shifting government policies and considerable uncertainty, one market remains remarkably stable: Medicare Advantage plans. That's good news for seniors as they select coverage for the year ahead during Medicare's annual open enrollment period (this year running from 15 OCT to 7 DEC). For 2018, 2,317 Medicare Advantage plans will be available across the country, "the most we've seen since 2009," said Gretchen Jacobson, associate director of the Kaiser Family Foundation's program on Medicare policy.

Medicare Advantage is an alternative to traditional Medicare. Run by private insurance companies, the plans — mostly health maintenance organizations (HMOs) and preferred provider organizations (PPOs) — are expected to serve a record 20.4 million people next year, or slightly more than one-third of Medicare's 59 million members. On average, seniors will have a choice of 21 plans, though in some counties and large metropolitan areas at least 40 plans will be accessible, Jacobson said. Availability tends to be far more restricted in rural locations.

While a few insurers are entering or exiting the Medicare Advantage market, most established players are remaining in place. Eight insurers dominate the market: UnitedHealthcare, Humana, Anthem, plans affiliated with Blue Cross and Blue Shield, Kaiser Permanente, Aetna, Cigna and WellCare. Despite Medicare Advantage plans' increasing popularity, several features — notably, the costs that older adults face in these plans and the extent to which members' choice of doctors and hospitals is restricted — remain poorly understood. Following are some essential facts to consider:

**The Basics** -- Medicare Advantage plans must provide the same benefits offered through traditional Medicare (services from hospitals, physicians, home health care agencies, laboratories, medical equipment companies and rehabilitation facilities, among others). Nearly 90 percent of plans also supply drug coverage. In 2018, 68 percent of plans offered will be HMOs, while 27 percent will be PPOs, Jacobson said. The remainder are small, specialized plans that are expected to have relatively few members. In general, HMOs require members to seek care from a specific network of hospital and doctors while PPOs allow members to obtain care from providers outside the network, at a significantly higher cost.

**Pros And Cons** -- The Center for Medicare Advocacy recently summarized the pros and cons of Medicare Advantage plans. [On the plus side](#), it cited:

- Little paperwork. (Plan members don't have to submit claims, in most cases.)
- An emphasis on preventive care.
- Extra benefits, such as vision care, dental care and hearing exams, that aren't offered under traditional Medicare.
- An all-in-one approach to coverage. (Notably, members typically don't have to purchase supplemental Medigap coverage or a standalone drug plan.)
- Cost controls, including a cap on out-of-pocket costs for physician and hospital services (Medicare Part A and B benefits).

[On the negative side](#), it cited:

- Access is limited to hospitals and doctors within plan networks. (Traditional Medicare allows seniors to go to whichever doctor or hospital they want.)
- Techniques to manage medical care that can erect barriers to accessing care (for example, getting prior approval from a primary care doctor before seeing a specialist).
- Financial incentives to limit services. (Medicare Advantage plans receive a set per-member-per-month fee from the government and risk losing money if medical expenses exceed payments.)
- Limits on care members can get when traveling. (Generally, only emergency care and urgent care is covered.)
- The potential for higher costs for specific services in some circumstances. (Some plans charge more than traditional Medicare for a short hospital stay, home health care or medical equipment such as oxygen, for instance.)
- Lack of flexibility. Once someone enrolls in Medicare Advantage, they're locked in for the year. There are two exceptions: a special disenrollment period from Jan. 1 to Feb. 14 (anyone who leaves during this time must go back to traditional Medicare) and a chance to make changes during open enrollment (shifting to a different plan or going back to traditional Medicare are options at this point).

**Medigap Implications** -- Choosing a Medicare Advantage plan has implications for the future as well as the present. Notably, if someone enrolls in a Medicare Advantage plan when they first join Medicare and stays with a plan for at least a year, they may not qualify for supplemental Medigap coverage if they want to join traditional Medicare at a later date. Medigap policies cover charges such as deductibles, coinsurance and copayments that seniors with Medicare coverage are expected to pay out-of-pocket. People who join Medicare for the first time are guaranteed access to Medigap policies, no matter what their health status is, only for a limited time. Afterward, they can be denied coverage based on their health in most states.

**Parsing Costs** -- There's a widespread perception that Medicare Advantage plans cost less than traditional Medicare. But actual costs depend on an individual's circumstances and aren't always easy to calculate. Seniors often first consider what they'll pay in monthly premiums. This year, the average monthly premium for Medicare Advantage plans is \$30, almost \$2 below last year's. But nearly half of Medicare members are enrolled in plans that don't charge a monthly premium — so-called zero premium plans. (Seniors also need to pay Medicare Part B premiums, although some Medicare Advantage plans cover some or all of that charge.)

To get a full picture of plan costs, which can vary annually, seniors should look beyond premiums to drug expenses (including which drugs are covered by their plan, at what level and with what restrictions); deductibles (plans can charge deductibles for both medical services and drugs); what plans charge for hospital care (some have daily copayments for the first week or so); and coinsurance rates for services such as home health care or skilled nursing care, experts said.

“It's really critical that folks dip deep and find out about all possible costs they may incur in a plan before they sign up for it,” said Chris Reeg, director of Ohio's Senior Health Insurance Information Program. (Every state has a program of this kind; find one near you at <https://www.shiptacenter.org>.) “Part of the equation has to be what you'll have to pay if you need lots of care,” said David Lipschutz, senior policy attorney at the Center for Medicare Advocacy “In our experience, that's often more than people expected.” Since 2011, Medicare Advantage plans have limited members' annual out-of-pocket costs to no more than \$6,700 — a form of financial protection. There is no similar limit in traditional Medicare. Yet, protection isn't complete since out-of-pocket limits don't apply to drug costs, which can be considerable. (In PPOs, a cap of \$10,000 limits costs for services received from out-of-network providers as well.)

Plans have discretion in setting out-of-pocket limits. In 2018, 43 percent of plans will have out-of-pocket limits exceeding \$6,000; 31 percent will set limits between \$4,000 and \$6,000; 20 percent will have limits

between \$3,000 and \$4,000; and 6 percent will set limits beneath \$3,000, according to a new Avalere Health analysis. Information about Medicare Advantage plans' deductibles, copayments and coinsurances rates for medical services as well as coverage details for the medications you're taking can be found at Medicare's plan finder at <https://www.medicare.gov/find-a-plan/questions/home.aspx>.

One way that Medicare Advantage plans try to control costs and coordinate care is by working with a limited group of physicians and hospitals. But reliable information about these networks is hard to find and published directories often contain mistaken or out-of-date information. "It's not easy to determine who's in-network for a Medicare Advantage plan," said Fred Riccardi, director of client services at the Medicare Rights Center. "This information isn't on Medicare's website and there's no one, streamlined way to search for information about provider networks across plans." His advice to consumers: Call all your doctors to ask if they're participating in a plan you're considering. (Make sure you have your plan number when you do, because a single company may offer multiple plans in your market.) Making matters even more difficult: Plans can drop physicians or hospitals from their networks during the year, leaving members without access to trusted sources of care.

A new report at <https://www.kff.org/report-section/medicare-advantage-how-robust-are-plans-physician-networks-report> discloses data about the size of Medicare Advantage plans' physician networks for the first time. It finds that, on average, Medicare Advantage HMOs included 42 percent of physicians in a county in their networks while PPOs included 57 percent. Altogether, 35 percent of Medicare Advantage members are in plans with narrow physician networks, which tend to be the cheapest plans. Although this data highlights the choices that seniors have with regard to physicians, it doesn't speak to the **wait time** they may encounter in accessing care, Jacobson said, adding that, to her knowledge, this kind of information about Medicare Advantage plans is not publicly available. [Source: Senior Americans Association | Greg Allen | October 19, 2017 ++]

\*\*\*\*\*

## **Prosthetics Update 01 ► Study Aims to Solve Sweat Problem**

A simple prosthesis allows hundreds of thousands of people with lower limb amputations to get around more easily. And a normal bodily function — sweat — can render the prosthetic limb useless. The problem has been around for years, accompanying an advance in prosthetic materials technology: the use of silicone liners to create a tight, comfortable seal with a wearer's leg. But the seal is so good that sweat, the result of exercise and higher temperatures, has no place to go. "So if people are out mowing the grass in the summer they will basically come in and take the prosthesis off and pour water out," said Jon Akins, an assistant professor of biomedical engineering at Widener University. Letting the sweat linger can cause painful sores and blisters, he said, rendering the prosthesis "essentially useless."

Akins will soon be enrolling participants in a clinical trial of a liner infused with what is known as a phase-change material. It absorbs heat in the process of changing from solid to liquid and releases it while changing back to solid later. The silicone liner works normally in both phases, Akins said, and controlling "the micro-climate within a prosthesis socket entails better skin and tissue health." The study — funded by a \$140,000 Department of Defense grant — is part of a \$500,000 award to the University of Pittsburgh, which will lead the trial. The vast majority of lower limb amputations are the result of accidents such as motorcycle crashes and falls, and the study will enroll participants regardless of military service. Each site plans to enroll 25 participants in tests of silicone liners with and without the new material. All participants will use each kind of liner for six months and then switch, but they won't know which is which.

The Alpha SmartTemp Liner is already marketed by the Ohio Willow Wood Co., which Akins said had no role in funding the study. He said that Willow Wood had already shown that the liner can reduce

temperatures but had not studied the benefits to users. Participants at Widener and Pittsburgh will be given sensors to measure physical activity and will come in every six weeks to be tested on mobility and fill out questionnaires about the use of the prosthesis with the liner. Enrollment will begin in either January or July to ensure coverage of all seasons, since outdoor temperatures play a role in heat and perspiration. The study will also help determine the extent of the problem.

Akins studies human movement biomechanics and has been interested in helping amputees since childhood, when he watched his grandfather struggle with the results of diabetes. “He was never able to use his prosthesis due to limb healing problems,” Akins said. [Source: Philly.com | Don Sapatkin | October 24, 2017++]

\*\*\*\*\*

## **HPV Vaccination ► Cancer-Preventing Vaccine**

The HPV vaccine is safe and nearly 100-percent effective, health care experts say. But only about half of the target youth population – in either the civilian sector or among Military Health System beneficiaries – have received it. “Health care providers need to help parents understand the value of the vaccine,” said Air Force Lt. Col. Heather Halvorson, deputy chief of the Defense Health Agency Immunization Health Care Branch “HPV can cause many different types of cancer,” she said. “People need to get the vaccine before they’re exposed to the virus. That’s why we recommend the vaccine for younger age groups.” Dr. Bruce McClenathan, medical director of the DHA immunization regional office at Fort Bragg, North Carolina says, “It’s a great vaccine. Widespread vaccination for HPV would have huge potential to reduce many types of cancer.”

HPV, or human papillomavirus, is very common, according to the Centers for Disease Control and Prevention. About 1 in 4 people in the United States has at least one of about 120 different HPV strains. The virus spreads through intimate skin-on-skin contact. Nearly 14 million new cases of HPV infections occur every year, McClenathan said, adding that about half are among 15 to 24 year olds. Usually, there are no signs or symptoms of an HPV infection. Most people don’t develop health problems, and the virus typically goes away on its own after a couple of years. But there’s no way to predict who will clear the virus and who won’t, McClenathan said.

If an HPV infection persists, it can eventually cause genital warts and many types of cancer. Almost all cervical cancer is HPV related; about 17,600 cases of cervical cancer are diagnosed in the United States annually, McClenathan said. “At least we have the Pap smear as a good test for cervical cancer,” he said. “With other HPV-related cancers, there really aren’t any good screening tests.” About 90 percent of all anal cancers, 72 percent of all throat cancers, and 1 percent of all vaginal and vulvar cancers are also linked to HPV, he said. So are about 71 percent of penile cancers.

The target age for the HPV vaccine is 11 or 12. The vaccine is approved for girls and boys as young as 9, and women and men up to age 26. Only one HPV vaccine, Gardasil 9, is now used. Nine to 14 year olds receive two doses of the vaccine. They get the second dose six months after the first. Those 15 and older receive three doses. The second dose is two months after the first, and the third dose is six months after the first. For routine HPV vaccination of younger service members, the Department of Defense follows guidelines from the Advisory Committee on Immunization Practices. “We’re catching people at the tail end of the age recommendation,” Halvorson said. “Hopefully, they were vaccinated when they were growing up, before they joined the military.”

According to a study published in the most recent issue of Medical Surveillance Monthly Report, the number of active-duty service members diagnosed with HPV declined from 2007 to 2016, with a 75 percent

decrease among women in uniform. Researchers say the decline may be related to the introduction of the HPV vaccine for civilian girls and young women in 2006. The vaccine is very safe, and most people don't have any problems or side effects, McClenathan said. And studies have shown the vaccine caused HPV rates to decline 64 percent among teenaged girls ages 14 to 19, and 34 percent among women ages 20 to 24. "So we clearly know the vaccine is not only safe, it's also effective in preventing HPV," he said. "This is a cancer-preventing vaccine," Halvorson said. "But we have to get people vaccinated early." [Source: Health.mil | October 25, 2017 ++]

\*\*\*\*\*

## History Of Medicine ► Headache



A man suffering from headache in the form of devils. Colored etching, 1835, by Frederick Marryat after George Cruikshank

\*\*\*\*\*

## TRICARE Podcast 420 ► Additional TRICARE Benefit Changes in 2018

**Additional 2018 Changes** -- With the January 1st, 2018 changes to new stateside regions and contractors, you may need to update your payment option to guarantee continued payment of your TRICARE enrollment fees and monthly premiums. There are currently three TRICARE regions in the United States. In the New Year, TRICARE North and TRICARE South will combine to form TRICARE East. TRICARE West will largely remain the same. Humana Military will manage the East contract. Health Net Federal Services, LLC will manage the West region contract. TRICARE is changing. Here's what you need to know!

- You will no longer be able to make payments via paper check. Acceptable methods of payment will continue to be allotment, electronic funds transfer, and debit or credit card. If you sign in to your regional contractor’s website to make payments online, this option will also still exist.
- If you currently pay your enrollment fees or premiums by allotment through a Defense Financing and Accounting Service or other Uniformed Services Pay Center, you don’t need to update your payment information. Your payments will automatically transfer to the new regional contractor on January 1st, 2018. And unless you cancel your allotment, TRICARE will continue to deduct your enrollment fees and premiums.
- If you live in an area where a new regional contractor will be delivering services, you’ll need to update your payment information to go to your new regional contractor. This applies if you currently pay enrollment fees or premiums by electronic funds transfer from your checking or savings account or via a debit or credit card. Your new regional contractor will contact you with instructions on how to update your payment information.
- You must proactively update your payment information to make sure payments start going to your new regional contractor and stop going to your previous regional contractor. This action will help you avoid disenrollment from TRICARE.

Visit the TRICARE Changes page at [TRICARE.mil/changes](http://TRICARE.mil/changes) to learn more about the upcoming changes to your benefit. You can also stay in the know by signing up for our email updates at [TRICARE.mil/subscriptions](http://TRICARE.mil/subscriptions). Take command of your health care by staying informed! [Source: <http://www.tricare.mil/podcast> | October 20, 2017 ++]

\*\*\*\*\*

## **TRICARE Podcast 421 ► Upcoming TRICARE Disenrollment Changes**

**Upcoming Disenrollment Changes** -- As part of the changes coming to TRICARE on January 1st, 2018, there will be new rules affecting disenrollment. Beginning in 2018, if you’re eligible for TRICARE and enrolled in a health plan, there are three ways you can be disenrolled. First, if you no longer wish to continue TRICARE coverage, you can voluntarily disenroll. Second, if you fail to pay enrollment or premium fees. And third, if you or your sponsor lose TRICARE eligibility. TRICARE is changing. Here’s what you need to know!

On January 1st, 2018, TRICARE Standard will transition to TRICARE Select. Under TRICARE Select, beneficiaries will need to be enrolled if they wish to use the program, and disenroll if they no longer wish to use this health plan. In order to disenroll from TRICARE Select, you will need to fill out a change form. This is different from the current disenrollment process. Currently, you can disenroll or be disenrolled from TRICARE Prime and the TRICARE premium-based plans, but you can’t be disenrolled from TRICARE Standard. And today, if you disenroll or are disenrolled from TRICARE Prime, you’re automatically covered by TRICARE Standard. But once TRICARE Standard transitions to TRICARE Select, you won’t have this automatic coverage—you must actively enroll in TRICARE Select.

During calendar year 2018, you’ll have a full-year grace period to enroll or re-enroll in TRICARE Prime or TRICARE Select at any time, as long as you remain eligible. Special rules will apply in 2018 for beneficiaries who are eligible for TRICARE, but aren’t enrolled in a plan. These grace period rules include: Your first episode of care from a civilian network provider will be covered by TRICARE. You’ll have an opportunity to enroll or re-enroll. If you don’t enroll at that time, you’ll only be able to receive care at a military hospital or clinic on a space-available basis and use military pharmacies. You’ll be responsible for all subsequent costs for seeing a civilian provider. TRICARE won’t pay any other claims. This grace period doesn’t apply to premium-based plans! Beginning January 1st, 2019, once you voluntarily disenroll from

TRICARE Prime or TRICARE Select, you can only re-enroll if you experience a qualifying life event or during the next annual open enrollment season.

If you disenroll or are disenrolled from a premium-based plan like TRICARE Retired Reserve, TRICARE Reserve Select or TRICARE Young Adult, you must wait 12 months and requalify for TRICARE if you want to purchase coverage again. Specific procedures and disenrollment forms are available online. Visit the TRICARE Changes page at [www.TRICARE.mil/changes](http://www.TRICARE.mil/changes) to learn more about the upcoming changes to your benefit. You can also stay in the know by signing up for our email updates at [TRICARE.mil/subscriptions](http://TRICARE.mil/subscriptions). Take command of your health care by staying informed!

-o-o-O-o-o-

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> | October 27, 2017 ++]

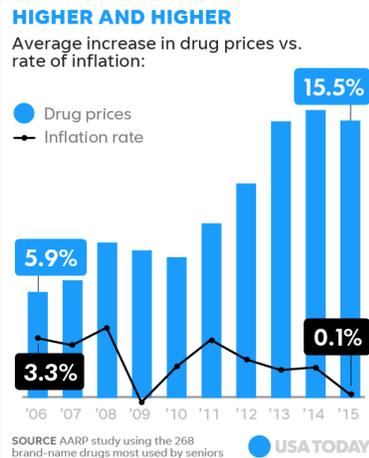
**\* Finances \***



## Drug Cost Increases Update 09 ► 2018 Projections | 9/9% to 11.6%

Few things are more infuriating to consumers than the constant, surging increases in drug prices. Americans under 65 are projected to pay an additional 11.6% this year, while seniors are expected to see increases of 9.9%. These increases follow similar ones in recent years. Price hikes like these, which run well above inflation and wage growth year after year, are a keen indication of how the drug industry lacks market fundamentals. Or, as President Trump put it Monday, prescription drug prices "are out of control" and the big pharmaceutical companies "are getting away with murder."

11



This has happened in some cases because generic drug makers have begun to act like the name-brand producers they were supposed to compete with. Mylan, for instance, is a generic drug maker. It is also the company that bought the EpiPen auto-injector and jacked up its prices to obscene levels. Mostly, it is the result of brand-name drug companies using ploys to keep generics off the market. One favored technique is to simply pay generic makers to keep their products out of drugstores. These “pay to delay” schemes are often embedded in some kind of legal dispute designed to obscure the wildly anti-competitive nature of the deal. Another tactic is for branded drug makers to make minor tweaks to their products to claim whole new patents.

But perhaps the most novel ruse involves preventing generic drug makers from getting access to doses of branded drugs they need to run tests. Generic makers need roughly 5,000 doses of branded drugs to show that their products are truly equivalent. The Food and Drug Administration has received approximately 150 letters sent by companies complaining about access to the doses they need. About half of these involve branded drug makers claiming that the Risk Evaluation and Mitigation Strategies, an FDA-required process designed to promote drug safety, prohibits them from providing doses. As the result of this infuriating tactic, patients, insurance companies and the federal government pay an additional \$5.4 billion annually on drugs, according to a study by Matrix Global Advisors for the Generic Pharmaceutical Association.

Drug makers “game the system and game the rules,” FDA administrator Scott Gottlieb said during a recent visit with USA TODAY’s Editorial Board. Government agencies can and should be more aggressive in fighting off these schemes. Gottlieb said the FDA will fight harder to get generics on the market. And the Federal Trade Commission is stepping up its efforts to combat blatantly anti-competitive practices. These steps will help. An even fuller solution is to give big buyers more leverage in negotiating prices, starting with the federal government’s purchase of drugs for Medicare. That, however, would require Congress to shake its addiction to campaign contributions and put patients ahead of Big Pharma. [Source: USA TODAY | Editorial Board | October 16,,2017 ++]

\*\*\*\*\*

## **IRS Tax Plan 2018 ► SALT Repeal Impact**

Keeping a federal tax deduction in place for property taxes would erase a sizable chunk of money that would have otherwise been available to help offset tax rate cuts Republican lawmakers and President Trump are pushing for as part of a major tax code rewrite. House Ways and Means Chairman Kevin Brady, a Texas Republican, has indicated that lawmakers are for now planning to leave the deduction for state and local property taxes intact. His comments come as House Republicans prepare to release a tax bill on 1 NOV.

The state and local tax, or SALT, deduction now applies to state and local real estate property taxes, personal property taxes on items like cars and boats, income taxes and sales taxes. It’s seen as a fat target to help offset GOP-backed rate cuts for individuals and businesses. Estimates from The Tax Policy Center show that an all-out repeal of the state and local tax deduction would boost federal revenue by about \$1.3 trillion over a decade. Figures from the conservative-leaning Tax Foundation, peg that amount at \$1.7 trillion or \$1.8 trillion. So if the deduction for real estate property taxes is left in place, and the rest of the SALT deduction is done away with, how does that change the math that undergirds the GOP tax plan?

Jared Walczak, a senior policy analyst with the Tax Foundation, said by phone 30 OCT that, based on the group’s estimates, the real estate property tax deduction is worth 33.9 percent of the overall value of the SALT deduction. That number is roughly in line with Tax Policy Center figures, which show state and local income taxes make up about 60 percent of state and local taxes deducted, real estate property taxes about 35 percent, and sales taxes and personal property together roughly 5 percent. Lobbing off 33.9 percent from the

Tax Policy Center estimate of \$1.3 trillion, decreases it by about \$440.7 billion, to around \$859.3 billion. Do the same calculation with the Tax Foundation estimate and it drops by about \$593.2 billion, to about \$1.1 trillion.

That puts a big dent in the amount a total SALT repeal might have provided to cover rate cuts. Offsetting the cuts by eliminating tax breaks is significant because it would limit how much the tax plan adds to the federal budget deficit, which was \$666 billion for fiscal year 2017. Total federal spending was about \$3.9 trillion during that budget cycle, which ended 30 SEP. [Source: Route 50 | Bill Lucia | October 30, 2017 ++]

\*\*\*\*\*

## **SCRA Update 07 ► Congress Approves Forced Arbitration**

For the last several weeks TREA has been helping lead a fight to protect the rights of active duty and Guard and Reserve personnel under the Servicemembers Civil Relief Act (SCRA). SCRA is a United States federal law that gives financial protections to Soldiers, Sailors, Airmen, Marines, Coast Guardsmen, commissioned officers in the Public Health Service and National Oceanic and Atmospheric Administration, while in active military service of their country and for up to a year after active duty, as well as U.S. citizens serving with allied military forces for the duration of a military conflict involving the United States.

SCRA protections cover such things as rental agreements, security deposits, prepaid rent, evictions, installment contracts, credit card interest rates, mortgage interest rates, mortgage foreclosures, civil judicial proceedings, automobile leases, life insurance, health insurance and income tax payments. However, major corporations have been including forced arbitration clauses in their contracts with individuals that, in essence, nullify SCRA protections.

Forced arbitration forces anyone who has a dispute with a corporation to try and settle the problem through an arbitrator, rather than suing the corporation or joining in a class action lawsuit. The corporation gets to pick the arbitrator and the time and location of the arbitration which, of course, is all to the benefit of the corporation. If the time or location is a hardship on the individual -- too bad. Numerous instances have been reported in the press where forced arbitration has been harmful to servicemembers. But servicemembers are not allowed to invoke their SCRA rights.

The Consumer Financial Protection Bureau (CFPB) had issued a ruling earlier this year that would have outlawed forced arbitration in contracts, but Congress has the right to pass laws overturning CFPB rulings. The House passed such a law several weeks ago. The fight moved to the Senate and TREA was very involved in lobbying the Senate to uphold the ruling. However, last week the Senate voted with the House to overturn the CFPB ruling. It's a very sad day when Congress sides with corporations over servicemembers who they so readily give lip service to, but fail to protect the rights servicemembers thought they had been given. [Source: TREA Washington Update | October 31, 2017 ++]

\*\*\*\*\*

## **Social Security Taxes Update 02 ► When You Owe On Benefits**

When a person has reached full retirement age and continues to work as an employee or if they're self-employed, they continue to pay FICA -- which is Social Security and Medicare tax -- on their earnings, says Sue Klimcsak, a certified public accountant and senior tax manager with Wilkin & Guttenplan in East

Brunswick. She said the FICA tax is a tax under the Federal Insurance Contribution Act. It's a withholding tax if you are an employee, or there would be self-employment tax if you are self-employed.

If you reached full retirement age and are collecting Social Security, a portion of your Social Security benefit could be subject to income tax. This income is taxed on Form 1040. "The amount of Social Security benefits to be included in income and subject to income tax is based on your combined income," Klimcsak said. "Your combined income is your adjusted gross income plus nontaxable interest plus half of your Social Security benefits." If your combined income is less than the thresholds listed below, the Social Security benefits are not taxed.

**Here's are the thresholds:**

- If you file a federal tax return as an "individual" and your combined income is between \$25,000 and \$34,000, you may have to pay income tax on up to 50 percent of your benefits.
- If you file a federal tax return as an "individual" and your combined income is more than \$34,000, up to 85 percent of your benefits may be taxable.
- If you file a joint return, and you and your spouse have a combined income that is between \$32,000 and \$44,000, you may have to pay income tax on up to 50 percent of your benefits
- If you file a federal tax return as an "individual" and your combined income is more than \$44,000, up to 85 percent of your benefits may be taxable.

[Source: Senior Americans Assn | Greg Allen | October 30, 2017 ++]

\*\*\*\*\*

## **Medicare Late Enrollment Penalty Update 04 ► Did You Know?**

Chances are good that you've never heard of Medicare late-enrollment penalties, even if you're eligible or soon will be for the federal health care insurance program for seniors age 65 and older. But failing to sign up for Medicare when you first become eligible can cost you. One possible penalty is tied to waiting too long to sign up for Medicare Part B, which provides medical insurance coverage. This fee is tacked on to your monthly premiums. So, if you incur the penalty, you will generally end up paying it for as long as you have Medicare.

Legislation proposed in Congress this year could prevent Medicare-eligible Americans from being surprised by Medicare penalties. Retirement columnist Mark Miller recently reported in Reuters that the bill would require the government to send letters to people the year before they turn 65, notifying them of when they will first become eligible to sign up for Medicare. The bill primarily addresses the late-enrollment penalty for Part B. This fee can increase your Part B premium by up to 10 percent for every full 12-month period that you delayed signing up.

Until it becomes law that the government must give folks a heads-up about such fees, however, you're on your own. That means you must learn about and watch out for Medicare's multiple late-enrollment penalties. Perhaps start by figuring out when you first became or will become eligible to sign up for Medicare using Medicare.gov's eligibility calculator. You can also learn more about how to get personalized help with Medicare by clicking on "Medicare Assistance" in Money Talks News' Solutions Center.

### **How to avoid a Part B fee**

Some folks are automatically enrolled in Medicare Part B, generally depending on when they claim Social Security benefits. People who are automatically enrolled in Part B do not need to sign up for Part B or worry about incurring late-enrollment penalties. According to Medicare.gov, people who receive benefits from Social Security or the Railroad Retirement Board at least four months before they turn 65 will usually

be automatically enrolled in Part B in the month they turn 65. If that situation does not apply to you, make sure you sign up for Part B when you are first eligible for it so you avoid the penalty.

### Other types of Medicare penalties

There is a late enrollment penalty for Medicare Part D, which provides prescription drug coverage. To learn how to avoid it go to <https://www.medicare.gov/part-d/costs/penalty/part-d-late-enrollment-penalty.html>. There is also a late enrollment penalty for Medicare Part A, which provides hospitalization insurance coverage. But this penalty only applies to folks who must pay a premium for Part A, which is a minority of folks. According to Medicare.gov, most people get premium-free Part A. To learn more about the Part A fee, check out the “Part A late enrollment penalty” page <https://www.medicare.gov/your-medicare-costs/part-a-costs/penalty/part-a-late-enrollment-penalty.html>. [Source: MoneyTalksNews | Karla Bowsher | October 27, 2017 ++]

\*\*\*\*\*

## Drug Price Gouging Update 01 ► President Promises Action

President Trump on 16 OCT attacked prescription drug companies and hinted at taking action to bring down rising drug prices. “We are going to get prescription drug prices way down because the world is taking advantage of us,” Trump said during a wide-ranging press conference. He noted the same drug sold outside the U.S. sometimes costs a fraction of what it does in the U.S. “The same exact pill from the same company, same box, same everything, is a tiny fraction of what it costs in the United States,” Trump said. Earlier in the day, Trump told Cabinet members that drug companies were “frankly getting away with murder,” a phrase he first used on the campaign trail.

The administration has yet to take any substantive action on drug prices, but officials floated a draft executive order over the summer that would have lowered regulatory barriers for drug companies in order to increase competition. The administration never confirmed the authenticity of the order, and has yet to release a final version. Outside experts said the policies in the draft were considered to be friendly toward the pharmaceutical industry. House and Senate Democrats at the time said the draft order was a “betrayal” of Trump’s promises. Trump on Monday said drug companies “contribute massive amounts of money to political people.” He added that “I’m not interested in their money. I don’t need their money.” [Source: The Hill | Nathaniel Weixel | October 16, 2017 ++]

\*\*\*\*\*

## Worst States for Retirees ► 15th thru 11th

Before you sink your toes into the white sand beaches of that alluring state or cash into the real estate market in that super cheap one, check out these rankings. In the end, you’ll have to weigh your own priorities, of course. Your concern about the crime rate, weather, or quality of care might not be the same as mine. And you might decide being near family (or far from them!) makes everything else irrelevant. But this ranking will help you jump-start your retirement planning. Review the 15 states [Bankrate deemed the worst for retirees](#) and how they square with other rankings, starting with the best of the worst first:

**15. Hawaii** -- Hawaii’s balmy weather and sparkling waters are a big draw for many retirees. But before you plant your feet in the sand of the Aloha State, you might want to think twice. Sure, Hawaii’s weather, health care, culture and well-being ranked high — 17th, 13th, fifth and first, respectively, out of 50, according to the [Bankrate analysis](#). But poor rankings on crime (43rd out of 50) and taxes (38th out of 50) brought the state’s overall score way down. Hawaii’s final Bankrate ranking as a state to retire was No. 36.

A similar survey by [WalletHub](#) (which ranked the 50 states plus the District of Columbia) placed the Aloha State even lower (47th out of 51). Again, despite the positives a high cost of living sank the WalletHub ranking. Some of the big expenses faced by residents of the Hawaiian islands include housing, fuel and food, according to [Investopedia](#). The average rent for a one-bedroom apartment in Honolulu city center is \$1,719 per month, gas costs about 75 cents more per gallon in the city of Kailua-Kona on Hawaii's Big Island than on the mainland, and milk averages \$8-\$10 per gallon.

**14. New York** -- Wherever you live in the Empire State, plan for hefty taxes. [Bankrate](#) ranked it dead last among the states for taxes, 46th for cost of living and 32nd for well-being. The overall Bankrate ranking: 37th out of 50. [WalletHub](#) also gave New York poor marks, ranking the state 41st for retirees out of 51. Still have your heart set on this state? There are positives. As far as crime, Bankrate ranks New York 13th best, far from the picture many NYC-based crime shows may draw. And as for culture, you can't get any better than what New York has to offer retirees — the Big Apple and the rest of the Empire State ranked first in that category.

**13. New Jersey** -- The state led by beleaguered Gov. Chris Christie was ranked No. 38 out of 50 as a place for retirees, according to [Bankrate](#). Cost of living was not much lower than its neighbors. The only states where the tax burden was greater than New Jersey were Connecticut and New York. The one positive for seniors living in New Jersey may be the low crime rate. The Garden State ranks sixth out of 50 on that factor, said Bankrate, while quality of life and health care are middling, coming in at 27th and 29th respectively. The analysis by [WalletHub](#) ranked New Jersey even lower — 46th out of 51. These factors help explain why such a large portion of people moving out of New Jersey, 30 percent, are those of retirement age, according to [McKnight's Senior Living](#).

**12. Indiana** -- The Hoosier state is one of the most affordable places in the country, ranking fourth out of 50 for cost of living, by [Bankrate's](#) analysis. But Indiana didn't fare well in their overall ranking, coming in at No. 39. It scored badly for weather (34th), health care quality (37th), culture (44th) and well-being (39th). The state fared slightly better in [WalletHub's analysis](#) (34th out of 51). Even though the cost of living is low and Social Security retirement benefits are not taxed in this state, Indiana does tax pensions and retirement savings accounts, [reported SmartAsset](#).

**11. Maryland** -- The Free State boasts a high level of culture — ranking 13th out of the 50 states, according to [Bankrate](#). Weather and health care quality are reasonable, too, coming in at 21st and 28th, respectively. But high taxes (44th), crime (31st) and cost of living (44th), brought the state's overall ranking to No. 40. [WalletHub](#) doesn't rank the state much higher — placing it 37th out of the 50 states and District of Columbia. If you love the mid-Atlantic area, consider Maryland's neighbor Virginia. It ranks as the sixth-best state in the U.S. for retirees, according to Bankrate. Wallet Hub ranks Virginia at 19th — lower, but that's still respectable in a field of 51.

[Source: MoneyTalksNews | Nancy Dunham | October 20, 2017 ++]

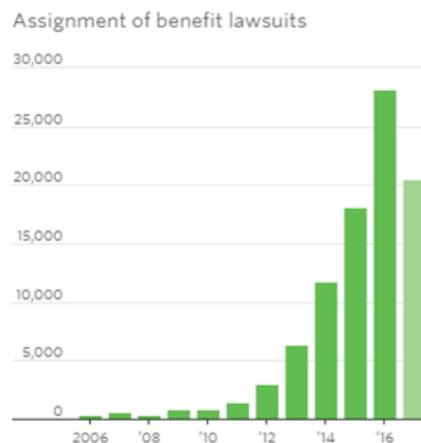
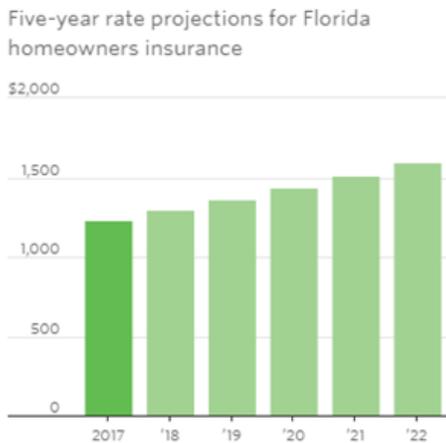
\*\*\*\*\*

## **Assignment of Benefits ► Increasing Your Home Insurance Cost**

Within hours of a fire at Kelly Laub's four-bedroom house in New Smyrna Beach, Fla., in June, four contracting companies showed up to offer rebuilding services. Each vendor wanted Ms. Laub to sign a document giving the contractor the rights to her homeowners insurance benefits, she said. In exchange, they offered to repair her home and negotiate with her insurance company on her behalf. Ms. Laub refused to sign any assignment of benefits contracts following her house fire. She had signed one earlier in the year for roof damage and regretted it, because the roofing company turned out to be unreliable. "Once they have that assignment of benefits, the policyholder is kind of out of the loop," she said.



These assignment of benefit, or AOB, contracts are upending the insurance market in one of the largest U.S. states. Insurers and regulators said the pacts are responsible for driving up insurance rates for some Florida homeowners and spurring a boom in contractor lawsuits against insurers. AOBs allow repair companies to report a homeowner’s claim to an insurer and be paid directly, without the money going first to the consumer. Contractors can sue the insurer if there is a disagreement about the cost of the claim. They also can go after homeowners to make up for shortfalls if the insurer doesn’t pay the full amount requested, according to regulators. Other states allow AOB agreements, but they have had a larger impact in Florida because of a state law that requires the insurer to pay attorneys’ fees if more money is awarded after a lawsuit than was initially offered. Insurers say the use of AOB agreements in Florida encourages contractors to overcharge insurers for repair work and perform more work than is needed



**Note: Data (left) are for a new home costing \$150,000. Figures for 2018-22 are projections. Figure for 2017 (right) is thru July 31**

Based on current AOB trends, the average statewide annual homeowners insurance premium for a \$150,000 new home is projected to rise from \$1,232.08 in 2017 to \$1,595.07 in 2022, a 29% increase, according to the Florida Office of Insurance Regulation. These increases are higher than nationwide projections from the Insurance Information Institute, a trade group.

Rate increases could steepen, executives said, if damage from Hurricane Irma last month causes major losses for the state’s insurers or an increase in AOB-related lawsuits. Many Irma-related insurance claims are still being processed so it’s too soon to see much litigation related to the storm. Catastrophe-modeling firms expect the insured losses to reach the tens of billions. “The concern is that when you have a large event

such as Irma, that when you add AOB on top of it, it's just going to magnify the impact of the storm," said Don Matz, president of Tower Hill Insurance in Gainesville, Fla. Tower Hill has raised rates for homeowners in some Southeast Florida counties by up to 15% in the past year partly due to AOB costs, he said.

Heritage Insurance in Clearwater, Fla., will pay out about \$50 million more than it otherwise would have this year due to AOB claims, said Chief Executive Bruce Lucas. In Miami-Dade, Broward and Palm Beach counties, where AOB lawsuits are most prevalent, Heritage's average cost for a water claim has risen from \$8,000 three years ago to \$25,000, Mr. Lucas said. Some lawyers, consumer advocates and contractors say AOB agreements can help homeowners who are unfamiliar with the claims process and don't know how to navigate the system.

Many homeowners are frustrated when some insurers can take days or even weeks to send adjusters to inspect damage, said Sha'Ron James, Florida's insurance consumer advocate. "The lawyers have found an opening," Ms. James said. "They realized there are a lot of unhappy consumers." Some contractors say the agreements also ensure builders are paid fairly for their work. "Unless I have an assignment of benefit, I may not get paid, or I won't get paid the right amount," said David DeBlender, president of Pro Clean Restoration and Cleaning in Pensacola, Fla.

More than 28,000 AOB lawsuits were filed in Florida in 2016, up from 405 in 2006, according to the state's Department of Financial Services. Through July of this year, more than 20,000 AOB lawsuits were filed. Insurers and regulators warn that AOB costs could accelerate rate increases in the state. When HCI Group Inc.'s Homeowners Choice unit requested a 3.3% rate increase from Florida's Office of Insurance Regulation this year, regulators told the company the increase wasn't sufficient to cover its rising AOB costs. An actuarial analysis indicated a hike of 19% was justified. The insurer ended up increasing its rates by 8%.

Earlier this year, state insurance regulators unsuccessfully sought legislation to curb AOB lawsuits by limiting the instances in which insurers are required to pay attorneys' fees. Lawmakers are taking up the issues again, and the new effort is in the early stages. Some law firms say insurers are trying to take homeowners' rights away in pursuing legislation to reduce AOB lawsuits. One firm, Cohen Law Group in Maitland, Fla., holds AOB workshops for vendors to "show you the insider secrets that the insurance companies don't want you to know," its website says.

Not all homeowners are embracing the agreements. Brooke Fehr, a magazine editor in Sanford, Fla., tried to get repair estimates from about five roofing companies after Irma. All but one wouldn't look at her roof unless she signed an AOB contract, she said. After seeing warnings from state regulators and her insurance company, she decided not to sign. "It's really tough to be put into this position," Ms. Fehr said. "You're basically told nobody will do business with you if you don't [assign benefits], but the state is saying absolutely don't do business this way." The state warns consumers not to sign anything before talking to their insurance companies. It has been issuing these warnings since at least 2016. [Source: The Wakk Street Journal | Nicole Friedman & Leslie Scism | October 23, 2017 ++]

\*\*\*\*\*

## **Class Action Lawsuits ► New Law Repeals Right to Join Regulation**

The U.S. Senate voted late 24 OCT to repeal a federal regulation that protects every consumer's right to join class-action lawsuits against financial service providers like banks and credit card companies. Senators themselves voted 50-50 on the repeal legislation, and Republican Vice President Mike Pence cast the tie-breaking vote in favor of the legislation. Republicans have a 52-seat majority in the Senate, but Sens. John

Kennedy (R-LA) and Lindsey Graham (R-SC) voted against the repeal legislation. It now goes to President Trump’s desk, where it is widely expected to be signed into law.

The consumer protection now under threat was created by a recent federal regulation, or “rule,” established by the Consumer Financial Protection Bureau, an independent federal agency. This rule bans companies from adding legal language known as “**mandatory arbitration clauses**” to financial product contracts like credit card contracts, for example. Such clauses prohibit consumers from joining class-action lawsuits against financial service providers, instead forcing consumers to resolve disputes through arbitration.

The Senate’s vote came the day after the U.S. Department of the Treasury released an 18-page report that is critical of the arbitration rule as well as a 2015 CFPB study supporting the rule. The Treasury contends that the rule does not satisfy legal requirements for banning the use of mandatory arbitration clauses under the Dodd-Frank Act. The Treasury’s report states the CFPB “failed to meaningfully evaluate whether prohibiting mandatory arbitration clauses in consumer financial contracts would serve either consumer protection or the public interest — its two statutory mandates.”

The Consumer Financial Protection Bureau first proposed its rule on arbitration agreements last year. The agency issued the final rule on 10 JUL. At that time, CFPB Director Richard Cordray said of arbitration clauses: “These clauses allow companies to avoid accountability by blocking group lawsuits and forcing people to go it alone or give up. Our new rule will stop companies from sidestepping the courts and ensure that people who are harmed together can take action together.” The rule defines arbitration as a dispute resolution process that relies on neutral third parties — rather than courts — to make final and binding decisions. The rule went into effect 18 SEP, and it applies to contracts that are entered into on or after March 19, 2018 — unless the president signs off on the repeal legislation.

### **What it means for consumers**

The U.S. House of Representatives passed the legislation to repeal the arbitration rule on 25 JUL, shortly after the CFPB issued the rule. Now that the Senate has also passed that same legislation, it heads to the president’s desk. Trump has already applauded the passage of the repeal legislation, Bloomberg reported Tuesday night, citing a White House statement: “By repealing this rule, Congress is standing up for everyday consumers and community banks and credit unions, instead of the trial lawyers, who would have benefited the most from the CFPB’s uninformed and ineffective policy.”

Opponents of the arbitration rule, including the Treasury, have argued that unless the rule is repealed, it will line trial lawyers’ pockets while providing little or no help to consumers. Sen. Elizabeth Warren (D-MA), who led opposition to the repeal legislation, according to Bloomberg, painted a different picture on 18 OCTy: “This bill is a giant wet kiss to Wall Street. Bank lobbyists are crawling all over this place, begging Congress to vote and make it easier for them to cheat consumers.” If Trump signs the repeal legislation into law, the arbitration rule will effectively be repealed. The rule “shall have no force or effect,” as the repeal legislation itself puts it.

With the arbitration rule undone, the financial companies that were beholden to it will again be able to insert mandatory arbitration clauses into financial product contracts. For example, the next credit card contact you sign could contain legal language that forces you to resolve any futures disputes you might have with the credit card company through arbitration. In other words, if you are wronged by the company, you will not have the option of joining any class-action lawsuits against the company. As CFPB Director Cordray put it in Bloomberg’s report: “Wall Street won and ordinary people lost. This vote means the courtroom doors will remain closed for groups of people seeking justice and relief when they are wronged by a company.” [Source: MoneyTalksNews | Karla Bowsheer | October 24, 2017 ++]

\*\*\*\*\*

## Facebook Marketplace Scams ► Phony Deals

Facebook Marketplace can be a great place to find deals on items for sale in your neighborhood. But like any online classified site, watch out for warning signs before handing over money. BBB is seeing reports of Facebook Marketplace scams in [BBB Scam Tracker](#), especially for big ticket items like used cars and RVs.

### How the Scam Works:

- You are shopping on Facebook Marketplace and spot a listing that looks like a good deal, so you contact the seller. The seller replies saying that she or he is out of the country, in the military, or otherwise unavailable. Instead, the person tells you they are using "Ebay," "Amazon," or another reputable third-party company to sell and ship the item.
- The seller assures you that you will have a chance to see and test drive the vehicle before committing to a purchase. However, you must first wire money or send funds via pre-paid debit card to "Amazon" or "eBay." They will act as an escrow service. If you are unhappy with your purchase, you can simply return it for a full refund. Since you have confidence in the site being used for escrow, you agree.
- Unfortunately, both the third-party service and the seller are a con. The car or other item doesn't exist. Some scammers have even gone as far as creating fake invoices from "Amazon" or "eBay," stealing their logos to make the invoices look real.

### How to Avoid Scams on Facebook Marketplace:

- Always meet the seller and see the item for **sale** before purchasing. This will help you avoid most scams on Facebook Marketplace. This is also true for housing rentals. If you can't tour the house or apartment before renting it, it's likely not available.
- Avoid deals involving shipping or **escrow** services. This scam is only one take on this trend. Avoid them by purchasing directly from the seller.
- Report scams to Facebook. If you've encounter a scam on Facebook Marketplace, report them. [Instructions here](#).
- **Check BBB Tips**: Many sales scams use similar techniques. Check out tips on [BBB.org/webpurchasescam](http://BBB.org/webpurchasescam)

To learn more about scams, go to BBB Scam Tips ( [bbb.org/scamtips](http://bbb.org/scamtips)). To report a scam, go to BBB Scam Tracker ( [bbb.org/scamtracker](http://bbb.org/scamtracker)). [Source: BBB Scam Alert | October 27, 2017 ++]

\*\*\*\*\*

## Tax Burden for Texas Retired Vets ► As of OCT 2017

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 Texas.

### **Sales Taxes**

**State Sales Tax:** 6.25% (non-prepared food, prescription and non-prescription drugs exempt); local option taxes can raise the rate to 8.25%.

**Gasoline Tax:** 38.4 cents/gallon (Includes all taxes)

**Diesel Fuel Tax:** 44.4 cents/gallon (Includes all taxes)

**Cigarette Tax:** \$1.41 cents/pack of 20

### **Personal Income Taxes**

No state personal income tax

**Retirement Income:** Not taxed.

**Retired Military Pay:** Not taxed.

**Military Disability Retired Pay:** Disability Portion – Length of Service Pay: Member on September 24, 1975 – No tax; Not Member on September 24, 1975 – Taxed, unless combat incurred. Retired Pay – Based solely on disability. Member on September 24, 1975 – No tax. Not Member on September 24, 1975 – Taxed, unless all pay based on disability, and disability resulted from armed conflict, extra-hazardous service, simulated war, or an instrumentality of war.

**VA Disability Dependency and Indemnity Compensation:** Not subject to federal or state taxes.

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

### **Property Taxes**

Property tax is imposed by local taxing units. Go to <https://comptroller.texas.gov/taxes/property-tax> for details. For homeowners 65 and older, \$10,000 (in addition to the regular \$15,000 homestead exemption) of the property's assessed value is exempt from school taxes and \$3,000 is exempt from other local taxes. Once an over-65 homeowner qualifies for an over-65 homestead exemption for school taxes, that owner gets a tax ceiling for that home on school taxes. If the homeowner improves the home (other than normal repairs or maintenance), the tax ceiling is adjusted for the new additions.

For details on the homestead exemption for seniors, veterans and the disabled refer to <https://comptroller.texas.gov>.

School district taxes are frozen for seniors (65 and older) and disabled persons at the level imposed on the residence the first year that the taxpayer qualified for the residence exemption. Counties, cities, towns, and junior college districts are permitted to establish a tax freeze on homesteads of those age 65 and older or disabled.

### **Inheritance and Estate Taxes**

There is no inheritance and the estate tax is limited and related to federal estate tax collection.

**o-o-O-o-o-**

For further information refer to the list of frequently called telephone numbers available at <https://comptroller.texas.gov/about/contact> or visit the Texas Comptroller of Public Accounts site <https://comptroller.texas.gov/taxes> [Source: <http://www.retirementliving.com> | October 2017 ++]



## Notes of Interest ► 16 thru 31 OCT 2017

- **No One Took A Knee.** Check out <https://twitter.com/i/videos/tweet/789970623871279104>.
- **Credit Card Rates.** Did you know that you have the option to negotiate your current interest rate with your credit card issuer? It is important to know that you have some power when it comes to your current interest rate as long as you have been making your payments. You also may transfer your balance of your credit card to find one with an introductory 0% APR which can save you more money over time.
- **Sea Levels.** It appears as though the sky isn't falling after all, but sea levels are. Despite the claims of global warming alarmists that sea level rise will put major coastal cities under water in a few short years, NASA has confirmed, and quite accidentally, that sea levels are actually falling around the globe.
- **State Governor Salaries.** In 2016 the lowest paid was Colorado at \$90,000 with a state population of 1,331,479 and the highest paid was Pennsylvania at \$190,823 with a state population of 12,784,227. Alabama Gov. Robert Bentley refused to accept his salary until the state's unemployment rate decreases, according to the Council of State Governments. Go to [https://ballotpedia.org/Comparison\\_of\\_gubernatorial\\_salaries](https://ballotpedia.org/Comparison_of_gubernatorial_salaries) to see where your state stands.
- **Philippines.** Three Russian navy ships arrived in the Philippines on 20 OCT and two others are coming to deliver donated military equipment in the country's third naval visit under President Rodrigo Duterte, who has vowed to diversify the country's ties away from the United States and toward China and Russia.
- **Faker.** Navy veteran John Garofalo appeared on a Fox News segment this month, showing off a massive presidential seal he carved for President Trump while receiving praise for his service in Vietnam as a SEAL. Turns out he never served in Vietnam nor received any of the awards he professed to have.
- **Navy.** The USS Little Rock commissioning committee received word from the ship's commander that the \$360 million vessel known as a littoral combat ship will be commissioned 16 DEC at Canalside on Buffalo's Lake Erie waterfront. It will be the first time in the Navy's 242-year history that a new ship will be commissioned alongside its namesake.
- **German Navy.** The German Navy's six-strong fleet of submarines is completely out of commission after the only operational sub had an accident off the coast of Norway on 22 OCT.
- **Grocery shopping tip.** "Eye level is buy level" is a phrase that's common in the retail industry. The theory is that shoppers are more likely to purchase items at their eye level or just below it. As a result, retailers will reserve this space for top-selling items with high profit margins. Also, since

most people are right-handed, they'll naturally reach to the right — so stores will stock premium products in that direction. In addition, products the retailer wants to push — like a store brand or discontinued item — may go to the right. In some cases, brands will pay extra money to retailers to have their products displayed in these desirable spots. This tactic isn't about generic or name brands — it's about what the store wants to highlight.

- **VA Performance.** To listen to VA Secretary Schulkin speak on how he feels VA has performed since President Trump took office go to <http://video.foxbusiness.com/42ad32c9-4d6e-435d-938f-c9f80c7e460f>.
- **Navy.** The President, Congress and the Navy now all want the fleet to grow from the current 278 ships to 355, but that will probably take until the 2050s, the Navy's No. 2 civilian said 25 OCT. To quote the Rolling Stones, you can't always get what you want.
- **Norway.** Opposition leaders in Norway have asked Prime Minister Erna Solberg's center-right government to explain the precise role of U.S. Marines stationed on a rotating basis in the country. The presence of the 330-strong Marine Corps unit forms part of expanding cooperation between Norwegian and U.S. forces, particularly in the area of joint multibranch exercises in the Arctic region's High North close to Norway's border with Russia.
- **Aluminum Foil.** Go to <https://youtu.be/cj1eO4u5q1c> to see eight amazing uses for aluminum foil. (i.e. sharpen scissors, increase router's wi-fi signal, etc.)
- **New Car Options.** You may find a backup camera useful if you need to parallel park frequently. It also reduces the risk of you backing over or into something that might otherwise be unseen behind the car. The National Highway Traffic Safety Administration will require backup cameras in all new vehicles manufactured after May 1, 2018.
- **BRS.** Currently, 81 percent of active service members leave the military with no retirement benefits. The new Blended Retirement System (BRS) will ensure that nearly 85 percent of military service members leave the service with retirement benefits.

\*\*\*\*\*

## **Liberty Medal 2017** ► **Sen. John McCain This Year's Recipient**

The Liberty Medal is awarded annually by the National Constitution Center to men and women of courage and conviction who have strived to secure the blessings of liberty to people the world over. The Medal's roster of recipients includes many of the men, women, and organizations that have shaped and guided the world through the past two decades, including Nelson Mandela, Sandra Day O'Connor, Kofi Annan, Shimon Peres, and Colin Powell. This year the medal was awarded to Sen. John McCain. Following is his acceptance speech:



Thank you, Joe, my old, dear friend, for those mostly undeserved kind words. Vice President Biden and I have known each other for a lot of years now, more than forty, if you're counting. We knew each other back when we were young and handsome and smarter than everyone else but were too modest to say so.

Joe was already a senator, and I was the Navy's liaison to the Senate. My duties included escorting senate delegations on overseas trips, and in that capacity, I supervised the disposition of the delegation's luggage, which could require—now and again—when no one of lower rank was available for the job—that I carry someone worthy's bag. Once or twice that worthy turned out to be the young senator from Delaware. I've resented it ever since.

Joe has heard me joke about that before. I hope he has heard, too, my profession of gratitude for his friendship these many years. It has meant a lot to me. We served in the Senate together for over twenty years, during some eventful times, as we passed from young men to the fossils who appear before you this evening.

We didn't always agree on the issues. We often argued—sometimes passionately. But we believed in each other's patriotism and the sincerity of each other's convictions. We believed in the institution we were privileged to serve in. We believed in our mutual responsibility to help make the place work and to cooperate in finding solutions to our country's problems. We believed in our country and in our country's indispensability to international peace and stability and to the progress of humanity. And through it all, whether we argued or agreed, Joe was good company. Thank you, old friend, for your company and your service to America.

Thank you, too, to the National Constitution Center, and everyone associated with it for this award. Thank you for that video, and for the all too generous compliments paid to me this evening. I'm aware of the prestigious company the Liberty Medal places me in. I'm humbled by it, and I'll try my best not to prove too unworthy of it.

Some years ago, I was present at an event where an earlier Liberty Medal recipient spoke about America's values and the sacrifices made for them. It was 1991, and I was attending the ceremony commemorating the 50th anniversary of the attack on Pearl Harbor. The World War II veteran, estimable patriot and good man, President George H.W. Bush, gave a moving speech at the USS Arizona memorial. I remember it very well. His voice was thick with emotion as he neared the end of his address. I imagine he was thinking not only of the brave Americans who lost their lives on December 7, 1941, but of the friends he had served with and lost in the Pacific where he had been the Navy's youngest aviator.

"Look at the water here, clear and quiet ..." he directed, "One day, in what now seems another lifetime, it wrapped its arms around the finest sons any nation could ever have, and it carried them to a better world."

He could barely get out the last line, "May God bless them, and may God bless America, the most wondrous land on earth."

The most wondrous land on earth, indeed. I've had the good fortune to spend sixty years in service to this wondrous land. It has not been perfect service, to be sure, and there were probably times when the country might have benefited from a little less of my help. But I've tried to deserve the privilege as best I can, and I've been repaid a thousand times over with adventures, with good company, and with the satisfaction of serving something more important than myself, of being a bit player in the extraordinary story of America. And I am so very grateful.

What a privilege it is to serve this big, boisterous, brawling, intemperate, striving, daring, beautiful, bountiful, brave, magnificent country. With all our flaws, all our mistakes, with all the frailties of human nature as much on display as our virtues, with all the rancor and anger of our politics, we are blessed.

We are living in the land of the free, the land where anything is possible, the land of the immigrant's dream, the land with the storied past forgotten in the rush to the imagined future, the land that repairs and reinvents itself, the land where a person can escape the consequences of a self-centered youth and know the satisfaction of sacrificing for an ideal, the land where you can go from aimless rebellion to a noble cause, and from the bottom of your class to your party's nomination for president.

We are blessed, and we have been a blessing to humanity in turn. The international order we helped build from the ashes of world war, and that we defend to this day, has liberated more people from tyranny and poverty than ever before in history. This wondrous land has shared its treasures and ideals and shed the blood of its finest patriots to help make another, better world. And as we did so, we made our own civilization more just, freer, more accomplished and prosperous than the America that existed when I watched my father go off to war on December 7, 1941.

To fear the world we have organized and led for three-quarters of a century, to abandon the ideals we have advanced around the globe, to refuse the obligations of international leadership and our duty to remain "the last best hope of earth" for the sake of some half-baked, spurious nationalism cooked up by people who would rather find scapegoats than solve problems is as unpatriotic as an attachment to any other tired dogma of the past that Americans consigned to the ash heap of history.

We live in a land made of ideals, not blood and soil. We are the custodians of those ideals at home, and their champion abroad. We have done great good in the world. That leadership has had its costs, but we have become incomparably powerful and wealthy as we did. We have a moral obligation to continue in our just cause, and we would bring more than shame on ourselves if we don't. We will not thrive in a world where our leadership and ideals are absent. We wouldn't deserve to.

I am the luckiest guy on earth. I have served America's cause—the cause of our security and the security of our friends, the cause of freedom and equal justice—all my adult life. I haven't always served it well. I haven't even always appreciated what I was serving. But among the few compensations of old age is the acuity of hindsight. I see now that I was part of something important that drew me along in its wake even when I was diverted by other interests. I was, knowingly or not, along for the ride as America made the future better than the past.

And I have enjoyed it, every single day of it, the good ones and the not so good ones. I've been inspired by the service of better patriots than me. I've seen Americans make sacrifices for our country and her causes and for people who were strangers to them but for our common humanity, sacrifices that were much harder than the service asked of me. And I've seen the good they have done, the lives they freed from tyranny and injustice, the hope they encouraged, the dreams they made achievable.

May God bless them. May God bless America, and give us the strength and wisdom, the generosity and compassion, to do our duty for this wondrous land, and for the world that counts on us. With all its suffering and dangers, the world still looks to the example and leadership of America to become, another, better place. What greater cause could anyone ever serve.

Thank you again for this honor. I'll treasure it.

[Source: CBSRadio ConnectingVets.com | Newsletter| October 17, 2017 ++]

\*\*\*\*\*

## **U.S. Embassy Sonic Attacks Update 01 ► Cuba Blames Cicada/Crickets**

The US pulled the bulk of its diplomats from Cuba in September, blaming attacks on its staff that caused hearing loss and concussions. Cuba has denied any involvement, and now it is offering a counter-

explanation: The alleged “sonic attacks” are coming from cicadas and crickets. That detail comes from an AP report on a television special aired in Cuba 26 OCT to refute the US narrative about flagging diplomatic relations. “We compared the spectrums of the sounds and evidently this common sound is very similar to the sound of a cicada,” Lt. Col. Juan Carlos Molina, a Cuban government expert, said on the television broadcast Alleged Sonic Attacks. The program also claimed sufficiently loud insect noises could “produce hearing loss, irritation and hypertension in situations of prolonged exposure.”

The US embassy was only reopened in 2016. Since the attacks, the Trump administration, which opposes normalizing relations with Cuba, has expelled Cuban representatives from the US and issued a warning against travel to the island nation. “We’ve seen a sharp rise in concerns among would-be travelers to Cuba surrounding these unexplained attacks, and a decrease in overall business as a result of those fears,” Brady Hiatt, a Cuba travel consultant, told Quartz. US travelers can visit Cuba for a variety of educational and humanitarian purposes, but trade and tourist travel, along with doing business with many government-owned entities, is officially prohibited. The Cuban economy, which entered a recession at the beginning of this year, needs all the visiting dollars it can get.

In late 2015, the Obama administration and the Cuban government began an opening process designed to re-link the two countries, which had been stuck in a Cold War conflict since a 1958 embargo imposed by the US on the socialist Cuban government. Despite great enthusiasm from the public, hard-liners on both sides—among Cuba’s socialists and American anti-communists—criticized the opening. In late 2016, American diplomats began reporting symptoms of hearing loss, dizziness, and headaches; later tests revealed some to be suffering from brain injuries. US investigators suspected the cause was a sonic weapon broadcasting noise above audible frequencies, but have not said more. The plot thickened this summer as Canadian diplomats, who traditionally maintain better relations with Cuba than the US, also complained of sonic attacks and similar symptoms.

US authorities released a sample of the sound (<https://youtu.be/Nw5MLAu-kKs>) which the Cubans analyzed to discover insect sounds: The US government is still analyzing the recording to determine exactly what happened, but acknowledges that it might not have picked up higher frequencies involved in the incidents. The White House insists that Cuba must be held responsible for not preventing the attacks; Havana now says it cannot control crickets and cicadas.

Speculation to the real cause abounds. Some American officials blame rogue factions of the Cuban military, which see opening to the US as leading to a loss of their own power. Regular Cuban citizens perceive this is as more propaganda from the United States. Some regional experts have wondered if Russian forces, experienced in psychological conflict, are trying to drive a wedge between US and Cuban rapprochement as another front in a new Cold War. [Source: GovExec Today | October 30, 2017 ++]

\*\*\*\*\*

## **USAF Acknowledges Santa Is Real ► Twitter Feud Outcome**

A spirited Twitter spat between Air Force bases turned unexpectedly dark 25 OCT when the Air Force’s official Twitter account dropped a bombshell: **Santa isn’t real**. The intra-service Twitter feud between Minot Air Force Base in North Dakota and Whiteman Air Force Base in Missouri began boiling over 23 OCT as each claimed their bombers were better. The gif- and meme-laden scuffle escalated until the Air Force’s main account tried to separate the two by declaring, “Alright that’s it! You guys leave me no choice! No television for a week!”

But like quarreling siblings, the two continued at it despite the parental intervention. Minot tattled “@Whiteman\_AFB started it!” to which Whiteman posted multiple gifs declaring Minot’s assertions were

lies. And that's when things went very, very wrong. "We didn't want to have to do this, but if you 2 can't get along we must," the Air Force's main account tweeted Wednesday morning. "Santa will bring you nothing this year...becuase [sic] he isn't real!"

The bickering bases appeared shocked and chastened. Whiteman responded with three shocked face emoji and a gif declaring the Air Force's nuclear option "Savage." Minot agreed with Whiteman, and noted that the declaration of Santa's fictional status ran counter to decades of Air Force policy, since NORAD has tracked Saint Nicholas as he delivers presents every Christmas Eve since 1955.

After a few hours — and the publication of a Washington Examiner story about the dustup — the Air Force acknowledged in a tweet to the two bases, "Ok, maybe we took that one too far. Santa is real. Thankfully you 2 are better at deterrence than we are at comedy." Shortly thereafter, the Air Force tweeted out the Examiner story to more publicly declare, "Santa is real @Anna\_Giaritelli! Bluffing to get @Whiteman\_AFB @TeamMinot in line." And to all a good night. [Source: AirForceTimes | Stephen Losey | October 25, 2017 ++]

\*\*\*\*\*

## Food Pesticide Removal ► Fruit

There's a lot to worry about when it comes to food—or rather, there's a lot that people want you to worry about. Every mommy blogger and natural living life coach with a URL to their name is bursting with helpful tips on how to rid yourself of toxins and chemicals. If you google "how to get pesticides off fruit" you're greeted by a flurry of blogs all promising the solution. It's not unreasonable to want to consume fewer of the chemicals we use to kill off bugs and weeds. You should just make sure that what you're doing is actually effective. Plenty of people wash their chicken before cooking it, even though that method does nothing to kill bacteria, and in fact spreads potentially dangerous pathogens all over your kitchen sink and such. So let's look at the evidence:

### **Store-bought veggie washes don't work, but baking soda does**

Water can remove some of the pesticides from a piece of fruit, so a basic scrub under the tap will help at least a little. The extent to which this rather lackadaisical method works will depend on the fruit itself; some skins will more readily release the pesticides contained therein. Others, like apples treated with wax for extra shine, will retain them despite your scrubbing. But water's occasional ineffectiveness doesn't mean you should waste money on store-bought veggie washes—they don't seem to work, either. And even if it worked (which it's not clear that it does), regular soap is liable to seep into the surface.

A recent study in the *Journal of Agricultural and Food Chemistry* found one better alternative: baking soda. A solution of sodium bicarbonate and water can remove even more pesticides than water alone, provided you have more than a minute to spare. In the experiments, Gala apples that were allowed to soak in baking soda for eight minutes had significantly reduced pesticide residue on the surface, and at 12-15 minutes there were virtually no pesticides left. This is because sodium bicarbonate can help degrade the two types of pesticides used in this study, thiabendazole and phosmet. Other chemicals might not react the same way, so this solution isn't a guarantee of a pesticide-free snack. It's just a lot better than the alternatives.

Even after the long soak time, though, there were some pesticides that the baking soda couldn't get to. Thiabendazole and phosmet, like many other substances, seep into the skin and flesh of the produce they're applied to. There's an upper limit to the amount that the fruit can absorb, since the added chemicals will come to an equilibrium inside the cells, but none of it will come out in the wash.

### **Buying organic can help, though not much**

If you're hoping to avoid pesticides altogether, you'll have to look beyond the organic aisle. Produce grown under organic conditions can still have pesticides, it's just a different—and supposedly less toxic—set of them. But they're still chemicals that can seep into your fruit through the skin or even leech into the flesh itself via the plant's water supply, both of which prevent you from washing them away.

The most common piece of advice here is to avoid those fruits that pose more of a pesticide risk, often known as the "Dirty Dozen." An environmental group called the Environmental Working Group has claimed that switching to the organic versions of those 12 fruits and veggies could substantially improve your health. It's true that organic versions will generally contain fewer and less harmful chemicals, and there's certainly no harm in eating organic, but it's worth noting that EWG's methodology is far from scientific. Their analysis relied on unproven theories about how pesticides might interact with one another, and thus has skewed results. A rebuttal in the *Journal of Toxicology* found that EWG didn't even attempt to estimate pesticide exposure in the first place, and that "substitution of organic forms of the twelve commodities for conventional forms does not result in any appreciable reduction of consumer risks." In other words: science does not back up the Dirty Dozen advice. But it's your money; you can eat organic if you want to.

### **It's not clear how worried you should be about those pesticides in the first place**

That same *Journal of Toxicology* analysis also found that the levels of pesticides detected in the so-called Dirty Dozen all fell below the acceptable limit set by the Environmental Protection Agency. And we're not talking just slightly below the limit. The allowable dose for methamidophos on bell peppers was 49.5 times higher than the actual amount of pesticide, and that was the fruit with the highest exposure. Many of them came 1,000- or 30,000-fold under the legal limit. It is worth noting that legal limits aren't infallible. Human exposures and their bodily impacts are difficult to study (and oft under-studied), and too often we don't know exactly how a particular pesticide might affect us. If the EPA bases their acceptable limit on faulty science, it may overestimate how much exposure we can tolerate. And that's assuming that the EPA is even doing their job properly in the first place.

If you're still not sure—maybe you don't trust the EPA, or you think pesticides haven't been studied well enough (both perfectly fair points)—try going to your local farmer's market. There, you can talk to the growers and discuss which pesticides they use. Of course, there seems to be an ever-growing trend of farmer's markets filling up with folks simply reselling wholesale produce. So you might want to do an extra baking soda wash just to be sure.

[Source: Popular Science | Sara Chodosh | October 25, 2017 ++]

\*\*\*\*\*

## **Philippines War on Militants Update 01 ► Battle of Marawi Ends**

The Philippines' five-month battle with Islamic State-linked militants in the southern city of Marawi has ended, Defense Secretary Delfin Lorenzana announced on 23 OCT. "After 154 days of the siege of Marawi by the Daesh-inspired Maute-ISIS group ... we now announce the termination of all combat operations in Marawi," Lorenzana told reporters on the sidelines of the Association of Southeast Asian Nations Defense Ministers' Meeting, which he is chairing at the former U.S. military base. "There are no more militants inside Marawi city," he added.

President Rodrigo Duterte declared the city's liberation on 17 OCT following the death of Isnilon Hapilon, leader of the Abu Sayyaf terror group and the anointed emir of the Islamic State group in Southeast Asia, and Omar Maute, leader of Maute group, which has pledged allegiance to IS. Both led the siege that began on May 23. But even after Duterte's declaration, Philippine security forces continued to hunt the remaining militants and rescue civilian hostages holed up in the city. Armed Forces of the Philippines Chief

of Staff Eduardo Ano, speaking beside Lorenzana, said over 40 more militants chose to continue fighting despite being given the option to surrender.

The five-month battle killed more than 1,000, displaced around 400,000 people, and devastating large parts of the city, which is a center of Islamic education. Lorenzana said that martial law in Mindanao, which was declared by Duterte after the crisis broke out, will be reviewed. "We are still determining the security situation in the whole of Mindanao," he said. "We will be making a recommendation." [Source: NIKKEI Asian Review | Cliff Venzon | October 23, 2017 ++]

\*\*\*\*\*

## **RP-US Relations Update 01 ► U.S. Defense Secretary Trip to RP**

The timing of U.S. Defense Secretary Jim Mattis' trip to the Philippines this week couldn't have been better, coming just as it celebrated a victory against Islamist militants in Marawi City - with a critical dose of help from the U.S. military. But as Mattis met President Rodrigo Duterte on 24 OCT, five Russian warships were parked off the Philippines and Moscow was preparing to formally hand over thousands of assault rifles, a million rounds of ammunition and 20 army trucks at a public ceremony on Wednesday. Duterte, known for his strident anti-American rhetoric, has made no secret of his plans to cultivate ties with America's rivals, Russia and China. Those efforts appear to be starting to bear fruit.

Just before he met Mattis, Duterte sat down with Russian Defense Minister Sergei Shoigu 24 OCT who, like Mattis, was attending a gathering of Asian defense ministers north of Manila. Shoigu signed two military deals, including the procurement of unspecified equipment. On Wednesday, Duterte was scheduled to visit a Russian anti-submarine ship, the Admiral Pantalejev, docked in Manila.

U.S. Ambassador Sung Kim played down any U.S. concerns about Duterte's outreach to China and Russia and noted that the United States, a former colonial power, was the country's only treaty ally, with far deeper ties in the Philippines. "I'm not really threatened by this notion that China or Russia are providing some military equipment to the Philippines," Kim told a small group of reporters traveling with Mattis. "We have been providing very important equipment to the Philippines for many, many years. The fact that the Chinese and the Russians have provided some rifles, I'm not sure is really such a cause for concern for the United States."

Duterte's often profanity-laden tirades against the United States have become his trademark during his year-old presidency, and he has chided Washington for treating his country "like a dog," despite the longstanding U.S. assistance. Still, Duterte's rhetoric has been inconsistent, and he warmly greeted visiting Secretary of State Rex Tillerson in August, calling himself a "humble friend" of the United States at the time. On 24 OCT, he cautiously kept to scripted dialogue at the start of his meeting with Mattis, as he welcomed him to the Philippines and spoke warmly of ties. "I want to be (as) politically correct as possible and I want to be understood. So reading this speech will be good," he said before reporters were escorted out of the room.

Ahead of a visit by U.S. President Donald Trump to the Philippines, the U.S. envoy cited an improvement in "tone and substance" in bilateral ties over the 10 months since he's been in his post. "President Duterte has made clear that even as he pursues improved relations with countries like China and Russia, he will continue to focus on making sure that the U.S.-Philippines alliance remains strong," Kim said. Mattis, on his flight to the Philippines, commended Manila on the end of five months of military operations in a southern city of Marawi held by pro-Islamic State rebels and on Tuesday discussed ways to deepen U.S.-Philippines military ties in talks with the Philippine defense minister. "It was a tough fight,"

Mattis said during his flight, adding he thought the Philippines had sent “a very necessary message to the terrorists.”

Kim said the U.S. military assistance made a “huge difference” in the battle in Marawi, particularly its intelligence support, including with the deployment of Gray Eagle and P-3 Orion aircraft. “I think all of us were surprised by the extent of infiltration by the terrorists into Marawi City,” he said. “When you encounter a situation like that, you obviously need good intelligence to be able to target key areas and I think that’s where our support was quite critical.” Philippine military chief General Eduardo Ano said the U.S. technical support “tilted the balance” because “we had a very hard grasp of the situation in the early days” until information flowed and helped defeat the militants. The United States also provided information Islamic State leader Abu Bakr al-Baghdadi gave \$1.5 million in January for the attack on Marawi, Ano said.

But even on Marawi, Duterte has also credited U.S. rival China for its assistance. Duterte said it was one of the 100 sniper rifles donated by China that fired the bullet that killed Isnilon Hapilon, Islamic State’s “emir” in Southeast Asia, on 16 OCT. The ranger unit conducting the operation said the shot was fired from a heavier weapon mounted on an armored vehicle. Philippine Defense Secretary Delfin Lorenzana told reporters on 17 OCT about the receipt of heavy equipment from China to help rebuild Marawi, and also noted the receipt of rifles and ammunition from Beijing. He expected to receive four fast boats from China before the end of the year. The United States has for decades been the Philippines’ defense treaty ally and its biggest source of hardware and training, providing about \$1 billion in equipment since 2000. [Source: Reuters | October 24, 2017 ++]

\*\*\*\*\*

## **DPRK Nuclear Weapons Update 18 ► Deputy U.N. Ambassador Warning**

North Korea’s deputy U.N. ambassador warned 16 OCT that the situation on the Korean peninsula “has reached the touch-and-go point and a nuclear war may break out any moment.” Kim In Ryong told the U.N. General Assembly’s disarmament committee that North Korea is the only country in the world that has been subjected to “such an extreme and direct nuclear threat” from the United States since the 1970s — and said the country has the right to possess nuclear weapons in self-defense. He pointed to large-scale military exercises every year using “nuclear assets” and said what is more dangerous is what he called a U.S. plan to stage a “secret operation aimed at the removal of our supreme leadership.”

This year, Kim said, North Korea completed its “state nuclear force and thus became the full-fledged nuclear power which possesses the delivery means of various ranges, including the atomic bomb, H-bomb and intercontinental ballistic rockets.” “The entire U.S. mainland is within our firing range and if the U.S. dares to invade our sacred territory even an inch it will not escape our severe punishment in any part of the globe,” he warned. Kim’s speech follows escalating threats between North Korea and the United States, and increasingly tough U.N. sanctions.

Russian President Vladimir Putin said 16 OCT that his country is curtailing economic, scientific and other ties with North Korea in line with U.N. sanctions, and the European Union announced new sanctions on Pyongyang for developing nuclear weapons and ballistic missiles. U.S. Secretary of State Rex Tillerson said 15 OCT that diplomatic efforts aimed at resolving the North Korean crisis “will continue until the first bomb drops.” His commitment to diplomacy came despite President Donald Trump’s tweets several weeks ago that his chief envoy was “wasting his time” trying to negotiate with North Korean leader Kim Jong Un, whom he derisively referred to as “Little Rocket Man.”



**Trump warns North Korea will be met with 'fire and fury like the world has never seen'**

North Korea's deputy U.N. ambassador called his country's nuclear and missile arsenal "a precious strategic asset that cannot be reversed or bartered for anything." "Unless the hostile policy and the nuclear threat of the U.S. is thoroughly eradicated, we will never put our nuclear weapons and ballistic rockets on the negotiating table under any circumstances," Kim said. He told the disarmament committee that the Democratic People's Republic of Korea — North Korea's official name — had hoped for a nuclear-free world.

Instead, Kim said, all nuclear states are accelerating the modernization of their weapons and "reviving a nuclear arms race reminiscent of (the) Cold War era." He noted that the nuclear weapon states, including the United States, boycotted negotiations for the Treaty on the Prohibition of Nuclear Weapons that was approved in July by 122 countries at the United Nations. "The DPRK consistently supports the total elimination of nuclear weapons and the efforts for denuclearization of the entire world," he said. But as long as the United States rejects the treaty and "constantly threatens and blackmails the DPRK with nuclear weapons ... the DPRK is not in position to accede to the treaty." [Source: Associated Press | CBS News | October 17 2017 ++]

\*\*\*\*\*

**DPRK Nuclear Weapons Update 19 ► Threat to Detonate Over Pacific Ocean**

North Korea's threat to detonate a hydrogen bomb above the Pacific Ocean is being treated as credible based on the regime's past actions, U.S. officials here said. That's because in the past, North Korea has worked to manage global reactions to its nuclear tests and missile launches by announcing and socializing them publicly first, thus reducing the likelihood of any military reaction, they said. "I would fully expect if he's telling us he'll do it, he's going to," the officials said, who briefed reporters traveling with Chairman of the Joint Chiefs Gen. Joseph Dunford on the condition of anonymity.

The officials also provided a tour of the Hawaii base's ability to detect launches and then relay responses to partners Japan and China on a missile's potential trajectory. The last several months here have seen a near constant pace of launches and tests by North Korea, which has generated calls for both military options and an increased attempt to deliver a diplomatic solution.

For the regional military officials here, a diplomatic solution is the far preferred option. Even a limited and successful military campaign against North Korea could kill hundreds of thousands of Seoul residents, the Congressional Research Service estimated in a report released this week and provided to the Military Times. The officials said even in a hypothetical, successful scenario, the risk was high that the U.S. would likely either be blamed for the deaths — either because of a perception the U.S. provoked North Korea or that it did not do enough to end Pyongyang's nuclear program before conflict erupted.

Dunford, who has repeatedly emphasized that the military's role is to help press a diplomatic option, said an above-ground hydrogen bomb test would be "particularly provocative." Dunford said any above ground test by North Korean leader Kim Jong-un would generate a very strong international response, and that they are taking this latest threat seriously. "I have a tendency from a planning perspective to take their rhetoric seriously and make sure we are prepared to deal with it," Dunford said. "We're listening carefully to what he is saying." [Source: MilitaryTimes | Tara Copp | October 31, 2017 ++]

\*\*\*\*\*

## **U.S. Embassy Cuba Update 01 ► Cuba is Responsible for Sonic Attacks**

President Donald Trump said 16 OCT that he holds the Cuban government accountable for sonic attacks on American personnel at the embassy in Havana. Trump told reporters during a Rose Garden news conference that he agrees with chief of staff John Kelly, who told reporters last week that the administration believes "the Cuban government could stop the attacks on our diplomats." A mysterious string of attacks have harmed at least 21 Americans stationed there over the last year. "I do. I think Cuba knew about it, sure," Trump said. "I do believe Cuba's responsible. I do believe that, and it's a very unusual attack, as you know, but I do believe Cuba's responsible, yes."

Diplomats began complaining of a wide variety of maladies beginning late last year. New symptoms have continued to crop up, most recently in August. No Cuban employees of the embassy have reported having health problems, only Americans. Among their problems are hearing loss, dizziness, tinnitus, balance problems, visual difficulties, headaches, fatigue, cognitive issues and sleeping difficulties. "We have no reports that private U.S. citizens have been affected, but the attacks are known to have occurred in U.S. diplomatic residences and hotels frequented by U.S. citizens," said Secretary of State Rex Tillerson in a statement. "The Department does not have definitive answers on the cause or source of the attacks and is unable to recommend a means to mitigate exposure."

The United States recalled more than half its diplomatic personnel from the embassy in Havana as a safety measure last month and issued a travel warning. With fewer staff, however, no visas can be processed at the embassy because there will not be enough people to do the work. That will hamper efforts by Cuban Americans to bring relatives to the United States. The decision to draw down the embassy to skeletal levels does not signify any change in U.S.-Cuban relations, State Department officials insisted. Bilateral meetings will continue, but they will have to be in the United States because U.S. diplomats will not be allowed to go to Cuba.

Only people involved in the investigation or critical to the embassy and national security will be granted permission to go. But it is expected to drive a wedge between the countries, as the Trump administration works to reverse the rapprochement that occurred under President Obama, normalizing relations after nearly 50 years of enmity, by reimposing limits on American visitors and trade unless democratic reforms are made.

The U.S. travel warning almost certainly will take a bigger bite out of Cuba's burgeoning tourism industry. The Cuban government says more than 4 million visitors pumped almost \$2 billion into the economy last year. About 615,000 were Americans, a 34 percent increase in the first year after diplomatic relations were restored. That includes 330,000 Cuban Americans visiting relatives. The rest were Americans who fit into one of 12 categories the U.S. government considers legitimate for travel purposes, including "educational" reasons cited by many individual travelers.

In September, the Cuban government denied any responsibility for the sonic attack. The U.S. government earlier this month ordered the departure of 15 officials from their embassy in Washington, D.C., in response

to what the State Department said was “Cuba’s failure to take appropriate steps to protect our diplomats.”  
[Source: Politico | Nolan D. Mccaskill | October 16, 2017 ++]

\*\*\*\*\*

## **China Arctic Ambition ► Will it be the Next Stop on China’s New Silk Road**

In a journey spanning more than 20,000 nautical miles and 83 days, the Xue Long, or Snow Dragon, made its way through the Canadian Arctic Archipelago before returning to Shanghai on 10 OCT. The polar research vessel is now the first from China to have navigated all three major shipping routes through the Arctic. About a week before starting its crossing of the Northwest Passage, Xue Long travelled through the Central Arctic Route (also known as the Transpolar Sea Route), while in 2012, it navigated the Northern Sea Route (part of the Northeast Passage) along Russia’s Arctic coast.

Experts said the latest voyage could pave the way for commercial development in the resource-rich northernmost region of the world. “Polar regions, together with the oceans, the internet and space exploration, have become new but strategic areas where China is seeking to develop in the future,” Wang Chuanxing, a polar researcher at Tongji University in Shanghai, said. “This voyage is just one of [China’s] practical moves in the Arctic though it remains at a very early stage in terms of commercial development.” The State Oceanic Administration, which oversees China’s polar programs, said the expedition helped it “acquire navigation techniques and experience in the complicated and frozen environment of the Arctic ... and obtain first-hand information on its shipping routes”.

It was China’s eighth scientific expedition to the Arctic and came after President Xi Jinping reiterated in Moscow in July that China wanted to work with Russia to develop an “Ice Silk Road” along the Northern Sea Route to be a “new growth driver” of cooperation between the countries. China has stepped up its engagement in the mineral-rich Arctic in recent years, becoming one of only six nations with observer status on the Arctic Council in 2013 – which gives Beijing input on governance of the region.



The Arctic Circle is also part of Beijing’s ambitious belt and road trade and infrastructure initiative spanning Asia, Africa and Europe. Meanwhile, in its first white paper on Antarctica, released in May, it pledged to further expand its presence in the largely uninhabited continent, including building its fifth research station there. It vowed to “elevate Antarctic infrastructure and comprehensive support -capabilities” and boost “scientific investigation and research capability”. But it has yet to release a clear policy on its plans for the Arctic region, which has some nations worried. “China is now seeking resources from all around the world – and Chinese investment is almost everywhere – but we are still waiting to see a detailed

policy from China ... then we [will] be more clear about what China wants to do in the Arctic,” a diplomat from an Arctic nation told the South China Morning Post on condition of anonymity.

Speculation about China’s ambitions in the Arctic region is mounting. The world’s second largest economy has been on the hunt to secure enough energy resources to meet its growing demand – and the Arctic has 30 per cent of the world’s undiscovered natural gas and 13 per cent of its undiscovered oil reserves. And as rising temperatures result in sea ice melting across the Arctic, there are also new opportunities for ships to travel through previously inaccessible, resource-rich areas. An Arctic trade route would also be more convenient for China. The shortest and most common shipping route from Asia to Europe goes through the Strait of Malacca and the Suez Canal and takes 35 days, while a route through the Arctic would take just 22 days.

Russia remains China’s biggest partner in the Arctic. China’s state-owned Silk Road Fund and China National Petroleum both hold stakes in Arctic gas project Yamal LNG – in partnership with Russia’s Novatek and France’s Total – while a proposed deep-water port near Arkhangelsk, on Russia’s White Sea, has been on Beijing and Moscow’s agenda. “China is very aware that Russia holds the keys to much of Beijing’s Arctic interests, including in regards to current and future shipping, so there is great interest between the two governments in cooperating further in Arctic economic development,” said Marc Lanteigne, an expert in China, East Asia and polar regions at Massey University in New Zealand. “China is interested in helping the Putin government develop various projects, including port and transport infrastructure, in both Siberia and the Russian Far East.”

Cheng Baozhi, an associate researcher at the Shanghai Institutes for International Studies, said the Arctic was an area of untapped potential for China. “Russia is the largest Arctic nation in the world and there’s no way to bypass it in any Arctic-related activity,” Cheng said. “The two nations realize there is huge potential for them to cooperate, so why not exploit that potential?” But China’s path through the Arctic will not be easy – aside from the technical and environmental challenges, it will also face political uncertainties and potential cultural conflicts in its commercial development plans. “Chinese companies need to carefully study the possible risks before they set foot in the Arctic – otherwise they could end up involved in disputes,” Wang from Tongji University said.

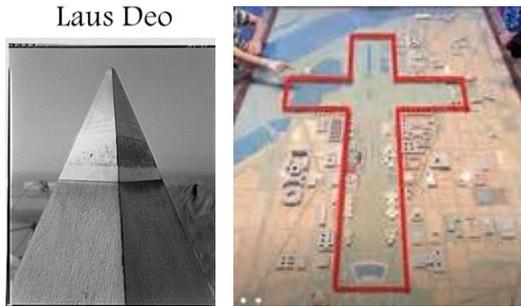
There was the possibility of conflict with cultural and environmental agencies, local governments and even the region’s aboriginal peoples, he said. In the meantime, China has started building its second icebreaker, the Xue Long II, which is expected to set sail in 2019. Also, state-owned cargo shipping giant Cosco is planning to send six vessels along the Northern Sea Route to transport items including equipment, steel and pulp, Xinhua reported. [Source: South China’s Morning Post | LauraZhou | October 15, 2017 ++]

\*\*\*\*\*

## **Washington Monument ► Historical Information**

One detail that is never mentioned, is that in Washington , D.C. there can never be a building of greater height than the Washington Monument. On the aluminum cap, atop the Monument, are displayed two words: *Laus Deo*. No one can see these words. In fact, most visitors to the monument are totally unaware they are even there. These words have been there for many years; they are 555 feet, 5.125 inches high, perched atop the monument, facing skyward to the Father of our nation, overlooking the 69 square miles which comprise the District of Columbia.. Laus Deo! Two seemingly insignificant, unnoticed words. Out of sight and, one might think, out of mind, but very meaningfully placed at the highest point over what is the most powerful city in the most successful nation in the world.

In Latin, *Laus Deo* 'says Praise be to God!' Though construction of this giant obelisk began in 1848, when James Polk was President of the United States, it was not until 1888 that the monument was inaugurated and opened to the public. It took twenty-five years to finally cap the memorial with a tribute to the Father of our nation, *Laus Deo*. From atop this granite and marble structure, visitors may take in the panoramic view of the city with its division into four major segments. From that vantage point, one can also easily see the original plan of the designer, Pierre Charles l'Enfant ..... a perfect cross imposed upon the landscape, with the White House to the north. The Jefferson Memorial is to the south, the Capitol to the east and the Lincoln Memorial to the west.



A cross you ask? Why a cross? What about separation of church and state? Yes, a cross; separation of church and state was not, is not, in the Constitution. When the cornerstone of the Washington Monument was laid on July 4th, 1848 deposited within it were many items including the Holy Bible presented by the Bible Society. Such was the discipline, the moral direction, and the spiritual mood given by the founder and first President of our democracy 'One Nation, Under God.' [Source: CNET| Sumer Brez | January 9, 2005 ++]

\*\*\*\*\*

## Where There's a Will, There's a Way ► 03



\*\*\*\*\*

## Garage Door Billboards ► Making Yours Stand Out (12)



\*\*\*\*\*

## Weird Facts About Your Body ► 13 thru 25

The Human Body is a treasure trove of mysteries, one that still confounds doctors and scientists about the details of its working. It's not an overstatement to say that every part of your body is a miracle. Here are fifty facts about your body that will leave you stunned.

13. Everyone has a unique smell, except for identical twins, who smell the same.
14. Your teeth start growing 6 months before you are born. This is why one out of every 2,000 newborn infants has a tooth when they are born.
15. A baby's head is one-quarter of its total length, but by the age of 25 will only be one-eighth of its total length. This is because people's heads grow at a much slower rate than the rest of their bodies.
16. Babies are born with 300 bones, but by adulthood the number is reduced to 206. Some of the bones, like skull bones, get fused into each other, bringing down the total number.
17. It's not possible to tickle yourself. This is because when you attempt to tickle yourself you are totally aware of the exact time and manner in which the tickling will occur, unlike when someone else tickles you.
18. Less than one third of the human race has 20-20 vision. This means that two out of three people cannot see perfectly.
19. Your nose can remember 50,000 different scents. But if you are a woman, you are a better smeller than men, and will remain a better smeller throughout your life.
20. The human body is estimated to have 60,000 miles of blood vessels.
21. The three things pregnant women dream most of during their first trimester are frogs, worms and potted plants. Scientists have no idea why this is so, but attribute it to the growing imbalance of hormones in the body during pregnancy.
22. The life span of a human hair is 3 to 7 years on average. Every day the average person loses 60-100

strands of hair. But don't worry, you must lose over 50% of your scalp hairs before it is apparent to anyone.

23. The human brain cell can hold 5 times as much information as an encyclopedia. Your brain uses 20% of the oxygen that enters your bloodstream, and is itself made up of 80% water. Though it interprets pain signals from the rest of the body, the brain itself cannot feel pain.

24. The tooth is the only part of the human body that can't repair itself.

25. Your eyes are always the same size from birth but your nose and ears never stop growing.

[Source: Odd Stuff Magazine | October 13, 2017 ++]

\*\*\*\*\*

## **Have You Heard? ► 12 Children | The Fixer**

A lawyer, who had a wife and 12 children, needed his rental agreement renewed as it was terminated by the owner who wanted to reoccupy the home.

But he was having a lot of difficulty finding a new house.

When he said that he had 12 children, no one would rent a home to him because they felt that the children would destroy the place.

He couldn't say he had no children, because he couldn't lie, we all know lawyers cannot and do not lie.

So he sent his wife for a walk to the cemetery with 11 of their kids.

He took the remaining one with him to see rental homes with the real estate agent.

He loved one of the homes and the price was right -- the agent asked, "How many children do you have?"

He answered, "Twelve."

The agent asked, "Where are the others?"

The lawyer, with his best courtroom sad look answered, "They're in the cemetery with their mother."

MORAL:

It's not necessary to lie, one only has to choose the right words.

And don't forget, most politicians are unfortunately lawyers.

**-o-o-O-o-o-**

### **The Fixer**

A husband is at home watching a football game when his wife interrupts,

Honey, could you fix the light in the hallway? It's been flickering for weeks now..

He looks at her and says angrily, fix the lights now? Do i look like Thomas Edison to you?

Fine says the wife! She then asks could you fix the fridge door? It doesn't close right?

To which he replied, fix the fridge door? Do I look like Jacob Perkins (who invented the refrigerator) to you?

Fine, she says! Then you could at least fix the steps to the front door? They are about to break

I'm not a carpenter and i don't want to fix steps he says, do I look like Norm abram to you. Angrily he gets up, says I've had enough of you. I'm going to the bar!!!! And he leaves.

So he goes to the bar and drinks for a couple of hours.

He starts to feel guilty about how he treated his wife, and decides to go home

As he walks into the house he notices that the steps are fixed.

As he enters the house, he sees the hall light is working

As he goes to get a beer, he notices the fridge door is fixed.

Honey, he asks, how'd all this get fixed?

She said, well, when you left I sat on the front porch and cried.  
Just then along came this nice young man asked me what was wrong, and I tearfully told him.  
He offered to do all the repairs, and all I had to do was either have sex with him or bake him a cake.

He said, so what kind of cake did you bake?  
She purred: hello! Do I look like Betty Crocker to you?

\*\*\*\*\*



**Double Halloween Moon**

**FAIR USE NOTICE:** This newsletter may contain copyrighted material the use of which has not always been specifically authorized by the copyright owner. The Editor/Publisher of the Bulletin at times includes such material in an effort to advance reader's understanding of veterans' issues. We believe this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, the material in this newsletter is distributed without profit to those who have expressed an interest in receiving the included information for educating themselves on veteran issues so they can better communicate with their legislators on issues affecting them. To obtain more information on Fair Use refer to: <http://www.law.cornell.edu/uscode/17/107.shtml>. If you wish to use copyrighted material from this newsletter for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.

**-o-o-O-o-o-**

**TO READ and/or DOWNLOAD THE ABOVE ARTICLES, ATTACHMENTS, OR PAST  
BULLETINS GO Online To:**

- <http://www.nhc-ul.org/rao.html> (PDF Edition w/ATTACHMENTS)
- <http://www.veteransresources.org> (PDF & HTML Editions w/ATTACHMENTS)
- <http://frabr245.org> (PDF & HTML Editions in Word format)
- <http://veteraninformationlinksasa.com/emos-rao.html> (PDF & HTML Editions w/ATTACHMENTS)
- <http://www.nj-americanlegionpost493.org> (PDF Edition w/ATTACHMENTS)
- <http://www.veteransresources.org/rao-bulletin> (past Bulletins)

**Note: The above websites are blocked by some, if not all, USAF & USCG military commands for security purposes. To gain access you need to open them using a non "...@us.af.mil" "...@uscg.mil" source. Contact [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) if you are unable to do this.**

**Notes:**

1. The Bulletin is provided as a website accessed document vice direct access. This was necessitated by SPAMHAUS who alleged the Bulletin's size and large subscriber base were choking the airways interfering with other internet user's capability to send email. SPAMHAUS told us to stop sending the Bulletin in its entirety to individual subscribers and to validate the subscriber base with the threat of removing all our outgoing email capability if we did not. To avoid this we notified all subscribers of the action required to continue their subscription. This Bulletin notice was sent to the 20,023 subscribers who responded to that notice and/or have since subscribed. All others have or are in the process of being deleted from the active mailing list.
2. Anyone who wants to remove or change their email addree from the Bulletin mailing list **SHOULD NOT USE** the automatic "UNSUBSCRIBE" or "Change of Address" tabs at the bottom of this message as they are no longer fully functional. Send a message to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) with the word "DELETE" or "COA" in the subject line.
3. Bulletin recipients with interest in the Philippines, whether or not they live there, can request to be added to the RAO's Philippine directory for receipt of notices on Clark Field Space 'A', U.S. Embassy Manila, and TRICARE in the RP.
4. New subscribers and those who submit a change of address should receive a message that verifies their addition or address change being entered in the mailing list. If you do not receive a message within 3 days it indicates that either I never received your request, I made an error in processing your request, or your server will not allow me to send to the email addree you provided. Anyone who cannot reach me by email can call (858) 432-1214 to ask questions or confirm info needed to add them to the directory.
5. If you have another email addree at work or home and would like to receive Bulletin notices there also, just provide the appropriate addree to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net).
6. Past Bulletin articles as well as an index of all previously published article titles are available on request to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net). Bear in mind that the articles listed on this index were valid at the time they were written and may have since been updated or become outdated.
7. The Bulletin is normally published on the 1st and 15th of each month. To aid in continued receipt of Bulletin availability notices, recommend enter the email addree [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) into your address book. If you do not receive a Bulletin check either <http://www.nhc-ul.org/rao.html> (PDF Edition),

<http://www.veteransresources.org> (PDF & HTML Editions), <http://veteraninformationlinksasa.com/emos-rao.html> (PDF & HTML Editions), or <http://frabr245.org> (PDF & HTML Editions) before sending me an email asking if one was published. If you can access the Bulletin at any of the aforementioned sites it indicates that something is preventing you from receiving my email. Either your server considers it to be spam or I have somehow incorrectly entered or removed your addree from the mailing list. Send me an email so I can verify your entry on the validated mailing list. If you are unable to access the Bulletin at any of these sites let me know.

8. Articles within the Bulletin are editorialized information obtained from over 100 sources. At the end of each article is provided the primary source from which it was obtained. The ++ indicates that that the information was reformatted from the original source and/or editorialized from more than one source. Because of the number of articles contained in each Bulletin there is no way that I can attest to their validity other than they have all been taken from previously reliable sources. My staff consist of only one person (myself) and it is a 7/10-12 endeavor to prepare and publish. Readers who question the validity of content are encouraged to go to the source provided to have their questions answered. I am always open to comments but, as a policy, shy away from anything political. Too controversial and time consuming.

== To subscribe first add the RAO email addree [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) to your address book and/or white list. Then send to this addree your full name plus either the post/branch/chapter number of the fraternal military/government organization you are currently affiliated with (if any) "AND/OR" the city and state/country you reside in so your addree can be properly positioned in the directory for future recovery. Subscription is open at no cost to all veterans, dependents, military/veteran support organizations, and media.

== To change your email addree or Unsubscribe from Bulletin distribution DO NOT USE the "Change address / Leave mailing list" tab at the bottom of the Bulletin availability notice that advised you when the current Bulletin was available. **It is currently not fully functional.** Instead send an email to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) indicating the change you want.

== To manually submit a change of email addree provide your old and new email addree plus full name.

\*\*\*\*\*

**RAO Bulletin Editor/Publisher:**

Lt. James (EMO) Tichacek, USN (Ret) Tel: (858) 842-1111 Email: [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net)  
Bulletin Web Access: <http://www.nhc-ul.org/rao.html>, <http://www.veteransresources.org>,  
<http://frabr245.org>, and  
<http://veteraninformationlinksasa.com/emos-rao.html> [PDF & HTML Editions w/ATTACHMENTS]

**RAO Baguio Director:**

SMSGt Leonard (Len) D. Harvey, USAF (Ret) PSC 517 Box 4036, FPO AP 96517-1000, Tel: 63-74-442-3468; Email: [lenharvey@live.com.ph](mailto:lenharvey@live.com.ph)

**RAO Baguio Office:** Mountain Lodge, 27 Leonard Wood Road, Baguio City, 2600 Philippines  
FPO Mail Pickup: TUE & THUR 09-1100 --- Outgoing Mail Closeout: THUR 1100

**Warning:**

DELETE the end-paragraph of the Bulletin before you forward it to others. The end-paragraph following this warning is required by law and offers the recipient an opportunity to "UNSUBSCRIBE", if they choose to. Although it is currently not fully functional, if it should start to work this "unsubscribe" link contains your email address and whoever receives your re-distribution has the opportunity, whether purposely or inadvertently, to terminate your future receipt of Bulletin messages.