

> RAO Bulletin Update

> 15 May 2008

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> THIS BULLETIN CONTAINS THE FOLLOWING ARTICLES

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> == Dave & Buster Data Breach ----- (Cash Register Terminals)  
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> VA BURIAL BENEFIT UPDATE 04: The VA has changed the regulation concerning the provision of a VA headstone or marker for a grave already marked in a private cemetery. As a result of passage of the Dr. James Allen Veteran Vision Equity Act of 2007, the VA can now provide a headstone or marker for those graves already marked in a private cemetery for those Veterans who died after 1 NOV 90. The claimant must pay the cost of the installation of the Government headstone or marker in a private cemetery. Details of the new regulation can be read at <http://edocket.access.gpo.gov/2008/E8-10635.htm> . [Source: VFW VSO Richard Springer 13 May 08 ++]

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> DAVE & BUSTER DATA BREACH: Foreign hackers have compromised cash register terminals at 11 Dave & Buster's restaurants around the United States. The scheme resulted in losses of some \$600,000. The hackers were arrested in various locations, including Turkey and Germany. They sold the stolen data to others who used it to make fraudulent purchases or resold it to make such purchases. In announcing the arrests, U.S. Attorney Benton J. Campbell said, "Hackers who reach into our country from abroad will find no refuge from the reach of U.S. criminal justice." According to the U.S. Department of Justice, the people arrested gained unauthorized access to cash register terminals, though details on how were not specified. They allegedly installed "packet sniffer" programs at each restaurant to capture communications on the Dave & Buster's link. The packet sniffer was configured to capture "track two" data as it moved from each restaurant's point-of-sale server to computer systems at the company's corporate headquarters. Track two data includes a customer's credit card account number and expiration date, but not cardholder names or other personally identifiable information. [Source: SC Magazine Chuck Miller article May 08 ++]

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> VA GULF WAR ADVISORY BOARD: Veterans who served in the Southwest Asia theater of operations during 1990-1991 will have their own special advocates before Secretary of Veterans Affairs Dr. James B. Peake, thanks to a new advisory committee Peake established to respond to issues unique to them. The 14-member, independent panel will advise the Secretary and the Department of Veterans Affairs on the full range of health care and benefits needs of those who served in the conflict. "Gulf War veterans made an invaluable contribution to national security and peace in a volatile region," Peake said. "This new panel will ensure that VA benefits and programs adapt to the needs of these veterans, just as our services have adapted for veterans of other conflicts." Serving on the committee are Gulf War and other veterans, veterans service organizations' representatives, medical experts, and the survivors of Gulf War veterans. Members were selected to provide a variety of perspectives, experiences and expertise.

The committee will be chaired by Charles Cragin, a retired Navy captain, who has had several senior level positions within the federal government, including Acting Under Secretary of Defense for Personnel and Readiness and Chairman of VA's Board of Veterans Appeals. In January 2002, the Department created an advisory committee to assist VA's secretary on research into the medical problems of Gulf War veterans. That older committee will retain responsibility for research involving veterans of the 1990-1991 conflict in the Middle East. This committee's first meeting will be held in mid-June in Washington, D.C. It is expected to complete its work within 18 months. Committee meetings will be open to the public. [Source: VA News Release 13 May 08 ++]

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> TRICARE REIMBURSEMENT RATES UPDATE 02: Every year, the federal government tweaks the elaborate system that determines the amount doctors get paid for care and procedures, known as "reimbursement rates". Those changes, in turn, translate into changes in cost shares, or co-pays, for Tricare beneficiaries. Payment for inpatient hospital stays in specified locations outside the 50 United States and the District of Columbia, are made utilizing the lesser of (a) billed charges or (b) the prospectively determined per diems adjusted by a country specific index (CSI). The per diem rates are developed into reimbursement groupings by utilizing diagnosis codes as contained in the International Classification of Diseases, 9th Revision, and Clinical Modification (ICD-9-CM). The per diem rates are the maximum allowable amounts that Tricare shall reimburse and the amount on which patient cost-shares are calculated. The National U.S. per diem rate is multiplied by a unique CSI factor which adjusts the National U.S. per diems for the applicable country. The country specific hospital per diem, for those specified locations outside the 50 United States and the District of Columbia is the product of the National U.S. per diem and the CSI. This payment system applies to all hospitals providing hospital inpatient services and professional provider reimbursements in the Philippines, Panama, and other overseas areas as designated by the Government.

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> The CSI is a factor obtained from the World Bank's International Comparison Program. The index factor is based on a large array of goods and services or market basket within the specific country which is then standardized and weighted to a U.S. standard and currency. The use of the CSI enables a conversion and therefore creates parity between the U.S. and the specific country in the purchasing of the same amount and type of medical services. Tricare is utilizing a two year phase in approach for the implementation of the World Bank's International Comparison Program CSI. Per change 77 dated 7 APR 08 to the Tricare Reimbursement Manual for the Philippines and Panama, the first year of the CSI phase in has been set at 0.52 and 0.70 through 28 FEB 08. The second year of the CSI phase in has been set at 0.229 for the Philippines and 0.60 for Panama effective 1 MAR

09. However, there is a requirement that all providers that submit bills to Tricare and are affected by the changes must be given at least 100 days notice so it is likely that the changes will not take effect until AUG 08 and AUG 09 respectively. The change equates to a 27.1 point index reduction (52%) for the Philippines and a 10 point index reduction (15%) for Panama assuming nothing is done to reverse these reductions. For additional info refer to <http://manuals.tricare.osd.mil>. [Source: Tricare Reimbursement Manual 6010.55-M w/Change 77 Chap 1 Sect 34 & 35 dtd 7 Apr 08 ++]

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> TRICARE/CHAMPUS FRAUD UPDATE 10: United States Attorney for the District of Maryland Rod J. Rosenstein announced 9 MAY that Melvin Shandler, age 61, of Chevy Chase MD, pleaded guilty today to committing health care fraud arising out of reimbursement he sought for medical services not rendered. According to the plea agreement, Shandler was a licensed clinical social worker with a private counseling practice in Chevy Chase. He was also formerly employed as a consultant at the Walter Reed Army Medical Center where he practiced social work. From JUN 03 to MAY 07, he submitted claims to Tricare for counseling services he provided to Tricare members. During a review of claims, Tricare auditors detected he billed 250% more services than the second highest billing provider in the Tricare North Region in 2006. At their peak, his billings averaged up to 24 counseling sessions per day, and he billed for services on Labor Day, Independence Day and Christmas Day. Further investigation revealed that Shandler's claims were disproportionately high, either because he requested compensation for services that were never performed, or inflated the amount of time he spent with patients. In the case of one family, he submitted claims for 202 services during a one year period from 2006 to 2007 that he never performed. As a result of his over billing he received \$247,000 to which he was not entitled. Shandler faces a maximum sentence of 10 years in prison, followed by three years of supervised release and a \$250,000 fine. U.S. District Judge Roger W. Titus has scheduled sentencing for 28 JUL 08. As part of his plea agreement, he has agreed to pay \$247,000 in restitution at least five days before his sentencing. He has also signed a civil settlement agreement which obligates him to pay the government \$444,600, less the deduction for the amount paid in criminal restitution. [Source: DOJ News Release 9 May 08 ++]

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> VA SUICIDE PREVENTION UPDATE 03: Suicides by veterans of wars in Iraq and Afghanistan could well top the combat deaths in the two conflicts, according to the top official of National Institute of Mental Health. On 5 MAY, Dr. Thomas Insel, director of the National Institute of Mental Health, told reporters at an annual meeting of the American Psychiatric Association in Washington that it was possible that "suicides and psychiatric mortality...could trump combat deaths." Insel said he based this assessment

in part on figures from a recent Rand Corp. study as well as suicide rates for patients who have substance abuse problems and other complications of post-traumatic stress disorder (PTSD) as a result of combat. Insel's comments were put in context on 6 MAY during a House Veterans Affairs Committee hearing, when Dr. James Peake, secretary of VA, said that the number of suicide attempts by all veterans under treatment by the department could exceed an earlier official estimate of 1,000 a month. The Defense Department estimates that slightly more than 4,500 troops have been killed in combat in Afghanistan and Iraq. The RAND study determined that up to 300,000 returning U.S. troops from those wars suffer from PTSD. The same study concluded that 320,000 troops returning from Afghanistan and Iraq have suffered traumatic brain injury (TBI), with only half of those veterans seeking treatment.

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> During the hearing, Peake told lawmakers that the number of suicide attempts could be more than 1,000 a month because of "underreporting" within the VA. Dr. Ira Katz, deputy chief patient care services officer for mental health at the Veterans Health Administration, testified that his earlier estimate of 1,000 suicide attempts per was based on only three months of data from the department's mental health co-coordinators. Laurie Tranter, a VA spokeswoman, told Government Executive that the data Katz based his earlier estimate on was derived from a suicide tracking system and suicide prevention program. She said both are at various stages of deployment throughout the Veterans Health Administration. Rep. Bob Filner (D-CA), chairman of the House Veterans Affairs Committee accused Peake of "criminal negligence" in trying to cover up the number of suicide attempts by veterans. He said the VA's actions fit a pattern of trying to cover up or deny serious medical problems suffered by veterans from the Korean, Vietnam and Gulf Wars. Peake said that all veterans from Afghanistan and Iraq receive a mental health screening by a general practitioner. Filner said he wants VA and Defense to provide a mandatory, one-hour mental health check-up conducted by a psychiatrist for all combat veterans.

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> Secretary Peake told the Committee that no single agency has accurate statistics on veteran suicides, but he is implementing ways to improve data collection and reduce suicide rates, including hiring suicide coordinators in VA facilities, establishing a suicide prevention call center, and pushing outreach and prevention efforts for veterans and their families. Peake assured the committee that his agency would be more forthcoming with information in the future and would work toward more transparency in the VA system. A Government Accountability Office offered additional recommendations, including:

- > . Ensuring timelier referral to care.
- > . Developing a comprehensive substance abuse program.
- > . Enhancing access to mental health care.
- > . Coordinating efforts between VA and non-VA health care providers.

- > . Fostering increased communication with veterans and their families
- > [Source: GOV.EXEC.com BoB Brewin article 6 May 08 ++]
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- > **MEDICARE REIMBURSEMENT RATES UPDATE 09:** Everyone in Congress wants to stop a 10.6% cut in Medicare and TRICARE payments to doctors scheduled to take place on July 1. Medicare administrators don't want the cut to happen either, but they're worried about how to administer the program if Congress waits until the end of June -- or worse yet, until sometime in July or later -- to change the law. In early MAY Medicare officials told Congress that the law needs to be changed by 16 JUN in order to allow Medicare computers to be reprogrammed by 1 JUL. If they don't get updated guidance by that date, Medicare will have to implement the cut on 1 JUL and undo all the erroneous payments later if and when Congress changes the law. The same thing happened a couple of years ago, when Congress had to make a retroactive payment fix. But it's a nightmare for Medicare (and TRICARE) administrators, and even more so for the doctors who have to suffer the income and book-keeping consequences. Veteran organizations worry that such frustration may cause some doctors to stop seeing elderly and military beneficiaries. The American Medical Association released a survey of nearly 9,000 doctors showing that if the payment cut went into effect:
  - > . 60% of doctors would limit the number of new Medicare patients they accept;
  - > . More than two-thirds would defer the purchase of needed information technology in 2008;
  - > . 50% would reduce their staff; and
  - > . 14% would stop treating patients entirely.
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- > Congressional leaders would love nothing better than to meet the 16 JUN deadline, but they're struggling to find ways to pay for the \$15-\$18 billion cost of the fix that a majority of legislators are willing to accept. Like it or not, that's turned into a political football, with Republicans and Democrats preferring different options. And many on the Hill seem in no mood to compromise in this election year. MOAA said, it's unacceptable to hold TRICARE and Medicare-eligibles' access to care hostage to these kinds of political considerations. Congressional leaders need to work out a compromise -- and fast -- to stop that from happening. Veterans can help by visiting the MOAA or USDR websites  
<http://capwiz.com/moaa/issues/alert/?alertid=10534466> &  
[http://capwiz.com/usdr/issues/alert/?alertid=11354701&queueid=\[capwiz:queue\\_id\]](http://capwiz.com/usdr/issues/alert/?alertid=11354701&queueid=[capwiz:queue_id])  
to send a suggested message to urge their legislators to act fast. [Source: MOAA Legislative Update 11 May 08 ++]
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- > **NEW 2008 POSTAGE RATES UPDATE 01:** Effective 12 MAY the new postage rates go into effect. If in doubt on how much postage to use refer to the below

or to the USPS Postage Calculator at <http://postcalc.usps.gov/default.aspx>:

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> 1. First Class Mail:

> Not Over Oz    Large envelopes

> 1    \$0.42        \$0.83

> 2    0.59        1.00

> 3    0.76        1.17

> 3.5  0.93        1.34

> 4    1.34        1.34

> 5    1.51        1.51

> 6    1.68        1.68

> 7    1.85        1.85

> 8    2.02        2.02

> 9    2.19        2.19

> 10   2.36        2.36

> 11   2.53        2.53

> 12   2.70        2.70

> 13   2.87        2.87

> Over 13 oz use Priority mail rate of \$4.60 up to 1 pound or \$4.60 for a Priority flat rate envelop regardless of weight. FPO regulations limit outgoing/incoming mail to one pound for retiree mail . No packages other than checkbook, personal cassettes, personal VCR/DVDs, or medicine shipped by TMOP.

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> 2. Post Card: \$0.27

> 3. Certified Mail: In addition to regular postage add \$2.70. If return receipt is desired add another \$2.20 for mailed return or \$1.00 for electronic.

> 4. Registered Mail: Not authorized for RAO services.

> [Source: Various May 08]

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> WOMEN VETERANS' SCHOLARSHIP: Royal Neighbors of America (RNA) is announcing their Heroes at Home Women Veterans' Scholarship Program. Their goal is to help our female veterans give back to their communities by reaching their education goals, making them stronger women and stronger community leaders as a result. Awards will be presented at the Student Veteran's Conference in Washington, DC on 13 JUN 08 for 2009 school year funding. The minimum award amount is \$2,500. Multiple awards will be made. Eligibility Criteria is:

> . Female Veteran

> . Open to enlisted, officers and those who have completed their service

> . Money can be used to pay for living expenses, as well as tuition, books and school fees

> . You do NOT need to be a member of Royal Neighbors of America to be eligible

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> Scholarship recipients are selected on the basis of demonstrated leadership, participation in community activities, goals and aspirations, and unusual personal or family circumstances. Financial need will also be considered. Applicants are responsible for gathering and submitting all necessary information. Applications are evaluated on the information supplied; therefore, it is important to answer all questions as completely as possible. All information that is submitted will be kept in strict confidence and will only be read by the Foundation Scholarship Review Committee and Executive Director of the Student Veterans Association. All personal records and tax information will be shredded and destroyed immediately after the judging is final. Interested students must submit the application by 1 JUN 08. Applications can be downloaded at <http://www.royalneighbors.org/About-RNA/RNA-Foundation.aspx>. RNA is accepting applications via mail to 230 16th St, Rock Island IL 61201 Tel: (800) 627-4762 or email [contact@royalneighbors.org](mailto:contact@royalneighbors.org). [Source: [www.royalneighbors.org/](http://www.royalneighbors.org/) May 08 ++]

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> **MILITARY STOLEN VALOR UPDATE 06:** A man who lied during a public meeting about being awarded the nation's highest military honor pleaded guilty 5 APR to violating the Stolen Valor Act of 2005. Xavier Alvarez, 50, of Pomona, said he served as a Marine and won the Medal of Honor when he was introduced as a newly elected member of a Claremont water board in JUL 07. "I'm a retired Marine of 25 years. I retired in the year 2001. Back in 1987, I was awarded the Congressional Medal of Honor. I got wounded many times by the same guy. I'm still around," Alvarez said during the meeting, according to a recording of it. His attorney, Deputy Federal Public Defender Brianna Fuller, argued that his free speech was protected by the First Amendment. Government prosecutors argued that the First Amendment does not protect deliberate falsehoods. His plea with the U.S. Attorney's Office gives Alvarez the right to appeal the plea based on his right to free speech. Alvarez faces up to one year in federal prison and a \$100,000 fine when he is sentenced 21 JUL.

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> An Oroville CA man has pleaded guilty to falsely representing himself as a decorated military hero from the Vietnam War. Michael Allan Fraser, 62, claimed in an interview with the Oroville Mercury-Register last year that he was awarded two Purple Hearts and two Bronze Stars for combat in Vietnam. He also traveled to Vietnam with war veterans on a mission to "bury the ghosts of the past." But a Colorado man who helped write the Stolen Valor Act, which was signed into law by President Bush in 2006, noticed problems with Fraser's daring tale of valor. He looked up Fraser's record and found that he had served in the military as a veterinarian's assistant in the Philippines. U.S. Magistrate Judge Edmund F. Brennan sentenced Fraser this week to 100 hours of community service helping veterans and issued a \$500

fine.

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> A Navy Reserve public affairs officer is facing a general court-martial next week for allegedly forging an award citation and pretending to be a lieutenant when he was one rank lower at the time, the Navy said. Lt. Paul J. Pelletier, 42, is charged with five counts of violating the Uniform Code of Military Justice, including failure to obey an order or regulation, making false official statements and going absent without leave. His court-martial is set to begin 13 MAY. According to the charge sheet, Pelletier put himself in for a Joint Service Achievement Medal at some point between 20 JUN and 20 JUL 06 while serving with Multi-National Force in Baghdad. He served at Camp Victory in Iraq for nine months in 2006. The award justification "outlined achievements he had not accomplished," the sheet said. Around the same time, he wore the rank of lieutenant when he was actually a lieutenant junior grade, the sheet said. He continued to wear the unauthorized rank, the charge sheet stated, even though he had been ordered by a captain to stop.

> [Source: AP articles posted 6 & 9 May 08 ++]

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> **MERCHANT MARINE WWII COMPENSATION UPDATE 02:** On 7 MAY, the Senate Veterans' Affairs Committee met to receive testimony on 28 separate veterans' bills. One area of testimony of great interest to many veterans was enactment of the "Belated Thank You to the Merchant Mariners of World War II Act (S.961/H.R.23). The VA does not support S. 961 as they believe it would create a "service pension for a particular class of individual based on no eligibility requirement other than a valid certificate of qualifying service from the Secretary of Transportation or Secretary of Defense. Further, this bill would authorize the payment of a greater benefit to a Merchant Mariner...than a veteran currently receives for a service connected disability rated as 60% disabled. The second panel of veterans service organizations, for the most part did not object to S. 961, except for the costs involved and that it might take money from other programs. The final panel of former Merchant Mariners H. Gerald Starnes and Charles Dana Gibson was enlightening in expanding on some of the experiences and exploits of the men who transported all the necessary supplies to fight WW II on two fronts. The most surprising testimony was from Mr. Gibson, who as an historical writer had done extensive research on the Merchant Marine and Army Transport Service during the war. He dispelled one of the myths that the Merchant Marine had gone on strike during the war. In fact they had signed an agreement to not strike while hostilities continued and they didn't. To read the complete testimonies of all the participants refer to [http://www.senate.gov/~veterans/public/index.cfm?pageid=12&release\\_id=11685](http://www.senate.gov/~veterans/public/index.cfm?pageid=12&release_id=11685) [Source: NAUS Weekly Update 9 May 08 ++]

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> AGENT ORANGE LAWSUITS UPDATE 12: On 8 MAY the U.S. Court of Appeals for the Federal Circuit unfortunately reversed the decision of the U.S. Court of Appeals for Veterans Claims in Haas v. Peake. The U.S. Court of Appeals for Veterans Claims had previously found that Vietnam War blue water veterans who had served on ships off the coast of Vietnam but had never set foot within the land borders of Vietnam were entitled to a presumption of service connection disability if they suffer from one of the listed diseases associated with Agent Orange exposure. Also, they had ruled that the VA's regulatory interpretation that the veteran needed to have "set foot within the land borders of Vietnam" was unduly restrictive. The higher Court of Appeals for the Federal Circuit reversed and ruled: "We hold that the agency's requirement that a claimant have been present within the land borders of Vietnam at some point in the course of his duty constitutes a permissible interpretation of the statute and its implementing regulation, and we therefore reverse the judgment of the Veterans Court." This was a 2-1 decision with a thoughtful dissent by Judge Fogel so the Claimant may attempt to appeal to the U.S. Supreme Court which Commander Haas has said he will do. You can find the full 57 page decision in the list of decisions at <http://www.cafc.uscourts.gov/dailylog.html>

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> Most likely VA will now move quickly to resolve (decide) claims that have been placed on hold awaiting this decision. These claims will almost certainly be denied unless they can show that their ship operated within the inland waterways of Vietnam or entered port in Vietnam. While ships logs do not routinely show crewmembers leaving their ship, they will show whether the ship entered an inland waterway (e.g. the Saigon River) or put into port. VA will generally concede the issue if service records show a veteran was attached to a ship during the period that the ship put into port in Vietnam. The negative decision in the Haas case does not relieve VA from the responsibility of making a legally correct decision that discusses all pertinent evidence and the reasons and bases for the decision. The VA in their written decision should specifically address the evidence of service in or visitation to Vietnam. They must discuss ships' movements either shown by ships' history or logs. If the veteran has admitted never setting foot in Vietnam, VA must also discuss whether evidence shows that the ship operated in the inland waterways of Vietnam.

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> The Haas decision does not apply if a claimant has alleged exposure to herbicides on a direct basis, such as loading drums of defoliant on board helicopters or decontaminating aircraft or helicopters, VA must discuss such allegations and resolve them. Claimants who are denied have several legal moves available to them. They can ask the Court of Appeals to review the case using all the judges on the Court. While the Court may decide to conduct an en banc review it does not have to. Failing that, they could appeal to the Supreme Court. During any given year the Supreme Court takes up only about 1 in 20 cases to decide. Success at the Supreme Court is a

long shot. [Source: TREA Washington Update & NVS Update 9 May 08 ++]

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> VA FRAUD UPDATE 09: The U.S. Attorney's Office said 7 MAY that Lubbock TX man has been sentenced to five years in prison for cashing his dead mother's Veterans Administration checks for nearly two year after she died in 2004. Lyndell Simmons, 46, pleaded guilty in January to a charge of theft of government money or property. Besides prison time, Simmons must pay \$21,529 in restitution to the Department of Veterans Affairs, prosecutors said in a release. Louise Simmons was a beneficiary of VA dependency and indemnity compensation benefits. An investigation started in MAR 07 after a complaint alleged that Louise Simmons had not returned a marital status questionnaire. Investigators discovered she had died on 10 NOV 04. The younger Simmons forged her signature on about 22 checks made out to his mother and cashed them from DEC 04 to MAR 07, prosecutors said.

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> A jury in Virginia found Army veteran Randall Moneymaker "guilty of fabricating his service record and lying about his achievements and combat injuries to scam more than \$18,000 in disability benefits from the Department of Veterans Affairs." Craig Jacobsen, the assistant U.S. attorney for the Western District of Virginia, said Moneymaker used 'different levels of deceit' against not only combat veterans but service members who are wounded in the line of duty. In the six-month period ending 31 MAR, the VA Inspector General's Office investigations resulted in nine indictments against people who tried to scam the system for medical and/or monetary benefits, said James O'Neill, assistant inspector general for investigations. The report at [www.armytimes.com/news/2008/05/army\\_moneymaker\\_051008w](http://www.armytimes.com/news/2008/05/army_moneymaker_051008w) details the case against Moneymaker, who faces up to 35 years in federal prison. [Source: Houston Chronicle AP & Army Times article 6 & 9 May 08 ++]

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> GI BILL UPDATE 21: The Department of Veterans Affairs seemed to be standing in front of a fast-moving train 7 MAY when a top official said VA would need two years of preparation to come up with a payment system for a proposed overhaul of GI Bill education benefits. The warning flags were waved by Keith Pedigo, VA's associate deputy undersecretary for policy and program management, who said meeting an 1 AUG 09, effective date for the benefits increases, under what lawmakers are calling the 21st Century GI Bill of Rights (S.22), would be extremely difficult. Because the proposal calls for the maximum benefit to be different in each state, payments would have to be manually, rather than automatically, processed, Pedigo said. "VA does not now have a payment system or the appropriate number of trained personnel to administer the program," Pedigo said, predicting it would take two years to develop a payment system to provide the new benefits. Those benefits include paying the full cost of tuition and fees for the most

expensive four-year public college or university in each state, plus a monthly living expense, an annual payment for books and other expenses, as well as up to \$1,200 for tutorial assistance. Pedigo, testifying before the Senate Veterans' Affairs Committee, also warned about the potential for large overpayments because the bill calls for lump-sum tuition payments directly to a school at the start of a quarter or semester, without specifying what would happen if a student drops out. Pedigo also warned of fundamental unfairness in a proposed housing allowance that would be based on where a school is located, rather than where a student lives, which could encourage veterans to enroll in online learning programs offered by schools in high-cost areas.

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> His warnings come as the House and Senate are poised to attach S.22 to a wartime supplemental funding bill in an effort to overcome questions about how to pay for the benefits and the administrative costs. Attaching S.22 to the wartime funding bill also would put pressure on the Bush administration to sign onto a generous overhaul of veterans benefits in order to secure funding to continue military operations in Iraq and Afghanistan. Congressional leaders derive an additional benefit from attaching the GI Bill increases to the supplemental - it would attract more votes for the measure at a time when many lawmakers are reluctant to continue funding Iraq operations. The Pentagon, VA and the White House's Office of Management and Budget oppose S.22, either as a separate bill or combined with the supplemental. But Bush administration opposition - and VA's warning about implementation problems - do not seem to counter the growing push from veterans' groups to pass what Sen. Jim Webb (D-VA), S.22's chief sponsor, calls a move to "give first-class futures to the people who serve."

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> The Congressional Budget Office (CBO), the nonpartisan analytical arm of Congress, said in a report 8 MAY that enactment of S.22 could lead to a 16% drop in re-enlistments. The Defense Department could counter that drop only by increasing re-enlistment bonuses. Fully offsetting the draw of a better veterans' education program would require a \$25,000 re-enlistment bonus for every first-term service member, something that would cost the Pentagon about \$6.7 billion over five years. However, that cost would be offset by lower recruiting costs, the report predicts. It estimates there would be a 16 percent boost in recruits, which would allow a cut in enlistment bonuses and in other recruiting expenses that would result in \$5.6 billion in savings over five years. The combination of better recruiting but weaker re-enlistments would leave the military with a \$1.1 billion cost over five years to maintain the current force, the report said. Overall, CBO's cost estimate is slightly lower than the estimated price tag issued by the Bush administration. Congressional budget analysts predict S.22 would have an overall cost of \$680 million in the first full year and \$51.8 billion over 10 years. VA officials told the Senate Veterans' Affairs

Committee on Wednesday that the proposal would cost \$64.9 billion over 10 years. Currently, 75% of Army, 70% of Marine, 50% of Navy and 49% of Air Force enlistees who complete their first enlistment term get out of the military,

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> The House of Representatives could pass a war supplemental soon that includes Webb's GI Bill proposal, and the Senate plans to take up the bill when they do. In the Senate, Republicans are expected to offer their alternative bill, the Enhancement of Recruitment, Retention and Readjustment through Education Act (S.2983), that pays a little less to veterans and includes a Pentagon-requested provision that would allow career service members to transfer all or part of their benefits to family members, but they do not appear to have the votes to block S.22, which has 57 Senate co-sponsors, including 10 Republicans. Veterans' groups, who have been pushing for years for an overhaul of the current Montgomery GI Bill, have picked Webb's bill as their favorite. Carl Blake, national legislative director for Paralyzed Veterans of America, told the Senate committee that S.22 is better because it "accomplishes our goal of returning the GI Bill to the level established following World War II." Blake also objected to Pentagon criticism that better GI Bill benefits, designed to encourage people to go to college, are bad for the nation. [Source: AirForceTimes Rick Maze articles posted 8 & 9 May 08 ++]

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> **TRICARE PREVENTIVE HEALTH PROGRAM:** Budgetary rules forced a House subcommittee to take the unprecedented step of creating a new Tricare preventive health care program that does not apply to 1.5 million Medicare-eligible retirees and their families in the Tricare for Life (TFL) program. Rep. Susan Davis (D-CA), chairwoman of the House Armed Services military personnel panel, said the plan, approved 7 APR as part of the 2009 defense authorization bill, is aimed at cutting the military's long-term health care costs by providing preventive care. The personnel portion of the defense policy bill, approved by voice vote and with no debate, includes:

> . A 3.9 percent military pay raise.

> . Increases in Army and Marine Corps active-duty personnel and in Army National Guard and Army Reserve support personnel on full-time active duty.

> . A tuition assistance program for military spouses.

> . Permission for a Pentagon-proposed experiment under which active-duty members could take a break of up to three years in their military career.

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> Davis said her subcommittee rejected a Pentagon request for a \$1.2 billion increase in Tricare health and pharmacy fees but wants to look for other ways to hold down costs, which is why expanding preventive care is attractive. She called the initiative "preferable" to the Pentagon's proposed increase in Tricare fees. The preventive care plan would waive co-payments for certain treatments such as vaccinations, smoking cessation

help, and breast and colorectal cancer screening. It would apply to Tricare Standard, Tricare Select and Tricare Reserve beneficiaries - but, because of budgetary procedures, not TFL. Aides named two areas in which TFL beneficiaries would be treated differently than other Tricare users: shingle vaccinations and MRIs for mammograms. Younger retirees would receive these services for free, but TFL users would have to pay, either directly or by buying supplemental Medicare insurance, aides said. Rep. John McHugh of New York, the subcommittee's ranking Republican, said this would be the first instance of differences in what is covered under Tricare, and also promised to work to try to find funding to offset that action.

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> There are two kinds of spending in the defense budget: discretionary, which applies to personnel, operating and acquisitions costs and construction programs; and mandatory, also known as direct spending, for programs such as retired pay, GI Bill benefits for reservists, and some health care expenses, including TFL. Davis said only congressional leaders can resolve the funding problem because direct spending involves programs such as Social Security, Medicare, Medicaid and federal civilian retired pay that fall outside the jurisdiction of the armed services committee. Congressional leaders could agree to an offset by cutting other direct spending or could find another way to fund preventive care, subcommittee aides said. Steve Strobridge, government relations director for the Military Officers Association of America, said he understands the dilemma facing the subcommittee and agrees that what they did "is certainly preferable to not doing anything." "We have been very supportive of preventive care programs," he said. "It only makes common sense that if you come up with programs like smoking cessation that it is going to save money in the long run." [Source: NavyTimes Rick Maze article Posted 7 May 08 ++]

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> VET SUPPORT FROM STATES: May is National Military Appreciation Month-a time to honor, appreciate, and remember military personnel and their families for their service to our country. It recognizes those on active duty, the National Guard and Reserves, retirees, veterans and all their families and survivors. Although the listing below is not all inclusive of state benefits available to veterans , it does indicate how many states show appreciation to the military in unique ways:

> . Alabama. Operation Grateful Heart is a program to ensure all military personnel and their families receive appropriate recognition, tangible support, and neighborly care. It is focused on assisting those who are called upon to serve in the fight against terrorism and the defense of freedom, while they are serving on active duty and upon their return to communities in Alabama. <http://www.governor.state.al.us/ogh/>

> . Alaska. Spouses and dependent children of a military member who is deceased or a POW/MIA may qualify for free tuition for the pursuit of an undergraduate degree at any state-supported educational institution within

the state.

> [http://www.ak-prepared.com/vetaffairs/state\\_benefits.htm#Free%20Tuition](http://www.ak-prepared.com/vetaffairs/state_benefits.htm#Free%20Tuition)

> . Arizona. Military retirement payments and/or survivor benefits up to \$2,500 per year are exempt from state taxes.

<http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/AZ/>

> . Arkansas. Veterans may camp for half price in Arkansas State Parks.

> . California. Education benefits are offered to dependents of qualified veterans by waiving mandatory system-wide tuition and fees at any State of California Community College, California State University, or University of California campus.

[www.military.com/benefits/veteran-benefits/california-state-veterans-benefit](http://www.military.com/benefits/veteran-benefits/california-state-veterans-benefits)

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> . Colorado. Museum of Science and Nature gives free Museum admission to all active and retired military and their spouses, parents, siblings and children (18 and under).

> . Connecticut. Tuition waivers for veterans cover 100% of tuition for General Fund courses at all public colleges and universities and 50% for Extension Fund and summer courses at Connecticut State Universities.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/CT/>

> . Delaware. Military members, while stationed in the state, may obtain fishing, hunting, or trapping licenses at the resident rate, regardless of residency status.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/DE/>

> . Florida. Several counties have established Active Military Combat Duty Grant Programs. The grant programs, which include property tax grants and direct grants, are designed to assist service members who are fighting in the Global War on Terrorism.

> . Georgia. Military personnel stationed in Georgia are allowed to obtain fishing and hunting licenses at the resident rate.

[www.georgiaoutdoors.com/fishing/freshnonresident.asp](http://www.georgiaoutdoors.com/fishing/freshnonresident.asp)

> . Hawaii. Most businesses, museums, tourist attractions and restaurants that offer a kama' aina [discounted] rate to Hawaii residents extend the same privilege to military and their dependents.

> . Idaho. Air Force Appreciation Day is celebrated every year, to encourage neighborly growth and express their gratitude for the economic benefits the Air Force brings to Southern Idaho.

[www.mountain-home.org/chamber/afad/index.htm](http://www.mountain-home.org/chamber/afad/index.htm)

> . Illinois. The Illinois Military Family Relief Fund (IMFRF) provides monetary grants to families of Illinois National Guard members and Illinois residents serving in the U.S. Armed Forces Reserves.

[www.operationhomefront.org/Benefits/benefits\\_fund.shtml](http://www.operationhomefront.org/Benefits/benefits_fund.shtml)

> . Indiana. Members of the Indiana National Guard have 100% of their tuition paid when attending state colleges or universities for a first Associates or Bachelors degree.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/IN/>

> . Iowa. Certain National Guard members and retirees are eligible for

property tax exemptions.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/IA/>

> . Kansas. The University of Kansas, in conjunction with the Army, has created the "Wounded Warrior Education Initiative" which allows wounded service members meeting the criteria to obtain a master's degree.

[www.military.com/military-report/kansas-offers-wounded-warrior-education](http://www.military.com/military-report/kansas-offers-wounded-warrior-education)

> . Kentucky. The Kentucky Military Family Assistance Trust Fund will provide up to \$5,000 in a 12-month period for emergencies and hardships that are directly caused by deployment outside the United States.

[www.dma.ky.gov/Military+Family+Assistance+Trust+Fund.htm](http://www.dma.ky.gov/Military+Family+Assistance+Trust+Fund.htm)

> . Louisiana. Members of the United States Armed Forces on active duty are given resident privileges for fishing and hunting licenses.

> . Maine. The Maine Military Family Relief Fund provides emergency assistance to qualified military members and dependents.

> . <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/ME/>

> . Maryland. Its "Salute to the Services" offers discounts to those who serve our country. Service members are invited to visit Ocean City, Maryland from May 17th to June 18th, 2008. Everything from lodging and dining and other activities are discounted as a way to say "Thank You" to those serving their country. Maryland also exempts the first \$5,000 of military retired pay from MD State and local income taxes.

[www.salutetothetimes.com/index.php](http://www.salutetothetimes.com/index.php)

> . Massachusetts. Citizens of Massachusetts who are members of the National Guard (or any Reserve component) are eligible to receive monetary donations from The Friends of National Guard and Reserve Families Foundation to help ease financial hardship due to activation or extended military commitment.

<http://www.mangfriends.org/index.html>. Military retired pay is not taxed.

<http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/MA/>

> . Michigan. Fishing licenses are available for \$1 for service members stationed outside the state who have maintained residence status.

> . Minnesota. Citizens show their support and thanks to the military community by proudly sponsoring the Minnesotan's Military Appreciation Fund, a state-wide fundraising initiative, which offers grants to military families, and sponsors Military Family Days at MN Twins and MN Timberwolves games. [www.thankmntroops.org/index.html](http://www.thankmntroops.org/index.html)

> . Mississippi. Military personnel stationed in Mississippi are classified as state residents for the purposes of payment of tuition at state colleges and universities.

> . Missouri. The Kansas City Royals baseball team provides complimentary admission for all active and retired military personnel and their families to any Monday home game.

> . Montana. To show appreciation for the unparalleled sacrifices members of the military make, Montana offers "challenge coins" through the Montana Military Appreciation Project. These coins are presented to Montana residents who are members of any of the branches of the Services who have served overseas in the war against terrorism, and family members of service

men who are killed. <http://www.mtmap.org/>

> . Nebraska. The University of Nebraska extends in-state residency status to active duty military personnel and their dependents whose permanent duty station or Home of Record is in Nebraska. [www.admissions.unl.edu/residency](http://www.admissions.unl.edu/residency)

> . Nevada. Active duty service members and their families are exempt from university fees while permanently stationed on a military facility within Nevada.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/NV/>

> . New Jersey. An individual who is active duty military is allowed to hunt with a resident license, regardless of residency status.

> . New Mexico. Children between the ages of 16-26 whose veteran parent was killed in action or died as a result of their wounds incurred in battle, qualify for a full-tuition waiver at any state funded post-secondary school.

[www.dvs.state.nm.us/benefits.html](http://www.dvs.state.nm.us/benefits.html)

> . New Hampshire. Any resident who is a member of the U.S. Armed Forces is allowed to renew a driver's license without a fee.

> . New York. Military retired pay is not subject to state income tax.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/NY/>

> . North Carolina. To thank all military personnel, North Carolina is hosting MAD III (Military Appreciation Day) on June 7, 2008.

<http://www.militaryappreciationday.org/>

> . North Dakota. A dependent of a resident veteran, who was killed in action, is allowed to obtain a Bachelors degree or certificate of completion, free of any tuition and fee charges.

[www.military.com/benefits/veteran-benefits/north-dakota-state-veterans-benefits](http://www.military.com/benefits/veteran-benefits/north-dakota-state-veterans-benefits)

> . Ohio. Military retired pay received after Dec. 31, 2007, is exempt from state income taxes.

> . Oklahoma. Oklahoma's Tuition Aid Grant (OTAG) may cover up to 50 percent of tuition costs depending upon eligibility.

<http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/OK/>

> . Oregon. National Guard service members are exempt from jury duty.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/OR/>

> . Pennsylvania. The Military Family Relief Assistance Program (MFRAP) provides financial assistance, in the forms of grants, to eligible Pennsylvania service members and their families.

> <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/PA/>

> . Rhode Island. The National Guard State Tuition Exemption Program provides one free course per semester at the Community College of Rhode Island, University of Rhode Island, or the Rhode Island College.

<http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/RI/>

> . South Carolina. The Friends of Our Forces program works diligently to encourage a healthy and strong relationship between the armed forces and the business community, encouraging ALL businesses to offer discounts to military personnel and their families.

[www.columbiachamber.com/programsservices.htm](http://www.columbiachamber.com/programsservices.htm)

- > . South Dakota. Military personnel stationed in South Dakota are eligible to obtain fishing and hunting licenses at the resident rate.
- > . Tennessee. Military personnel stationed in Tennessee may obtain fishing and hunting licenses at the resident rate.
- > . Texas. Military retired pay is exempt from state income taxes.
- > <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/TX/>
- > . Utah. Residents who are members of the U.S. Armed Services and are stationed out of state may obtain certain property tax and vehicle exemptions. [www.dmv.utah.gov/registernonresidents.html](http://www.dmv.utah.gov/registernonresidents.html)
- > . Vermont. Service members and veterans are offered special discounts including, property tax exemptions, state employment preferences, education and tuition assistance, vehicle tags, and hunting and fishing license privileges.
- > <http://myarmybenefits.us.army.mil/EN/Benefits/FactSheets/Regional/VT/>
- > . Virginia. The Military Survivors and Dependents Program (MSDEP) provides education benefits to spouses and children of service members killed, missing in action, taken prisoner, or who became at least 90 percent disabled as a result of military service in an armed conflict.
- > [www.military.com/benefits/veteran-benefits/virginia-state-veterans-benefits](http://www.military.com/benefits/veteran-benefits/virginia-state-veterans-benefits)
- > . Washington. Qualified veterans are offered reduced fees and/or free passes to State parks and recreation facilities.
- > . West Virginia. A fishing license is not required for residents on active duty in the U.S. Armed Forces while on military leave.
- > [www.wvdnr.gov/fishing/license.shtm](http://www.wvdnr.gov/fishing/license.shtm)
- > . Wisconsin. The State GI Bill provides a waiver ("remission") of tuition and fees for eligible veterans and their dependents for up to 8 full-time semesters or 128 credits at any institution in the University of Wisconsin System (UWS), <http://www.wisconsin.edu/>, or Wisconsin Technical College System (WTCS), <http://www.witechcolleges.com/>.
- > . Wyoming. Free tuition and fees for education are offered to the spouse and children of deceased veterans (whose death is service connected).
- > [www.military.com/benefits/veteran-benefits/wyoming-state-veterans-benefits](http://www.military.com/benefits/veteran-benefits/wyoming-state-veterans-benefits)
- > [Source: NMFA Newsletter May 08 ++]
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- > PTSD PURPLE HEART: With growing recognition of the toll post-traumatic stress disorder has taken on U.S. forces, Defense Secretary Robert M. Gates said the Defense Department may consider awarding Purple Heart medals to combat veterans afflicted with it. "It's an interesting idea," Gates said when asked about the concept during a 2 MAY media availability at Red River Army Depot, Texas. "I think it is clearly something that needs to be looked at." Gates' comment followed his visit the previous day to Fort Bliss, Texas, where he toured the post's Recovery and Resilience Center, which is using a holistic approach to treating troops with PTSD. John E. Fortunato, who conceived of and runs the center, told reporters that awarding the Purple Heart to PTSD sufferers would go a long way toward chipping away at

prejudices surrounding the disease,. Because PTSD affects structures in the brain, it's a physical disorder, "no different from shrapnel," Fortunato said. "This is an injury." The Army classifies PTSD as an illness, not an injury, so troops with PTSD don't qualify for the Purple Heart. That distinction is limited to troops killed or wounded in a conflict. "I would love to see that changed, because these guys have paid at least as high a price, some of them, as anybody with a traumatic brain injury, as anybody with a shrapnel wound," Fortunato said. Not recognizing those with PTSD with a Purple Heart "says that this is the wound that isn't worthy," Fortunato said. "And it is."

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> Fortunato said he'd also like to see a regulation prohibiting harassment of troops with PTSD, similar to regulations banning racial or sexual harassment. "Until there are sanctions that make a superior pay a price for harassing a soldier with mental health problems, I don't know that it will change that much." Soldiers still get laughed at for seeking mental-health services or told that it will ruin their careers, he said. Some in the force view people with PTSD as weak, believing that if those with the disease "just sucked it up and soldiered on, [they would] could get over this," Fortunato said. "The Army is making a lot of strides toward changing that, but it's a slow go, because it has to happen at the grassroots level," he said. "Like any other prejudice, it's hard to die." During his visit to Fort Bliss, Gates announced a new policy as of 18 APR in which veterans no longer have to acknowledge on their Standard Form 86 federal security clearance forms mental health care that only involved marital, family, or grief counseling, not related to violence by the applicant, unless the treatment was court-ordered. They also do not have to acknowledge mental health care if it was related to service in a combat zone. The revised wording has been distributed to the services and will be attached to the cover of the questionnaire. Gates said he hoped the policy would eliminate troops' concerns that seeking mental health care can cause them to be denied a security clearance and threaten their careers. He also expressed hope it would take the stigma away from seeking treatment. [Source: AFPS Donna Miles article 3 May 08 ++]

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> OKLAHOMA VET HOMES: To make sure the state veterans home in Sulphur remains a comfortable residence for veterans, the Department of Veterans Affairs (VA) is awarding a grant of \$12,675,000 for improvements at the Oklahoma state facility. The VA grant, for safety renovations, covers 65% of the cost of the project, which includes construction and purchase of equipment. Total cost of the upgrades is \$19.5 million. Most residents receive nursing care. Oklahoma has seven veterans' centers providing intermediate to skilled nursing care and domiciliary care for wartime veterans and their spouses. Last year, VA spent nearly \$1.4 billion in Oklahoma to serve more than 338,000 veterans who live in the state. VA

operates major medical centers in Muskogee and Oklahoma City and five outpatient clinics across the state. Oklahoma Veteran Homes are located at:

> . Ardmore Veterans Center, 1015 S. Commerce, Ardmore OK 73402 Tel: (580) 223-2266

> . Claremore Veterans Center, 3001 W. Blue Starr Drive, Claremore OK 74018-0988 Tel: (918) 342-5432

> . Clinton Veterans Center, Highway 183, Clinton OK 73601 Tel: (580)331-2200

> . Lawton Veterans Center, 501 SE Flower Mound Road, Lawton OK 73501 Tel: 580-351-6511.

> . Norman Veterans Center, 1776 East Robinson Street, Norman OK 73070 Tel: (405)360-5600

> . Sulphur Veterans Center, 200 E. Fairlane, Sulphur OK 73086 Tel: (580)622-2144

> . Talihina Veterans Center, State Highway 63A, Talihina OK 74571 Tel: (918) 567-2251

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> To be eligible for admission to any of the Centers, a Oklahoma veteran must have served in the active Armed Forces of the United States during wartime and discharged under conditions other than dishonorable. Wartime dates are:

> . WWI from 4/6/17 to 11/11/18

> . WWII from 12/7/41 to 12/31/46

> . Korean Conflict from 6/27/50 to 1/31/55

> . Vietnam Era from 8/5/64 to 5/7/75 (2/28/61 for Veterans who served "in country" before 8/5/64)

> . Persian Gulf War from 08/02/90 through future date to be set by law or presidential proclamation.

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> Veterans must have served at least ninety (90) days, except where discharged due to or as a result of a service connected disability, with one or more days being during a wartime period as prescribed above. A veteran must be disabled by age, disease or other reason as determined through physical examination by an Oklahoma Veterans Center physician to be eligible for admission. For domiciliary, the veteran must be ambulant, be able to dress, and perform necessary bathroom needs. For nursing care, the veteran must be disabled or diseased to a degree that requires intermediate or skilled type nursing care.

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> Oklahoma is among the top two states in the number of Veterans Centers providing intermediate to skilled nursing care and domiciliary care for its wartime veterans. All centers undergo annual inspections by the U.S. Veterans Administration and follow the guidelines established by other health and safety agencies. Professional personnel provide diversified health services for every facet of complete health care in the Veterans Centers. These health services include but are not limited to laboratory,

x-ray, pharmaceutical, dietary, social, and recreational. Thus, a well-rounded state veterans program is created to administer care not otherwise available to over 1,400 Oklahoma war veterans. The Veterans Centers operate much like private communities, situated on spacious, landscaped acreage. In addition they include administrative offices, recreational halls, auditoriums, cafeterias, laundries, power plants, and maintenance shops. In recent years, the latest in Life Safety Code features have been installed in all structures which accommodate patients.

Application for admission and additional info are available at [www.ok.gov/ODVA/documents/ODVA\\_Application.pdf](http://www.ok.gov/ODVA/documents/ODVA_Application.pdf). Questions can be asked at each facilities phone number above or via email to the Information Officer Scott Clymer [sclymer@odva.state.ok.us](mailto:sclymer@odva.state.ok.us). [Source: VA News Release 5 May 08

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> LONG TERM CARE W/MEDICARE: Medicare alone will not meet your long-term care (LTC) needs. While Medicare covers some home health, skilled nursing and hospice care, it generally does not cover custodial care, such as cleaning or cooking, at home or in a nursing home. Medicare will help pay for your home care if:

> . Your doctor certifies that you are homebound, meaning it takes a considerable and taxing effort to leave your home; and

> . You need skilled physical, speech or occupational therapy services, or skilled nursing on an intermittent (less than seven days a week) or part-time (less than eight hours a day) basis. If you only require skilled nursing, you must either need it fewer than seven days a week (even as little as once every 60 to 90 days) or daily (seven days a week) for a short period of time (usually two to three weeks); and

> . Your doctor certifies your need for home care, and

> . You receive your care from a Medicare-certified home health agency (HHA).

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> If you qualify for the home health benefit, Medicare covers the following types of care:

> 1.) Skilled nursing services. Medicare pays in full for skilled nursing, which includes services and care that can only be performed safely and effectively by a licensed nurse. Administration of medications, tube feedings, catheter changes, observation and assessment of a patient's condition, management and evaluation of a patient's care plan, and wound care are examples of skilled nursing. Any service that could be safely performed by a nonmedical person (or one's self) without the direct supervision of a licensed nurse is not covered.

> 2.) Skilled therapy services. Medicare pays in full for physical, speech and occupational therapy. Physical therapy includes exercises to regain movement and strength to a body area and training on how to use special equipment. Speech-language pathology services include exercises to regain

and strengthen speech and language skills. Occupational therapy helps you become able to do usual daily activities by yourself, such as eating and putting on clothes. Medicare will pay for therapy services to maintain your condition and prevent you from getting worse; you do not need to have the potential to improve.

> 3.) Home health aide services. Medicare pays in full for a home health aide if you require skilled services. A home health aide provides personal care services including help with bathing, using the toilet, and dressing. If you ONLY require personal care, you do NOT qualify for the Medicare home care benefit.

> 4.) Medical social services. Medicare pays in full for services to help you with social and emotional concerns you have related to your illness. This might include counseling or help finding resources in your community.

> 5.) Medical supplies. Medicare pays in full for medical supplies provided by the Medicare-certified home health agency, such as wound dressings and catheters needed for your care.

> 6.) Evaluation services. Medicare pays for evaluation services if performed by a skilled nurse or therapist.

> 7.) Durable medical equipment. Medicare pays 80% of its approved amount for certain pieces of medical equipment, such as a wheelchair or walker.

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> The Medicare home health benefit covers a wide range of skilled nursing services as long as you need them fewer than seven days a week, or daily for a finite and predictable period of time (usually no more than 21 days in a row). Skilled nursing care includes services that can only be performed safely and correctly by a licensed nurse (either a registered nurse or a licensed practical nurse) and is under the general direction of a doctor. For example: intravenous injections; tube feeding; oxygen to help you breathe; changing sterile dressings on a wound; training you to perform required tasks, maintenance and evaluation. Any service that could be safely performed by a nonmedical person (or one's self) without the direct supervision of a licensed nurse is not covered. Regional Home Health Intermediaries (RHHIs) handle home health and hospice claims. You can call your intermediary for claim issues, and questions about coverage, complaints or denials. For additional info and a complete glossary of medical terms refer to

<http://www.medicareinteractive.org/page2.php?topic=counselor&page=glossary>.

[Source: Medicare Rights Center [www.medicareinteractive.org](http://www.medicareinteractive.org) May 08 ++]

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> ECONOMIC STIMULUS PACKAGE UPDATE 06: Even though April 15 has passed, the Internal Revenue Service is reminding retirees, disabled veterans and others who normally do not file a tax return that there is still time to submit a 2007 form to receive an economic stimulus payment. People who have no tax filing requirement but have at least \$3,000 in qualifying income should file a simple Form 1040A. Qualifying income includes any combination

of earned income, nontaxable combat pay as well as certain payments from Social Security, Veterans Affairs and railroad retirement. People must file a return by 15 OCT to receive an economic stimulus payment this year. For taxpayers who are required to file an income tax return, the IRS will use the 2007 tax return to determine eligibility for economic stimulus payments of up to \$600 (\$1,200 for married couples). There also is a payment of \$300 for each qualifying child younger than 17. Those people not required to file a return because their income is too low or nontaxable must file a tax return to obtain their economic stimulus payment. The Economic Stimulus Act of 2008 provides a minimum payment of \$300 (\$600 for married couples) plus the \$300 payment per eligible child, if the person (or married couple) has at least \$3,000 in qualifying income.

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> The types of Social Security benefits that are considered qualifying income include retirement, disability and survivor payments. Supplemental Security Income is not qualifying income. The types of Veterans Affairs benefits that are considered qualifying income include disability compensation, disability pension and survivor payments. People not otherwise required to file an income tax return must file a simple Form 1040A with basic information to ensure that they receive the economic stimulus payment. This information includes their name; address; dependents, if any; amount of their qualifying income (which must be \$3,000 or more); direct deposit information and their signatures. Forms 1040A and instructions are available at [www.irs.gov](http://www.irs.gov). Eligible people, including their qualifying children, must have Social Security numbers. Also, people cannot be claimed or be eligible to be claimed as a dependent on another's tax return. People with Individual Taxpayer Identification Numbers are not eligible. There are IRS Taxpayer Assistance Centers open during the week to provide assistance. To find an IRS office near you, go to [www.irs.gov](http://www.irs.gov) and click on "Contact IRS," then "Contact Your Local IRS Office." These sites offer no charge tax preparation and filing for individuals and families whose income is \$40,000 or less. A select number of volunteer tax assistance sites in local communities may also remain open. People can call (800) 906-9887 to find the volunteer tax assistance site closest to them.

[Source: AFRNS News Release 2 May 08 ++]

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> DEBIT CARD DATA BREACH: In the time it takes to pay for a bag of groceries or a tank of gas, thieves can empty your bank account. It happens when you swipe your debit card. That's the hard lesson customers of a Silicon Valley gas station and grocery store have learned in recent weeks following two major cases of identity theft using stolen personal information from debit cards. As the number of victims topped 200 by 30 APR, and police warned to expect more, experts say the thefts underscore that even a tech-savvy region is hardly immune from a problem that is becoming all too common across the country. The high-tech scam hit the Lunardi's

grocery store in Los Gatos and an Arco gas station on San Antonio Road in Los Altos. Police said 150 shoppers had their debit card information stolen. It's unclear how, but police said the thieves may have swapped a debit-card-reading machine at one or more of Lunardi's checkout stands, or installed small, easily hidden skimming devices that collect a shopper's card number and personal identification codes. The thieves then typically use the information to make new debit cards, often out of gift cards, old credit cards or any card with a magnetic strip. The skimming device can transmit the information instantly to a computer nearby, or at other times, thieves retrieve the tiny device or the debit card scanner. They transfer the collected personal bank information to a new card and begin using it to withdraw cash from ATMs.

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> Los Altos police are investigating similar thefts three weeks ago at an Arco gas station on the corner of San Antonio Road and Loucks Avenue. Two ATM-debit machines, posted between pumping stations, were inoperable on 30 APR, posted with a sign, "Out of Order. Security Update in Progress." The machines do not dispense cash like a regular ATM, but will return cash to customers who use them to purchase gas. The station takes only cash or debit cards. Customers continued to use a debit machine inside the station. Police said 80 motorists had their bank card and personal identification numbers stolen. Bank card skimming has been around for a decade, experts say. In one common method, crooks place a false front over an ATM's card-reader slot. The false front hides a device that reads and records the card information. A hidden camera allows identity thieves to watch as customers punch in their PINs. As the problem has grown, these high-tech thieves have also grown more ingenious. The more common practice now, experts said, is to use a tiny, hidden card-reading device. Many of the 8 million victims of identity theft last year were victims of bank card skimming, the American Bankers Association said.

> George Silvestri, an attorney for Lunardi's, said the chain has replaced the payment devices at all seven of its Bay Area locations with machines that are locked onto the checkout stands. He added that Lunardi's employees with access to these devices have been trained in security procedures recommended by law enforcement and banking authorities, but declined to discuss specifics. [Source: Mercury News Jessie Mangaliman and Mark Gomez article 3 May 08 ++]

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> VA EMERGENCY CARE UPDATE 01: When a veteran needs emergency medical treatment, the VA allows that veteran to go to the nearest private or community hospital. Once the veteran is stabilized, the veteran must then be transferred to a VA hospital for any necessary continued care. The problem arises when there is a wait for a bed in a VA hospital. Current law "authorizes" but does not require the VA to reimburse the hospital for the care given after the point of stabilization. The Veterans Emergency Care

Fairness Act (H.R.3819) introduced by Rep. Zack Space (D-OH-18) would simply close that loophole and require VA reimbursement for care. In rural areas, this problem is particularly pronounced. Often, a patient may be deemed "stable" but is not stable enough to make ambulance trips traveling long distances. Specifically H.R.3819:

> . Requires (under current law, authorizes) the Secretary of Veterans Affairs to reimburse certain veterans without a service-connected disability enrolled as active participants of the Department of Veterans Affairs (VA) health care plan for the cost of emergency treatment received in a non-VA facility until such time as such veterans are transferred to a VA facility.

> . Requires (under current law, authorizes) the Secretary to reimburse certain veterans with a service-connected disability or a non-service-connected disability associated with or aggravating a service-connected disability for the value of emergency treatment for which such veterans have made payment from sources other than the VA.

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> As of 2 May, HR 3819 has 49 cosponsors. If your Representative has not co-sponsored you are encouraged to contact him/her with you concerns on the subject. This can easily be done utilizing a preformatted message found at <http://capwiz.com/usdr/issues/bills/?bill=11330076&alertid=11330081>. All you need do is enter your zip code and fill in your contact data. You can also personalize the message in any manner you desire. [Source: USDR Action Alert 2 May 08 ++]

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> MICHIGAN VET CEMETERY: The state of Maine could break ground for the Southern Maine Veterans Memorial Cemetery in OCT 08. The chair of the Southern Maine Veterans Memorial Cemetery Association, a local advisory board assembled several years ago to help the state design and prepare for the cemetery, Raymond Parent recently told town councilors that the state's Office of Veterans Affairs is waiting to receive permission to put the project out to bid. He said that the state has made the adjustments in the cemetery's design that the federal government required. Once the federal Veterans Affairs office accepts the resubmitted design and other materials, the state can put the cemetery out to bid. The bidding process should last about a month. It should also take the state a month to review the bids and make a recommendation. The federal VA office has \$39 million in its budget this year for cemeteries across the country and the veterans' cemetery in Springvale is already on the VA's list of projects that will get funding in OCT 08. The cemetery will be built on an 89.5-acre site off Stanley Road, next to Riverside Cemetery in Springvale. The project is expected to cost approximately \$6 million. The VA approved the cemetery in 2001 and included it for funding in its 2008-2009 budget. Sanford Town Meeting members added their approval to the mix in 2002 - with the stipulations that the state will pay for all development costs and that the town's planning board got to review and approve the project. The planning board gave the project its

blessing and Sanford's town councilors handed over to the state the deed to a 31.6-acre property in Springvale - for a dollar. The Maine Veterans' Cemetery currently consists of:

> . Maine Veterans' Memorial Cemetery, 163 Mt. Vernon Road, Augusta, ME 04330 Tel: (207) 287-3481

> . The Maine Veterans Memorial Cemetery located on Civic Center Drive in Augusta.

> . Northern Maine Veterans' Memorial Cemetery, 37 Lombard Road, Caribou, ME 04736 Tel: (207) 492-1173

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> Burials may not be scheduled in any of the above until such time as sufficient proof of service has been provided to the cemetery staff to determine eligibility. Therefore, eligible veterans are encouraged to apply for a certificate of eligibility in advance so to ensure that the Maine Veterans' Memorial Cemetery System has all the proper documentation of military service required to ensure timely scheduling of burial. To apply for Pre-Eligibility Certification refer to [www.mainebvs.org](http://www.mainebvs.org) for an application or contact the main office of the cemetery at Maine Veterans Memorial Cemetery System, 163 Mt. Vernon Road, Augusta, ME 04330 Tel: 207-287-3481 Email: [mvmc@maine.gov](mailto:mvmc@maine.gov). Eligibility extends to any person who:

> . Served in the active United States Armed Forces and who: if discharged, received an honorable discharge or general discharge under honorable conditions, provided that the discharge was not upgraded through a program of general amnesty; or

> . Served in the National Guard and died as the result of injury, disease or illness sustained while serving on state active service as provided in 37-B MRSA, chapter 3, subchapter III, sec. 101-A (1); or

> . Served in the Reserve Components of the United States Armed Forces and was entitled to retired pay under 10 United States Code, Chapter 1223 or would have been entitled to retired pay under Chapter 1223 except that the person was under 60 years of age; or

> . The wife, husband, surviving spouse, unmarried minor child, unmarried dependent child enrolled in secondary school or unmarried adult child who became incapable of self-support before reaching 18 years of age on account of mental or physical disability.

> [Source: Sanford News Editor Shawn P. Sullivan article 1 May 08 ++]

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> CREDIT CARD CHARGES UPDATE 02: The Senate Banking Committee Chairman Chris Dodd (D-CT) introduced the Credit Card Accountability, Responsibility and Disclosure (CARD) Act on 30 APR 08. Senator Jon Tester (D-MT) has thrown his support behind the bill intended to initiate a major overhaul of the credit card industry. He doing so he said, "This legislation protects folks from abusive credit card shenanigans and . will bring honesty and fairness back to the credit card industry. With food prices high and gas prices high, this bill will add some common sense to the credit card equation."

Tester specifically praised the Credit CARD Act because it stops credit card companies from jacking up interest rates on accounts that are in good standing. Last year Tester introduced separate legislation to end the practice, which credit companies call "universal default" or "risk-based re-pricing" in fine print. "No matter what you call it, it's bad business, it's unfair, and it sneaks up on a lot of folks who work hard to pay their bills on time," Tester said. The Credit CARD Act also:

- > . Prevents credit card companies from changing a terms of a contract during the period of the agreement.
- > . Requires interest rate increases to apply only to future credit card debt.
- > . Prohibits interest changes on debt paid on time (called double-cycle billing).
- > . Requires credit card companies to mail statements three weeks before a bill is due instead of the current 14 days.
- > . Prohibits credit card companies from charging fees for customers who pay bills via phone or the internet.
- > . Requires companies to get a signature from a parent or guardian before issuing a credit card to anyone under age 21.

> [Source: Sen. Tester Press Release 30 Apr 08 ++]

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> NDAA 2009 UPDATE 01: The full Senate Armed Services Committee marked up the defense authorization bill (S.2787) 30 APR after its subcommittees completed work on their portions of the sweeping security policy measure. The closed-door sessions, which began 29 APR, will result in a bill that would authorize spending on defense programs in the Pentagon and Energy Department for fiscal 2009. In the process, senators are addressing everything from a pay raise for military personnel to multibillion-dollar weapons systems. Four subcommittees secretly reported their portions of the bill to the full Armed Services Committee: Personnel, Seapower, Readiness and Management Support and Emerging Threats and Capabilities. There were few details about their decisions. Following are some of what is known:

- > . The Personnel panel was widely expected to urge a military pay raise higher than the 3.4% recommended by the Bush administration. Approved was a 3.9% raise -- half a percent higher than requested by the Bush administration and slightly higher than the 3.5% pay raise in fiscal 2008.
- > . The panel was expected to and did reject administration plans to increase fees, deductibles and drug co-payments for military personnel participating in the Tricare health system. The Pentagon's fiscal 2009 budget request assumes \$1.2 billion in savings in anticipation of those fees. Senator Carl Levin (D-MI), Chairman of the Senate Armed Services Committee, and Senator Ben Nelson (D-NE), Chairman of the Personnel Subcommittee, both commented that the requested Tricare increases were not favorably received and would probably not be approved.
- > . The bill necessitates the secretary of each military department to

provide annual medical and dental exams and restorative care to certain reserve component individuals and units to ensure medical and dental readiness for deployment; clarifies funding for medical and dental care to meet readiness standards for members of the Ready Reserve who have been notified that they will be mobilized; and authorizes the Secretary of Defense to waive copayments for members of the Selected Reserve enrolled in the TRICARE dental insurance program during a time of national emergency in order to ensure members of deploying units meet dental readiness.

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> Sen. Levin said he hopes the bill will come to the floor before the Memorial Day recess. A House committee is scheduled to complete work later this month on its H.R.5658 version of the budget plan, with a final, compromise bill not expected to be complete until the fall. [Source: EANGUS Minuteman Update 1 May 08 ++]

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> VA LAWSUIT (LACK OF CARE) UPDATE 07: A two-week trial that scrutinized the quality of health care for veterans concluded 30 APR with the judge questioning how much authority he had to order changes in the Department of Veterans Affairs, even if he found deficiencies. "One of the problems I have in this case is this court is restricted by various statutes, binding regulations and case law," U.S. District Judge Samuel Conti told lawyers. Justice Department lawyer Daniel Bensing, who was defending the system that serves nearly 6 million veterans, argued that the veterans groups suing the VA should take their case to Congress, not the courts. Arturo Gonzalez, who represented the two veterans groups that sued, countered that the judge has the power to order changes because the VA's system "has crashed and it has been overwhelmed" by an increasing number of claims. Last year, the VA processed 840,000 claims, an increase from 675,000 in 2001. The VA attributed the increase to Vietnam War veterans with growing health problems. Gonzalez argued that the VA is unprepared to care for those returning from Afghanistan and Iraq.

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> Conti, who heard the case without a jury, ordered both sides to file additional legal documents by 19 MAY, after which he would decide the issue. The veterans groups sued the VA last year and accused it of failing to provide sufficient mental-health care, including inadequate suicide prevention, and taking too long to process claims. Internal VA e-mails disclosed during trial showed that four to five veterans under VA care commit suicide and that 1,000 veterans attempt suicide each month. "The fact that veterans are killing themselves at alarming rates (is) undisputed," Gonzalez told the judge, urging him to order dramatic changes at the VA. Gonzalez suggested that Conti appoint a VA monitor who would report to the judge and ensure compliance with any court-ordered reforms. Gonzalez also complained that it was taking the VA an average of about 180 days to decide whether to award benefits to a veteran and those appeals of adverse

decisions were taking years to resolve. A study released this month by the RAND Corp. estimates that 300,000 U.S. troops - about 20% of those deployed - are suffering from depression or post-traumatic stress from serving in Iraq and Afghanistan. Bensing told the judge that the VA already considers addressing suicides and suicide attempts "a major priority." The mental-health budget has increased from \$3.2 billion to \$3.5 billion annually, and the agency recently hired 3,700 new mental-health professionals, Bensing said. "(Claims) processing time is a troubling issue," Bensing said, noting that the agency was working to streamline a complicated system handling a record volume. [Source: San Diego tribune AP Paul Elias article 1 May 08 ++]

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> AAFES COMMUNITY MALLS: On April 30, MOAA deputy director of government relations, CDR Rene Campos (USN-Ret) attended a Retiree Advisory Council Meeting hosted by the Army and Air Force Exchange Service (AAFES) in Dallas. AAFES plans to build Life Style Centers (outdoor community malls) at six locations: Fort Bliss and Fort Sam Houston, TX; Fort Lewis/McCord, WA; Fort Carson, CO; and Eglin AFB, FL. These malls will include theaters that will show new releases, well-known restaurants, play areas for children and families, shopping outlets, banking and medical services, and a variety of other features to enhance customers' shopping experience. Last year AAFES provided \$269 million dollars to support facilities like golf courses, pools, auto shops, craft stores, child care centers, and many other military community services. [Source: MOAA Legislative Update 11 May 08 ++]

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> VA VETERAN POPULATION ESTIMATE: The Department of Veterans Affairs has updated the official estimate of the veteran population. Using its Veteran Population Model (VetPop), VA estimates a total veteran population of approximately 24,816,000 as of 30 SEP 07. Estimates are based on data from the Department of Defense (DoD), the Census Bureau and the Veterans Benefits Administration. VetPop, which was last updated in 2004, groups veterans into various demographic categories (age, sex, state, race, rank, military branch, and period of service) and projects results thirty years into the future. VetPop used the Census 2000 estimate of veterans-26,745,000 as of April, 2000-as a starting point. The population increases as service members separate from active duty and decreases through mortality. VetPop models these changes using DoD's reports of past and projected separations as well as DoD mortality rates. VetPop2007 results are higher than VetPop2004 results due to lower mortality rates and higher-than-expected separations. The difference is 1.2% in 2007 and grows to 2.8% by 2015. Results can be accessed at <http://www1.va.gov/vetdata/> by clicking on "Demographics". The website includes results described above, estimates of veterans by county and by Congressional District, as well as descriptive documents and tutorials on how to access the data. Further questions

regarding VetPop should be emailed to [VetPop@va.gov](mailto:VetPop@va.gov). [Source: VA's Office of the Actuary 22 Apr 07 ++]

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- > VA HOME LOAN UPDATE 11: The current maximum VA guaranty for all loans in excess of \$144,000, except regular refinance loans, is equal to 25% of the Freddie Mac conforming loan limit for a single family home, adjusted for the year involved. Presently this is \$104,250 (\$156,375 for Alaska, Hawaii, Guam and U.S. Virgin Islands). This means lenders making loans covered by a VA guaranty up to \$417,000 (\$625,500 in Alaska, Hawaii, Guam, and U.S. Virgin Islands) will receive at least a 25% guaranty. However, only \$36,000 of a VA home loan guaranty can be used when the loan is being used to refinance a home loan, meaning that VA will not provide backing for a refinance loan in excess of \$144,000. Additionally, present law limits regular refinance loans to 90% of the reasonable value of the dwelling, meaning that veterans without at least 10% equity cannot refinance their existing loan into a VA guaranteed home loan. On 30 APR the House Veterans' Affairs Committee approved major improvements in this home loan program but details in the bill could delay or even prevent the initiative from becoming law. The home loan bill, Helping Our Veterans to Keep Their Homes Act HR 4884, would
  - > . Increase the maximum loan available to veterans for new and refinanced homes to \$729,750;
  - > . Allow refinancing even if the homeowner has no equity; and
  - > . Order a new streamlined process for buying condominiums with veterans' home loans.
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- > The committee chairman and chief sponsor of the bill Rep. Bob Filner (D-CA), said the update is a response to criticism that the VA loan program has become irrelevant because of the current \$417,000 cap on new loans and the \$147,000 limit on refinancing, and a requirement that homeowners have at least 10% equity in their home to qualify. The problem with the bipartisan bill, which passed the committee by voice vote, is that it also eliminates loan origination fees for all loans except for those related to refinancing, which Filner said is necessary to make the VA home loan program competitive.
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- > Fees now range from 1.4 to 3% for regular loans, depending on the amount of down payment, and are just 0.5% when refinancing an existing VA loan to reduce the interest rate. All those fees would be eliminated, leaving just a 1% fee for someone refinancing a non-VA loan with a new loan from the VA program. Fees generate money intended to cover administrative costs of the loan program. Eliminating them would create a \$1.4 billion to \$1.8 billion hole in the VA budget that will prevent the bill from being taken up by the House unless lawmakers can find a way to make up the difference, said Rep. Steve Buyer, (R-IN) ranking Republican on the committee. Buyer offered an amendment to keep the current fees, which he

said would guarantee the House could take up the bill right away, but his effort was defeated on a voice vote. Filner said he hoped to find a way to pass the bill without imposing fees for most home loan users. [Source: Marine Corps Times Rick Maze article Posted 1 May 08 ++]

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> **MALWARE:** Malware is software designed to infiltrate or damage a computer system without the owner's informed consent. The term is a portmanteau of the words malicious and software. The expression is a general term used by computer professionals to mean a variety of forms of hostile, intrusive, or annoying software or program code. Many normal computer users are however still unfamiliar with the term, and most never use it. Instead, "computer virus" is incorrectly used in common parlance and even in the media to describe all kinds of malware, though not all malware are viruses. Software is considered malware based on the perceived intent of the creator rather than any particular features. Malware includes computer viruses, worms, trojan horses, most rootkits, spyware, dishonest adware, and other malicious and unwanted software. In law malware is sometimes known as a computer contaminant, for instance in the legal codes of California and several other states. Malware should not be confused with defective software, that is, software which has a legitimate purpose but contains harmful bugs. A bug is an error, flaw, mistake, "undocumented feature", failure, or fault in a computer program that prevents it from behaving as intended (e.g., producing an incorrect result). Of all computer code released today the majority may be malicious. Preliminary results from Symantec (an international corporation that sells computer security software) sensors published in 2008 suggested that the release rate of malicious code and other unwanted programs may be exceeding that of legitimate software applications. According to F-secure as much malware [was] produced in 2007 as in the previous 20 years altogether." Malware's most common pathway from criminals to users is through the Internet via email and the web.

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> Computerworld reported 12 MAY more than half a million Web sites have been compromised in a recent round of attacks three weeks ago that hacked domains (web sites) in order to infect unsuspecting users' PCs with a variety of malware. Sites that included government URLs in the U.K. and some domains operated by the United Nations. This is only the latest in a string of attacks that goes back to JAN 08. Visitors to a hacked site are redirected through a series of servers, some clearly compromised themselves, until the last in the chain is reached; that server then pings the PC for any one of several vulnerabilities, including bugs in both Microsoft's Internet Explorer and RealNetworks's RealPlayer media player. If any of the vulnerabilities are present, the PC is exploited and malware is downloaded to it. It is anticipated that attacks are likely to continue as long as sites do not take steps to secure their content. [Source: Wikipedia Encyclopedia & Computerworld George Keizer article 13 May 08 ++]

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> **NPRC ONLINE RECORDS REQUEST UPDATE 01:** The National Personnel Records Center (NPRC) makes it easier for veterans with computers and Internet access to obtain copies of documents such as their DD-214 from their military files. Military veterans and the next of kin of deceased former military members can use NPRC's online military personnel records system to request documents. The web-based application was designed to provide better service on these requests by eliminating the records center's mailroom processing time. Also, because the requester will be asked online to supply all information essential for NPRC to process the request, delays that normally occur when NPRC has to ask veterans for additional information will be minimized. The application can be accessed at <http://vetrecs.archives.gov> . Users will be required to complete the application online and then download a signature verification document that must be signed and mailed to NPRC WEB, 9700 Page Avenue, St. Louis, MO 63132-5100 or faxed to (314) 801-9049 within 30 days. If NPRC does not receive your signature within 30 days, your request will be automatically deactivated and removed from their system. A service request number will be provided for follow up to (314) 801-0800, if necessary. Other individuals with a need for documents must still complete the Standard Form 180 which can be downloaded from the web at <http://www.archives.gov/st-louis/military-personnel/standard-form-180.html> . [Source: NPRC <http://vetrecs.archives.gov> May 08 ++]

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> **FORECLOSURE IMPACT ON RENTERS:** According to Richard Alderman, director of the Consumer Law Center at the University of Houston, under Texas law how long after foreclosure new owners or the bank have to evict tenants depends on whether the tenants have been paying rent in. If they're up-to-date on their rent payments, they have to be given 30 days written notice to vacate if the buyer decides not to continue the lease. If rent hasn't been paid, they get three days of notice. After those three days, the lender can file for eviction with the local justice of the peace. A court date is usually set for a week after the day the renters get served. If a judge rules against the renters, they have five days to appeal. If they don't appeal, the landlord can get a writ of possession and evict them immediately. If the rent was prepaid the rental contract does not apply to the bank or new owners and it is up to the rentee to initiate whatever action is necessary to recoup their money. Something for vets to consider when a large deposit or advance payment is required to move in dependent on what state laws apply for where the rental property is located. [Source: Houston Chronicle article 30 Apr 08 ++]

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> **CAR RENTAL TIPS:** Many travelers operate under the misconception that car rental rates are all about the same, and that shopping is a waste of time.

But rates do vary--sometimes by quite a bit--between companies and destinations. Car rental companies reward people who make life easy for them and penalize those who don't know the ropes. Here are five tips, in no particular order, for lowering your car rental expenses:

> . Beware hidden fees and extras. If the rental company has to top-off the gas tank after your return, you will pay a ridiculous price per gallon.

Always ask that the car be filled up prior to your departure, and then bring it back full of gas. There are plenty of other additional charges that can take a nice rate to an ordinary deal very quickly. A weekly rate of \$125 showed up recently for a compact rental out of San Antonio International Airport. That's about \$18/day. Not bad. Go to the reservation page of your agreement, and you learn that taxes and fees add more than \$50. There's 10% sales tax, something called a vehicle license fee of nearly \$19 and an "arena fee" of \$7.19. Keep that in mind when you see rates under \$20/day advertised.

> . Airport rentals are best avoided. In that previous example, there was also an \$11.51 "airport fee." It's often very convenient to rent a car at the airport, but keep in mind that you'll pay for the privilege. If you're on a business trip, many times you can rent a car from your downtown hotel. If you can conveniently arrange a hotel shuttle or public transportation from airport to front desk, chances are good you'll save money taking delivery off the airport grounds.

> . Decline the insurance. Most travelers know this one, but there is a lot of pressure to change minds at the rental counter. Companies make big profits from insurance fees. Some clerks are trained to create as much anxiety as possible for people who decline it. The odds are slim that you'll need any of this coverage. It is very likely that your auto insurance policy at home covers rentals as well. Call your agent to verify it. Also check with your credit card company to see if using the card to pay for a rental provides collision coverage. In many cases, you'll find it a positive response.

> . In smaller offices, reserve the smallest car possible. Most North Americans who rent cars in the U.S. don't like driving compacts. Rental companies know this, and they usually order more mid-size and full-size cars. If your destination is a smaller facility or non-hub airport, chances are good that they have only a few compacts. On some days, they might not have any compacts when customers arrive. In that situation, if you've reserved a compact, they are obligated to give you a free upgrade. Many times, you'll move up two categories for no additional charge. Remember: you can usually pay an upgrade fee on the spot for a larger car if they call your bluff and tell you the compact is ready to go. There will be times when the smallest cars are all that remains on the lot. Those times are fairly rare.

> . Shop for quirky deals and special offers. A recent search on Hertz.com showed a three-day rental of a mid-sized car from Denver International would cost \$236 USD, nearly \$79/day. If four more days are added, the total cost

goes up, but only to \$361. That's less than \$52/day. This possible because on day five, Hertz's weekly rate took effect. Many times, reserving a car for a week (even if it sits in a driveway or parking lot) is cheaper than trying to get a daily rate on a shorter rental. For that reason, it pays to try a number of time combinations when you consider your rental period. It might be smarter to pick up the car on Thursday, even if you don't really need it until Friday. The Friday rental might come with a weekend rate that is more expensive. There are times when a car rental bid on Priceline ([www.priceline.com](http://www.priceline.com)) will save you money, but unlike hotels, there are frequent instances where the bid prices are very similar (or even higher) than the standard rates listed on company Web sites. Speaking of company Web sites, some of the best rental rates originate in their special offers pages.

> [Source: About.com: Budget Travel Mark Kahler article Apr 08 ++]

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> **CARIES (TOOTH DECAY):** Caries is a progressive destruction of any kind of bone structure, including the skull, the ribs and other bones. Caries can be caused by osteomyelitis, which is a bacterial disease. When people hear the word caries (i.e. decay), they usually think of dental caries. It destroys tooth structure which does not regenerate. However, the progression of cavities can be stopped by treatment. The goal is to preserve the tooth and prevent complications. In filling teeth, the decayed material is removed (by drilling) and replaced with a restorative material such as silver alloy, gold, porcelain, or composite resin. Porcelain and composite resin more closely match the natural tooth appearance, and may be preferred for front teeth. Many dentists consider silver amalgam (alloy) and gold as stronger, and these materials are often used on back teeth. There is a trend to use high strength composite resin in the back teeth as well. Crowns are used if decay is extensive and there is limited tooth structure, which may cause weakened teeth. Large fillings and weak teeth increase the risk of the tooth breaking. The decayed or weakened area is removed and repaired. A covering jacket or "cap" (crown) is fitted over the remainder of the tooth. Crowns are often made of gold, porcelain or porcelain fused to metal. A root canal is recommended if the nerve in a tooth dies from decay or from a traumatic blow. The center of the tooth, including the nerve and blood vessel tissue (pulp), is removed along with decayed portions of the tooth. The roots are filled with a sealing material. The tooth is filled and a crown may be placed over the tooth if needed.

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> Alternative treatments for dental caries exist but may not be effective. HealOzone therapy is one of these. The National Institute for Health and Clinical Excellence (NICE), an independent British organization that reviews medical technology, has concluded that this therapy has not been proven effective or cost-effective for treating tooth decay. The HealOzone treatment system includes an ozone delivery device, a

mineral-reducing agent used by the dentist and a patient kit (fluoride-containing toothpaste, mouthwash and mouth spray) for home use. The device is certified (CE marked) in the United Kingdom as a medical device for managing certain types of caries, but it is not approved by the U.S. Food and Drug Administration. The treatment is administered by placing a small cup over the affected tooth and pumping ozone gas into the area for up to 2 minutes to kill the bacteria. After that, a special liquid is dripped onto the tooth to remove any remaining ozone and acid and help the weakened enamel start to harden again through remineralization. The patient is given a kit containing fluoride toothpaste, mouthwash and mouth spray to use for several weeks to help the remineralization process. NICE has issued a detailed report which concluded that the procedure is unproven and should not be covered by the British National Service in the United Kingdom. HealOzone's marketers also sell a device (the DIAGNOdent) for assessing caries. The NICE report states that the validity of this device has yet to be demonstrated. The JAN 06 report can be viewed at [www.dentalwatch.org/questionable/healozone.html](http://www.dentalwatch.org/questionable/healozone.html). [Source: Consumer Health Digest #06-01 & Mediline Plus [www.nlm.nih.gov/medlineplus](http://www.nlm.nih.gov/medlineplus) JAN 06]

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> VETERAN LEGISLATION STATUS 13 MAY 08: For a listing of Congressional bills of interest to the veteran community that have been introduced in the 110th Congress refer to the Bulletin's House & Senate attachments. By clicking on the bill number indicated you can access the actual legislative language of the bill and see if your representative has signed on as a cosponsor. Support of these bills through cosponsorship by other legislators is critical if they are ever going to move through the legislative process for a floor vote to become law. A good indication on that likelihood is the number of cosponsors who have signed onto the bill. A cosponsor is a member of Congress who has joined one or more other members in his/her chamber (i.e. House or Senate) to sponsor a bill or amendment. The member who introduces the bill is considered the sponsor. Members subsequently signing on are called cosponsors. Any number of members may cosponsor a bill in the House or Senate. At <http://thomas.loc.gov> you can also review a copy of each bill's content, determine its current status, the committee it has been assigned to, and if your legislator is a sponsor or cosponsor of it. To determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d110/sponlst.html>. The key to increasing cosponsorship on veteran related bills and subsequent passage into law is letting our representatives know of veteran's feelings on issues. At the end of some listed bills is a web link that can be used to do that. Otherwise, you can locate on <http://thomas.loc.gov> who your representative is and his/her phone number, mailing address, or email/website to communicate with a message or letter of your own making. Refer to [http://www.thecapitol.net/FAQ/cong\\_schedule.html](http://www.thecapitol.net/FAQ/cong_schedule.html) for future times that you

can access your representatives on their home turf. [Source: RAO Bulletin Attachment 13 May 08 ++]

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> **HAVE YOU HEARD:** Allegedly, Andy Rooney of 60 minutes fame provided some tips for handling telemarketers that will cost you nothing and get some payback for all that junk mail and telemarketing you have to put up with:

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> (1). Three Little Words That Work!!The three little words are: 'Hold On, Please...' Saying this, while putting down your phone and walking off (instead of hanging-up immediately) would make each telemarketing call so much more time-consuming that boiler room sales would grind to a halt. Then when you eventually hear the phone company's 'beep-beep-beep' tone, you know it's time to go back and hang up your handset, which has efficiently completed its task. These three little words will help eliminate telephone soliciting.

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> (2) Do you ever get those annoying phone calls with no one on the other end? This is a telemarketing technique where a machine makes phone calls and records the time of day when a person answers the phone. This technique is used to determine the best time of day for a 'real' sales person to call back and get someone at home. What you can do after answering, if you notice there is no one there, is to immediately start hitting your # button on the phone, 6 or 7 times, as quickly as possible This confuses the machine that dialed the call and it kicks your number out of their system. Gosh, what a shame not to have your name in their system any longer!!!

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> (3). Junk Mail Help:  
> . When you get 'ads' enclosed with your phone or utility bill, return these 'ads' with your payment. Let the sending companies throw their own junk mail away.  
> . When you get those 'pre-approved' letters in the mail for everything from credit cards to 2nd mortgages and similar type junk, do not throw away the return envelope. Most of these come with postage-paid return envelopes, right? It costs them more than the regular 37 cents postage if and when they receive them back. It costs them nothing if you throw them away! The postage was around 50 cents before the last increase and it is according to the weight. In that case, why not get rid of some of your other junk mail and put it in these cool little, postage-paid return envelopes.  
> . Send an ad for your local chimney cleaner to American Express. Send a pizza coupon to Citibank. If you didn't get anything else that day, then just send them their blank application back! If you want to remain anonymous, just make sure your name isn't on anything you send them. You can even send the envelope back empty if you want to just to keep them guessing! It still costs them 41 cents.

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> The banks and credit card companies are currently getting a lot of their own junk back in the mail, but folks, we need to OVERWHELM them. Let's let them know what it's like to get lots of junk mail, and best of all they're paying for it...Twice! Let's help keep our postal service busy since they are saying that e-mail is cutting into their business profits, and that's why they need to increase postage costs again You get the idea ! If enough people follow these tips, it will work ---- I have been doing this for years, and I get very little junk mail anymore.

>  
> However, this is an Urban Legend. Some part of the above originated with Andy Rooney but not most. Refer to Snopes.com at [www.snopes.com/politics/business/telemarket.asp](http://www.snopes.com/politics/business/telemarket.asp) Although following the above advice may give you some personal satisfaction and possibly cost the senders a little more money more effective means of stopping telemarketers and junk mail are:

> . Signing up with the National Do Not Call Registry at <https://www.donotcall.gov/default.aspx>.

> . If ineffective after 31 days file a complaint with the FCC at <https://www.donotcall.gov/complaint/complaintcheck.aspx>.

> . Registering with DMA's Mail preference Service at <https://www.dmachoice.org/MPS/proto1.php>.

> . Request to "Opt Out" at <https://www.optoutprescreen.com/?rf>.

> [Source: Snopes.com 25 Jul 05 ++]

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