

## VFW SERVICE OFFICER NOTES FOR THE TEN-HUT OCTOBER 2018

### Some Disabled Veterans are Owed IRS Refund (**Clarification**)

This topic was brought to my attention from a member regarding this note in last month's Ten-Hut. I apologize for not giving more details than the article that was printed.

#### Definitions:

#### **Disability Severance Pay**

All branches of service have the authority to separate a service member on the Temporary Disability Retirement List (TDRL). Separation may occur with entitlement to disability severance pay or without.

You must meet **all** of the following requirements to be eligible:

- **be found unfit for duty,**
- **have less than 20 years of service,**
- **have a disability rating of less than 30%.**

Prior to January 28, 2008 members were required to have at least 6 months of service to qualify for discharge with severance pay. This rule no longer applies.

If you were discharged with severance pay, you cannot go back on active duty or choose to apply for retirement later. However, you may be eligible to apply for monthly disability compensation from the Department of Veterans Affairs (VA) if the VA determines your disability is service-connected.

#### **Calculation and Payment**

Disability severance pay is a one-time lump sum payment. The amount equals 2 months of basic pay for each year of service which includes active service and inactive duty points, but the total service years cannot exceed 19 years. Additionally, the minimum number of years required for computation purposes is six years for a disability incurred in the line of duty in a combat zone, or 3 years in the case of any other member. Prior to January 28, 2008, a maximum of 12 years and minimum of three years creditable service was used.

#### **The Problem: – Disability Severance Pay was Incorrectly Taxed**

Thousands of military members are either voluntarily or **involuntarily separated from the military** each year. Many of these veterans are eligible to **receive separation pay**, which is normally taxed at the 20% – 25% range.

However, veterans who are separated due to a **combat-related injury or illness** should not have to pay taxes on their separation pay. **From 1991 to 2016**, the IRS computer system failed to

classify certain veterans as having tax-exempt separation pay at the time they were separated from the military.

These veterans had taxes incorrectly withheld from their separation pay and are due refunds from the IRS. Members will need to file an amended tax return.

**Note:** this does not impact regular VA disability compensation or [withholding from disability compensation](#) – **[this only applies to incorrectly taxed separation pay due to a combat-related disability rating!](#)**

The IRS is in the process of sending letters to affected veterans and their family members and survivors informing them of the error and their eligibility for a tax refund using the Combat-Injured Veterans Tax Fairness Act Claim.

The IRS believes many veterans will be eligible for refunds of \$1,750 or more, depending on their specific circumstances. The National Veterans Legal Service Program (NVLSP) estimates that some veterans may be due refunds exceeding \$10,000.

This article explains the situation and describes how to submit a Combat-Injured Veterans Tax Fairness Act Claim by filing an amended tax return to claim the amount of money incorrectly withheld from the veteran's severance payments.

### [How to Determine if You Are Eligible for a Tax Refund?](#)

Affected veterans include those who received a **disability discharge between January 1991 and December 31, 2016, and also received disability separation pay**. This would also apply to surviving family members of these veterans, if the veteran has since passed away.

The IRS is sending out notification letters to veterans informing them of their eligibility to file a Combat-Injured Veterans Tax Fairness Act Claim. However, the letters do not state the amount of money that was erroneously withheld. The IRS began sending these letters on July 9, 2018, and will continue sending them through July 20, 2018.

Members can still file a claim if they believe they were impacted, but did not receive a letter. However, the veteran will be required to submit proof they were impacted. This would include submitting a [copy of your DD Form 214](#), a copy of your severance pay (if you have it) or a letter from DFAS stating you received disability separation pay. You may also have to [send in a copy of your VA disability award letter](#) stating you have a combat-related injury.

- **Related:** learn more about [filing a VA Disability claim](#).

### **What if the veteran has passed away?**

Surviving family members or a court appointed trustee can file a claim. Surviving spouses can file the claim using the amended tax return, Form 1040X. A court-appointed trustee will need to [use IRS Form 1310](#) (Statement of Person Claiming a Refund Due to a Deceased Taxpayer).

## How to File an Amended Tax Return?

You will need to file an amended tax return in order to [receive a tax refund](#). You generally only have 3 years to file an amended tax return. However, the IRS is waiving the statute of limitations for this instance, due to the government error.

The IRS press release states that affected veterans “should file [Form 1040X](#), Amended U.S. Individual Income Tax Return, to claim a credit or refund of the overpayment attributable to the disability severance payment.”

There are two ways to file a claim:

- **The Default Method:** This is the easiest way to file the claim, as the IRS has prequalified you as being eligible. All you need to do is fill out the form and submit your claim.

The default refund amount is based on when you were separated:

- \$1,750 for tax years 1991 through 2005
  - \$2,400 for tax years 2006 through 2010
  - \$3,200 for tax years 2011 through 2016
- **Calculating the incorrect amount withheld:** This takes more work on your end, and requires you to dig through your finance records and past tax returns (if you still have them).

The calculating method could result in a larger refund, particularly if you had a long military career or were higher ranking prior to your separation (separation pay is generally based on your years of service and base pay, so the more years in service and a higher rank result in a larger separation payment).

- **Related:** Learn more about [military separation pay](#), and [disability severance pay](#).

## How do I obtain copies of part tax returns?

Most people don't keep copies of their tax returns for more than a few years (the IRS recommends keeping copies for 7 years). You can [request copies from the IRS](#), however, they generally only keep copies of tax returns for a certain amount of time as well.

You may be better off requesting the default refund if neither you nor the IRS have copies of your tax returns.

You can [learn more about how to file an amended tax return](#) in this article.

## Where do I Send Your Disability Separation Claim?

Internal Revenue Service  
333 W. Pershing Street, Stop 6503, P5  
Kansas City, MO 64108

## Where to Get Help?

You can contact your local IRS Taxpayer Advocate's office, a tax professional, or a [Veterans Service Organization](#).

It is estimated to impact more than 14,000 veterans.

## VA, Walgreens Collaborate to Improve Care Coordination for Veterans

As part of the U.S. Department of Veterans Affairs' (VA) efforts to improve care coordination for Veterans, the department is working with pharmacy services provider Walgreens to coordinate patient and pharmaceutical care for VA-enrolled patients.

With the click of a button, VA providers will be able to see the entire medication and immunization history of VA-enrolled patients who receive their prescription and immunization needs at Walgreens.

"This arrangement is the first of its kind and it's a strong collaboration," said VA Secretary Robert Wilkie. "Partnerships like this will help VA continue to improve the way we care for Veterans.

As it expands its community care program, VA actively refines its ability to track medication prescribed by community providers. Prior to the arrangement, VA providers would ask patients to inform them about medications filled at Walgreens. With the VA-Walgreens exchange, VA providers can now easily view medications directly that are prescribed to VA-enrolled patients by community providers and filled at Walgreens pharmacies.

For the past five years, VA and Walgreens have partnered to provide flu shots at no cost for enrolled Veterans, improving vaccination rates and access to immunizations.

VA exchanges standards-based medical information securely and electronically with participating community health care partners, such as Walgreens, to ensure the best possible care coordination and medication management. Currently, VA exchanges health information with over 170 community health care partners, representing 1,288 hospitals, 537 Federally Qualified Health Centers, 261 nursing homes, 8,649 pharmacies (including over 8,000 Walgreens pharmacies) and over 22,431 clinics.

Additional information about the VA Health Information Exchange Program can be found online at [www.va.gov/vler](http://www.va.gov/vler).

## **VA Retail Immunization Care Coordination Program**

During flu season, protecting your health with a flu shot is easier than ever — and as close as your local VA or neighborhood Walgreens! VA and Walgreens care about your health and are partnering to offer enrolled Veteran patients easy access to flu shots.

VA and Walgreens are national partners, providing no-cost quadrivalent flu shots to enrolled Veterans of the VA health care system. During the program, which runs from **August 15, 2018 through March 31, 2019**, enrolled Veteran patients nationwide have the option of getting their flu shot at any of Walgreens' 8,200 locations in addition to their local VA health care facilities. **No appointment is required**; simply go to any Walgreens, tell the pharmacist you receive care at a VA facility, and show your Veterans Health Identification Card and another form of photo ID.\*

Your immunization record will be updated electronically in your local VA electronic health record. Walgreens has the capability to electronically send vaccination information to the VA electronic health record. The VA-Walgreens national partnership is part of VA's eHealth Exchange project. This national program ensured that many Veterans got their no-cost flu shot at their local Walgreens, satisfying their wellness reminder because they either found it more convenient or did not have a scheduled appointment at a local VA health care facility.

### **Veterans Can Schedule Appointments Online**

*Make a VA Appointment using the online appointment scheduling tool*

Veterans at more than 130 VA Medical Centers (VAMCs) across the country can schedule, reschedule, cancel and request certain types of appointments online through My HealtheVet.

#### **What does this mean for you?**

If you have VA health care benefits, you can schedule, reschedule, cancel and request some of your VA health appointments online if:

- You have one of these two types of free VA accounts: [My HealtheVet Premium Account](#) or [DS Logon Premium Account](#).
- You are scheduling your appointment at a VA medical facility that accepts online scheduling. [Check to see if your VA Medical Center offers online scheduling](#).

#### **What types of appointments can I schedule online?**

- You can schedule a primary care appointment at a participating VA facility where you have had a primary care appointment in the last two years.
- You may also be able to schedule specialty appointments, such as outpatient mental health, optometry, and audiology, at participating facilities.

[Login to Schedule a Health Appointment Online](#)

## **What if my facility or appointment type is not supported?**

VA is piloting another self-scheduling product. Veterans who receive care at the **Edith Nourse Rogers Memorial Veterans Hospital (Bedford, MA), VA Salt Lake City Healthcare System, and Minneapolis VA Health Care System** can schedule, reschedule, cancel and request appointments online using the [Online Patient Self Scheduling \(OPSS\)](#).

If your facility does not currently participate in online scheduling, please know that we are working to expand access to additional medical centers. We are also working to add additional appointment types. If you need to make an appointment immediately, you can still call the VA health facility where you want to receive care. [Find your VA health facility's phone number.](#)

### **Text Message Reminders Now Available for VA Appointments**

Have you heard about VEText? VEText is VA's text messaging appointment reminder system to alert Veterans of upcoming health care appointments, allowing you to confirm or cancel quickly.

Many Veterans are already receiving interactive VEText appointment reminders. Every enrolled Veteran with a cell phone number listed in their health record is automatically enrolled in the program. In order for you to participate, make sure that your local medical center has your current phone numbers. You may update your phone numbers during check-in at your next appointment, or use the self-service kiosks located throughout VA facilities.

### **How Does It Work?**

You will receive the first text message reminder seven days before your VA appointment. A second text message reminder will be sent two days before your appointment. The timing of the reminders may vary by facility. You should review the date and time of each appointment and use the prompts provided in the message to either confirm or cancel the appointment. You will receive multiple reminders if you have more than one appointment on the same day.

VEText works for VA health care appointments only and the text messages do not currently replace the letters and automated phone calls you already receive for appointment reminders. For a preview of VEText messaging, text @DEMO to 53079.

### **Read More**

[VEText FAQs](#)

[VEText Introduction](#)

[Keeping Up with All Your VA Appointments](#)

### **VA's Conversion to Electronic Health Records News**

Lawmakers are again raising concerns over the Department of Veterans Affairs planned overhaul of its [electronic medical records systems](#) after the program's new leader abruptly quit.

In a letter to [VA Secretary Robert Wilkie](#), Genevieve Morris — who had been charged with leading the department's Office of Electronic Health Record Modernization — announced she was stepping down from the post because “it has become clear to me that VA's leadership intends to take the EHR modernization effort in a different direction than we were headed.”

The move came about 40 days after Morris was named the head of the new office, launched to ensure an orderly changeover from the department's existing health records system to a new one sharing [the same underpinnings as the Department of Defense](#).

Just days earlier, the office's chief medical officer, Ash Zenooz, also announced her planned departure from VA on Sept. 4. Morris said that her appointment “was always intended to be an interim solution” and did not offer concerns about the new VA leadership as a reason for her departure.

But the sudden moves have worried lawmakers that the 10-year, \$10-billion-plus project may be facing bureaucratic challenges less than four months after department officials' finalized contracts for the ambitious technology shift.

In a letter to Wilkie following Morris' announcement, Rep. Jim Banks, R-Ind. — who serves as the chairman of the House Veterans' Affairs Subcommittee on Technology Modernization — expressed “great concern about the deteriorating and rudderless leadership” of the electronic records effort.

“It would be a tragedy for the program to be undermined by personality conflicts and bureaucratic power struggles before it even begins in earnest,” he wrote. “In fact, despite several requests, I was not even able to meet with the EHRM leadership team before these departures.”

The health records system overhaul has been touted by President Donald Trump as a major step towards fixing VA's customer-service shortfalls, and was listed by Wilkie as one of his top programming priorities during his confirmation hearing before the Senate.

The goal is to bring both military and VA health records in line with each other, a proposal that has been discussed several times in the last decade but never executed.

In May, VA officials finalized a contract with the Missouri-based Cerner Corp. to transfer veterans' health files to the same MHS GENESIS system being deployed within the Defense Department. The work was delayed several months earlier this year following the firing of former VA Secretary David Shulkin.

VA officials said they do not expect any delays or complications with the records work related to Morris' departure.

### **VA Offers Benefits to Veterans Affected by a Military Exposure**

If you were exposed to a chemical, physical or environmental hazard during your military service, you may be eligible for health care, [disability compensation](#) and other VA benefits.

An Air Force Veteran who served in Vietnam decided to try VA health care years after leaving the service. Because VA linked several of his conditions to [Agent Orange](#), he now receives treatment for those diseases that were assumed to be related to his exposure and a monthly disability compensation check.

In addition to Agent Orange, other potential [qualifying exposures](#) include Camp Lejeune water contamination, potential Gulf War exposures, some potential radiation exposures, depleted uranium and more. VA offers benefits for some children of Vietnam and Korean War-era Veterans with [birth defects](#). VA also offers [free health registry evaluations](#) for possible health problems related to environmental exposures. Although the registry health evaluations are not considered exams for disability purposes, the medical findings can be used to help file a claim.

After being treated for diseases presumed to be exposure related, this Air Force veteran decided to use VA health care for all of his medical needs. “I get all my medications from the VA, eye glasses, and dentures. Anything I need, I go through the VA.”

To learn about all VA benefits and how to apply, visit [Explore.VA.gov](#).

### **Get The Help You Need and Take Your Life Back With Help From The VA**

Post-traumatic stress disorder (PTSD) consumed Josh’s life until he reached out to VA for support. An Army Veteran and former IED hunter in Iraq, he says, “Anytime I passed any trash on the side of the road, my body instantly would freeze up.”

One of his treatments through VA was a therapy known as prolonged exposure. Veterans who decide to engage in this treatment find that gradually approaching trauma-related memories, feelings and situations that they have been avoiding results in significant reductions in PTSD symptoms.

“It really worked for me. It let me know the past was the past,” says Josh. “You don’t have to let it control your life.”

Veterans enrolled in VA health care have access to high-quality mental health services, including inpatient and outpatient care for PTSD, depression, readjustment, substance use disorders, military sexual trauma and more.

“The VA helps train you in ways to get out and live your life,” says Josh.

Visit [Explore.VA.gov](#) to learn more about VA benefits and how to apply, or click the button below for details on VA health care.

### **Lawmakers ask VA Secretary to Research Marijuana as an Alternative to Opioids**

A bipartisan group of lawmakers are urging the new Department of Veterans Affairs secretary to research marijuana as a treatment for post-traumatic stress disorder and chronic pain.

In a letter to VA Secretary Robert Wilkie on Thursday, the lawmakers asked him to initiate a “rigorous clinical trial” of the drug. In recent years, more veterans have come out in support of marijuana as a potential alternative to addictive opioids.

“We believe VA has the authority, ability and capacity to carry out such a study,” they wrote. “Many of our nation’s veterans already use medicinal cannabis, and they deserve to have full knowledge of the potential benefits and side effects of this alternative therapy.”

Rep. Phil Roe, R-Tenn., and Sen. Dan Sullivan, R-Alaska, signed the letter, along with Democrats Sen. Jon Tester of Montana and Rep. Tim Walz of Minnesota.

Their appeal follows months of seeking help on the issue from former VA Secretary David Shulkin. During Shulkin’s last months in the job, Walz urged him to support marijuana research. Shulkin cited bureaucratic red tape as a reason why the agency couldn’t.

Wilkie, who was sworn in as VA secretary in July, hasn’t spoken publicly about medical marijuana as a potential treatment for veterans.

“I think this is an opportunity to get him on the record and get a more clear understanding of what his perception is about how the VA can conduct cannabis research,” said Eric Goepel, founder of the Veterans Cannabis Coalition, an advocacy group founded by veterans to promote the legal use of marijuana.

Nick Etten, a former Navy SEAL who founded the Veterans Cannabis Project, another veteran’s advocacy group dedicated to the medicinal use of marijuana, said he also has “no idea” where Wilkie stands on the drug. The lawmakers asked him for a prompt response to their letter.

“Secretary Wilkie has the opportunity to put medicine before politics and address one of the greatest needs of veterans right now, and that is alternative therapies for the signature wounds of war,” Etten said. “I hope he does the right thing and addresses this directly and aggressively.”

Roe and Walz, the chairman and ranking Democrat on the House Committee on Veterans’ Affairs, introduced legislation in April to clarify that the VA has the authority to study marijuana.

The purpose of the bill, titled the VA Medicinal Cannabis Research Act, is to push the VA to initiate research, but it stops short of mandating it.

The House committee unanimously sent the bill to the full House in May. However, it’s uncertain when – or whether – it will be scheduled for a vote on the House floor.

“Chairman Roe is still supportive of [the bill] but is open to other avenues to facilitate research, which is why he signed Senator Tester’s letter,” said Tiffany Haverly, communications director for Roe. “The chairman believes scientific evidence is needed before VA can determine whether or not medicinal cannabis is an effective treatment for veterans.”

## **Minnesota Veterans 4 Veterans Trust Fund Approved \$90,000 in Grants to Assist Minnesota Veterans**

At the August 2018 Minnesota Veterans 4 Veterans (V4V) Trust Fund monthly meeting, the following grants were approved by the eight-member board of directors:

Armed Forces Airport Service Center at the Minneapolis Airport was awarded \$15,000 by V4V Trust Fund for its portion to help fund the construction of a new service center being at the Minneapolis International Airport. The Armed Forces Service Center (AFSC) is a nonprofit 24 hour military based facility located at MSP Airport since 1970. The AFSC provides free food, shelter and various services for traveling military and their dependents; Active-Duty, Reserves, National Guard, Purple Heart and Medal of Honor recipients, military retirees and Department of Defense personnel. After 48 years on the ticketing side of Terminal 1, the AFSC is being relocated to the "secure side" of MSP in the fall of 2019. The service center will be expanding from 1,000 sq. feet to 4,000 sq. feet and needing additional furniture, equipment and appliances needed in the expanded space.

V4V Trust Fund is awarding \$75,000 for the purchase of 2 of the 5 vehicles necessary to establish a transportation program in the Southeast region of Minnesota. These vehicles purchased by the V4V Trust will provide free transportation to medical appointments for Veterans and their caregivers/spouses. The major focus of this program is to improve access to quality care for greater Minnesota Veterans. Each vehicle will likely provide over 5,000 Veteran transports during its estimated 4-5 year lifespan or 180,000 miles. The regional coordinator will likely provide scheduling for over 5,000 Veteran transports in the funded year, increase coordination among area Veterans service officers, schedule over 150,000 miles of transports, and 7,000 volunteer hours.

*The Minnesota Veterans 4 Veterans (V4V) Trust Fund is a 501c (19) non-profit organization established as the result of the 2006 sale of Lake Minnetonka Big Island Disabled Veterans Camp. The non-profit organization has eight board members, two Veterans each who are appointed by the DAV, VFW, MOPH, and American Legion. The board oversees the funds from the sale of the island to the City of Orono and has a grant application process on their website. Grants are made to organizations serving MN Veterans in a way that conforms to the criteria the V4V has documented online at [their website](#).*

## **Consumer Price Index (CPI) Will Be Announced in October**

As of July 2018 the CPI was at 2.9 percent. The Consumer Price Index (CPI) is used to calculate the annual cost-of-living adjustment (COLA) for military retired pay, VA benefits for disabled veterans, survivor annuities, and Social Security benefits for the next year. According to the Bureau of Labor Statistics (BLS), the CPI inflation rate for July 2018, was 2.9 percent and the rate of year-over-year growth is up 0.2 percent from last month. Last year's COLA was 2 percent. Since 2008, the annual COLA has been above two percent only once and has been at 0 three times. This year's COLA will be announced in October.

The Consumer Price Index (CPI) is an indicator of the general level of prices. CPI is a benchmark to determine the cost of a "basket of goods" for the average American. Components in the "basket of goods" include gasoline, electricity, food and beverages, housing, apparel, transportation, medical care, and entertainment. When the consumer price index goes up, it is an indication that consumers have to pay more for the same amount of goods and services.

### **VA Not Fully Staffed**

The recently enacted into law: VA MISSION Act (S.2372, P.L.115-182) requires the Department of Veterans Affairs (VA) to release details about staffing levels at the VA. Currently, more than 10 percent (more than 45,000) of VA staff positions are unfilled with about 40,000 of those being in the Veterans Health Administration (VHA).

Legislators from both parties have been expressing concern about how the rising number of vacancies threatens to undermine VA care and services. They have criticized VA leaders for not doing enough to fill the open jobs and how not properly staffing hospitals and clinics undermines the ability to handle veterans' medical needs.

In a statement, VA officials said, "Their health systems' workforce challenges mirror that of the larger American health care industry. There is a national shortage of healthcare professionals, especially for physicians and nurses. VHA remains fully engaged in a fiercely competitive clinical recruitment market."

### **VA Secretary Pledges Changes at the VA to be More Welcoming to Women Veterans**

At the first annual meeting of the Military Women's Coalition, VA Secretary Robert Wilke pledged that "the VA will become a welcoming home for all those who have worn the uniform." Although he did not give specifics, he indicated that improvements in mental health and primary care for women would be on the agenda.

He said that in order to fulfill his pledge the VA would change the way it does business. One way of doing that he said was to install more diverse leadership at the VA. He noted that last month retired Air Force Col. Pamela Powers became his chief of staff.

According to a report on Military.com, women now make up about 13 percent of active duty forces, and Wilkie said he expected that number could rise to about 20 percent in coming years.

"This is your Veterans Affairs department. The doors are open we will be making changes to make sure that the needs of our fighting women are taken care of," Wilkie said.

A statement released to the press explained that the purpose of the Military Women's Coalition is to "elevate the voices of the 2.2 million current service women and women veterans to bring about policy and culture change within the military and the veteran communities."

## VA Gives Three Steps to Access 'Community Care'

Veterans may be eligible to receive care from a provider outside of VA in their community when VA cannot provide the care you need. This type of care is known as "community care," and is paid for by VA.

Although some changes have taken place with community care recently, Veterans continue to have access to this type of care.

The process starts at your VA medical facility. Follow the steps below to see if you're eligible:

### 1. **Go to VA**

- Schedule an appointment with a VA provider.
- Your VA care team will work with you to see if you are eligible for community care.
- Eligibility is based on your medical needs, care that is available at VA, and other requirements.
- **Important:** Make sure VA confirms you are eligible and authorized before going to the next step.

### 2. **Make an Appointment**

- VA will work with you to find a community provider and make an appointment.
- You can select a community provider or VA can select one for you.
- **Important:** The community provider selected must be in VA's network and be willing to accept payment from VA.

### 3. **Receive Care**

- Arrive promptly for your appointment.
- **Important:** If you need to schedule a follow-up appointment, check with your community provider to make sure VA authorized the care. If VA did not authorize the care, your community provider should contact VA to arrange the care you need.

You will likely have questions about these steps. See the list of [Frequently Asked Questions](#).

## Getting Support

If you have questions about your specific circumstances, please contact your nearest VA medical facility. If you have a question about the [Veterans Choice Program](#), contact **(866) 606-8198**. You can also call the VA Adverse Credit Helpline at **(877) 881-7618** for help resolving adverse credit reporting and debt collection issues from using the Veterans Choice Program.

For more information, visit the following link: <https://www.va.gov/COMMUNITYCARE/programs/veterans/index.asp>

### **House members will return from Lawmaker presses for quicker action to help military clean-up crews of 1966 nuclear accident**

Veterans exposed to radioactive debris more than five decades ago [haven't made much progress](#) in the courts to have their illnesses recognized by the Department of Veterans Affairs, so now they're hoping Congress can intervene.

On Wednesday, [Sen. Richard Blumenthal](#), D-Conn., joined a group of advocates to unveil new legislation that would force VA to offer presumptive status to veterans involved the 1966 cleanup of an [accident involving nuclear bombs in Palomares, Spain](#), an incident that may have given radiation poisoning to more than 1,600 American service members.

“These veterans were exposed to nuclear materials without any warning or protection that today would be considered routine,” Blumenthal said. “The quickest way to get them what they deserve now is for Congress to act.”

Veterans involved in the accident have been unsuccessfully petitioning VA on their case since the mid-1970s, after a host of strange cancers and other illnesses began appearing among individuals involved in the Palomares incident.

In January 1966, seven airmen were killed and four more injured when a B-52 crashed into a KC-135 during a refueling mission off the coast of Spain. The B-52 was carrying four nuclear weapons at the time of the accident, and two of them exploded near the town of Palomares, spreading radioactive plutonium over hundreds of acres.

U.S. officials quickly ordered military personnel into the area to collect contaminated debris, crops and soil in an effort to repair the damage.

But veterans involved in that clean up say they were given no protective clothing or respiratory devices, and told very little about the potential long-term health effects about exposure to the nuclear material.

John Garman, one of the first airmen on the scene, said he remembers loading thousands of 55-gallon drums with contaminated top soil that was sent back to the United States for safe disposal.

“The civilians who buried those barrels in South Carolina were covered under federal law, but not us,” said Garaman, who developed bladder cancer at age 35 and multiple respiratory problems in later years. “Since I first filed in 1981, the VA has denied all of my claims.”

Department officials have long insisted that not enough scientific evidence exists to classify all of the health problems as service-related illnesses, and spotty Air Force records of the work and contamination levels have added to the problem.

Last December, the Veterans Legal Services Clinic at Yale Law School filed suit against VA to force recognition of the illnesses and benefits payouts, but that case has yet to move forward. Officials from Vietnam Veterans of America said many of the affected troops are elderly or deceased, meaning further delays could prove tragic.

Blumenthal called VA’s refusal to address the Palomares issue the latest in a long line of controversial decisions related to wartime exposure.

Recently, VA has come under criticism for its opposition to grant presumptive benefits status to so-called “blue water veterans” who served in ships off the coast of Vietnam and claim extensive Agent Orange contamination in their daily work. Several veterans groups have also accused the department of not doing enough to document illnesses connected to the use of burn pits in Iraq and Afghanistan.

VA officials have warned that deviating from long-held scientific standards for benefits awards could create financial problems for the department, by opening up support payments to tens of thousands of additional veterans.

Blumenthal said he does not believe this group presents a significant new financial burden for the department. But, he also called the cost issue irrelevant.

“This is about the principle of helping these veterans,” he said.

### **Forever GI Bill Expands VA Educational Benefits**

Effective Aug. 1, the U.S. Department of Veterans Affairs (VA) implemented 15 more provisions of the Harry W. Colmery Educational Assistance Act of 2017, also referred to as the Forever GI Bill.

These provisions, in addition to the 13 implemented since the law was signed less than a year ago, will have an immediate and positive impact on Veterans and their families using VA benefits to pursue their educational goals.

"We are excited to get the word out about implementation of the provisions," said VA Secretary Robert Wilkie. "From the day the Forever GI Bill was signed into law, VA, in collaboration with Veterans service organizations, state approving agencies and school certifying officials, has taken an expansive approach to ensure earned benefits are provided to

Veterans in a timely, high-quality and efficient way."

Some of the provisions that began Aug. 1 include:

- Recipients of a Purple Heart awarded on or after Sept. 11, 2001, are now eligible for full Post-9/11 GI Bill benefits for up to 36 months, if not already entitled.
- Military and Veteran families who have lost a family member can now reallocate transferred Post-9/11 GI Bill benefits.
- Additional Guard and Reserve service now counts toward Post-9/11 GI Bill eligibility.
- Post-9/11 GI Bill students may now receive monthly housing allowance for any days they are not on active duty, rather than having to wait until the next month; and
- Expansion of the Yellow Ribbon Program, which makes additional funds available for GI Bill students, now covers more students.

More provisions are scheduled related to science, technology, engineering and math benefit extensions; increased benefit levels; a pilot program for high-technology training geared toward "upskilling" Veterans to enter the workforce quickly; and another expansion of the Yellow Ribbon Program, which will be implemented by Aug. 1, 2022.

For more information, visit then [Forever GI Bill - Harry W. Colmery Veterans Educational Assistance Act page](#)

### **In Reversal, DoD Will Let Wounded Warriors Transfer GI Bill Benefits**

[Purple Heart](#) recipients on active duty will soon be exempt from a new policy barring troops from transferring their [post-9/11 GI Bill](#) education benefits to their dependents if they cannot commit to an additional four years of service.

The policy update, announced in July, immediately excluded those who could not extend their service by four years, including wounded troops in the medical retirement process, from the ability to transfer. A change that takes effect in July 2019 will also block those with 16 years of service from making the switch.

Prior to the policy change, troops who served a minimum of six years and committed to serving an additional four years were eligible to transfer the education benefit to their dependents. Those who could not commit to additional service because their circumstances prevented them from doing so were allowed to make the transfer anyway.

But on Wednesday evening, the Defense Department changed gears, announcing the strict no-extension, no-transfer policy will not apply to currently serving Purple Heart recipients starting Aug. 31.

**Related content:**

- [Pentagon Slashes GI Bill Transfer Eligibility Window](#)
- [Post-9/11 GI Bill Transferability Update Questions Answered](#)
- [Post-9/11 GI Bill Overview](#)

"The Secretary of Defense, in coordination with the Secretary of Veterans Affairs, signed a policy that allows [wounded warriors](#) who have received a Purple Heart to transfer unused Post-9/11 GI Bill education benefits to their dependents, regardless of the number of years they have served," the announcement says. "Effective August 31, Wounded Warrior Purple Heart recipients are eligible to transfer those benefits regardless of their years of total service or ability to complete an additional period of obligated service."

The changes to the transferability rules are designed to preserve the [GI Bill](#) as a retention tool, rather than a benefit of service.

"After a thorough review of the policy, we saw a need to focus on retention in a time of increased growth of the [armed forces](#)," Stephanie Miller, director of accessions policy in the Office of the Secretary of Defense, said in a statement at the time. "This change continues to allow career service members that earned this benefit to share it with their family members while they continue to serve."

The new rule, however, backtracks on that focus.

"Secretary Mattis has been clear, we must recognize the sacrifices these service members have made," Miller said in a statement included in today's announcement. "This policy reflects our continuing commitment to wounded warriors and their families."

### **Expand Your Horizons with VA Education Benefits**

Do you need an education but don't know where to start? Explore VA education and training benefits.

A Coast Guard veteran says, "We volunteered to serve and we have these benefits that are there for our using, so take advantage of them."

VA education benefits may be used toward traditional degrees, non-college degrees, certifications, test fees and more. And, with the Colmery Act (also known as the Forever GI Bill), eligible Veterans have more time to finish their education.

The legislation eliminates the 15-year time limit for those who left active duty on or after January 1, 2013. It also restores benefits for Veterans who lost them due to a school closure or disapproval, and more.

By using VA's education benefits, this veteran has been able to work toward a career. "It enables me to go to school full time and not have to worry about working and going to school and paying for books. That's all taken care of."

Learn about all VA benefits and how to apply by visiting [Explore.VA.gov](#).

## **Veterans Pension Supplemental Income for Low-Income Wartime Veterans**

VA helps Veterans and their families cope with financial challenges by providing supplemental income through the Veterans Pension benefit. Veterans Pension is a tax-free monetary benefit payable to low-income wartime Veterans.

### **Eligibility**

Generally, a Veteran must have at least 90 days of active duty service, with at least one day during a [wartime period](#) to qualify for a VA Pension. If you entered active duty after September 7, 1980, generally you must have served at least 24 months or the full period for which you were called or ordered to active duty (with some exceptions), with at least one day during a [wartime period](#).

In addition to meeting the minimum time-served service requirements, the Veteran must be:

- Age 65 or older, **OR**
- Totally and permanently disabled, **OR**
- A patient in a nursing home receiving skilled nursing care, **OR**
- Receiving Social Security Disability Insurance, **OR**
- Receiving Supplemental Security Income

Your yearly family income must be less than the amount set by Congress to qualify for the Veterans Pension benefit. Learn more about [income and net worth limitation](#), and see an example of how [VA calculates](#) the VA Pension benefit.

### **Additional Pension Allowances**

Veterans or surviving spouses who are eligible for VA pension and are housebound or require the aid and attendance of another person may be eligible for an [additional monetary payment](#).

### **How To Apply:**

Apply for Veterans Pension [online](#) or download and complete [VA Form 21P-527EZ](#), “Application for Pension”. You can mail your application to the [Pension Management Center \(PMC\) that serves your state](#). You can also visit your local regional benefit office and turn in your application for processing. You can locate your local regional benefit office using the [VA Facility Locator](#)

To apply for increased pension based on aid and attendance or Housebound payments, write to the [PMC](#) that serves your state and provide medical evidence, such as a doctor’s report, that validates the need for an increased benefit.

## Survivors Pension

The Survivors Pension benefit, which may also be referred to as Death Pension, is a tax-free monetary benefit payable to a low-income, un-remarried surviving spouse and/or unmarried child(ren) of a deceased Veteran with wartime service.

### Eligibility

The deceased Veteran must have met the following service requirements:

- For service on or before September 7, 1980, the Veteran must have served at least 90 days of active military service, with at least one day during a [war time period](#).
- If he or she entered active duty after September 7, 1980, generally he or she must have served at least 24 months or the full period for which called or ordered to active duty with at least one day during a [war time period](#).
- Was discharged from service under other than dishonorable conditions.

Survivors Pension is also based on your [yearly family income](#), which must be less than the amount set by Congress to qualify.

While an un-remarried spouse is eligible at any age, a child of a deceased wartime Veteran must be:

- Under 18, **OR**
- Under age 23 if attending a VA-approved school, **OR**
- Permanently incapable of self-support due to a disability before age 18

Your yearly family income must be less than the amount set by Congress to qualify for the Survivors Pension benefit. Learn more about [income and net worth limitation](#), and see an example of how VA [calculates](#) the Survivors Pension benefit.

### How to Apply

To apply for Survivors Pension, download and complete [VA Form 21P-534EZ](#), “Application for DIC, Death Pension, and/or Accrued Benefits” and mail it to the [Pension Management Center \(PMC\) that serves your state](#). You may also visit your local regional benefit office and turn in your application for processing. You can locate your local regional benefit office using the [VA Facility Locator](#).

## **Financial Exploitation**

The Department of Justice is striving to combat financial crimes against older Americans. Learn about prevalent [financial scams](#) so you can guard against them, and get involved in making your community safer. If you need help, there is a [Elder Abuse Resource Roadmap](#) that can guide you to the right agency for your particular situation.

## **Army & Air Force Exchange Service Warns Shoppers About 'Exchange, Inc.' Scams**

The Army & Air Force Exchange Service is warning military shoppers about scammers offering to broker the sale of used cars, trucks, motorcycles, boats and boat engines through the Department of Defense retailer using the name "Exchange Inc."

"This has been an ongoing issue for several years now, and it has surfaced again where someone is using the Exchange's trademarked logo and name without permission to purportedly handle transactions in the United States on behalf of private sellers," said Air Force Chief Luis Reyes, Exchange senior enlisted advisor.

Unauthorized sources have solicited military shoppers in the past to purchase motor vehicles. (The Exchange does not have the authority to sell vehicles in the continental United States.) More recently, these scammers have attempted to sell boat engines.

Those who are responsible for these fraudulent sales attempts have left consumers with the impression they are doing business with the DoD's oldest exchange service.

The scammers typically direct potential buyers to use multiple third-party gift cards to pay for purchases. Most recently, scammers required payment using Google Play gift cards. To verify any suspicious payment method requests, military shoppers can call Exchange Customer Service at 800-527-2345.

"Often, the perpetrator cannot be identified because the methods they use are not traceable back to any individual," Reyes said.

The Exchange operates solely on military installations and via ShopMyExchange.com. The Exchange does not act as a broker in private transactions and does not advertise in classified advertisement or resale websites.

Shoppers who believe that they may have been taken advantage of can file a complaint through the Internet Crime Complaint Center at [www.ic3.gov](http://www.ic3.gov).

## **Military OneSource Is Now Available to Veterans and their Families for a Full Year After Separating from the Military**

The Department of Defense announced today it will extend eligibility for Military OneSource benefits from the current 180 days to 365 days after separation or retirement from military service to ensure all service members and families have access to comprehensive support as they transition to civilian life. This change goes into effect today in accordance with the John S. McCain National Defense Authorization Act for fiscal year 2019.

Military OneSource provides information, resources and support for active-duty, National Guard and reserve service members, their families and survivors. Provided at no cost, Military OneSource gives exclusive access to programs, tools, and benefits designed to help ensure service members and their families are mission-ready and able to thrive in both their military and post-military lives.

Military OneSource services are accessible 24/7, service members and family members can call Military OneSource at 800-342-9647 or go to [www.militaryonesource.mil](http://www.militaryonesource.mil). To explore additional benefits that may be available through the Department of Veterans Affairs, go to <https://explore.va.gov/>