



# THE EAGLE



## THE MILITARY OFFICERS ASSOCIATION OF AMERICA PENNSYLVANIA COUNCIL OF CHAPTERS

[www.pa-coc.org](http://www.pa-coc.org)



### NEWS AND VIEWS May 2015

#### PRESIDENT'S CORNER

May is usually pleasant weather and time to plant a garden if you're in to fresh vegetable at your fingertips. Well what happened to spring? The heat wave is early but welcomed compared to the past winter. Many chapters are having a picnic or golf outing to rally the troops one last time before the summer. The Council Legislative Team will be hitting the halls of the state capitol in May and June to keep an eye on some of the veteran legislation pending in the Senate and House. So far, no mention of a payday lending bill and soon the legislature will be involved in finalizing the budget. In any visit we make at the capitol we remind legislators that we oppose payday lending and this month the PA War Veterans Council passed its 2015 Legislative Goals which includes no change to the PA small dollar loan laws.

Have a great summer and stay tuned for more news on the legislative front.

Respectfully,

Bob Gray

Visit the Council web site:

[www.pa-coc.org](http://www.pa-coc.org) .

#### COUNCIL 2015 MEETING DATES

Council meetings will be held at the Carlisle Country Club in Carlisle, near Carlisle Barracks, south of Harrisburg off I-81 on Saturdays at 11:00 AM. Legislative meetings will start at 10:00 AM for spring through fall meetings.

**January 17, April 25, July 25, and October 24.**

MOAA Director of Council and Chapter Affairs, COL Barry Wright USA Ret. will attend the July 25<sup>th</sup> council meeting for our three year visit. All MOAA members are welcome to attend this and any meeting.

\* \* \* \* \*

## PENNSYLVANIA LEGISLATURE

### Bob Gray Legislative Chairman

On May 5<sup>th</sup> MG James Joseph had his Senate confirmation hearing and was approved by the Senate Military Affairs and Emergency Preparedness Committee in a unanimous vote. He nominate will go before the full Senate in the coming weeks.

## Bills of Interest

### HB 601 Veterans Lottery Ticket

Rep Barrar introduced his bill for the veteran lottery ticket. HB 601 for Veterans Day Care funding. There is opposition from the Committee on Aging and Adult services because it would cut into lottery money for existing programs for the elderly. The bill was assigned to the House Veterans Affairs and Emergency Preparedness committee.

**Status:** This bill is not moving due to a conflict with the House Aging and Adult Services Committee, mainly because it involves Lottery proceeds. Efforts are underway to arrange a House joint committee hearing to discuss the benefits and answer questions on how the lottery funds transferred to the Veterans Trust Fund would be used and how it would benefit senior veterans and bring VA dollars to the state. PA veterans age 65 and older are 68 percent of the state's 900,000 veterans.

<http://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2015&slnd=0&body=h&type=b&bn=601>

**HB 131** An act conferring limited residency status on military personnel, their dependants and civilian personnel assigned to a active duty station in Pennsylvania. (1 July 2015 VA law requires states to only charge In-state tuition rates to veterans attending state sponsored schools. Rep. Steven Barrar. Passed the House Feb. 3<sup>rd</sup>, in the Senate Veterans Affairs Committee

**Status:** The bill was voted out of the Senate Veterans Affairs Committee and sent to Senate Education Committee.

**HB 157** Requires state agencies to allow returning veterans that held a state issued license to be able to renew that license as though they has not been away. It also requires state agencies to look at military training and experience to meet license requirements. Rep. Doyle Heffley. Passed the House Feb. 4<sup>th</sup> and is in the Senate Veterans Affairs Committee.

**Status:** The bill was voted out of the Senate Veterans Affairs Committee and assigned to the Consumer Affairs and Professional Licensure Committee.

**SB 42** Penalties for falsely claiming you are a veteran. Senator Lisa Baker. The bill passed in the Senate. It was assigned to the House Transportation Committee March 6th.

**Status:** The bill is still in committee.

**SB 23** Provides special license plate for WWII, Korea & Vietnam veterans. Senator Greenleaf. The bill was assigned to the Transportation Committee Jan. 14<sup>th</sup>.

**Status:** The bill is still in committee.



## Federal Bills of Interest

MOAA Legislative Update March 13, 2015

Several important veterans' bills have been introduced in the 114th Congress. Click on the bill numbers below to send your legislators a MOAA-suggested message in support.

**H.R. 333 and S. 271: Full concurrent receipt.** MOAA's ultimate concurrent receipt bills. These bills authorize full concurrent receipt for retirees with a service-connected disability rated less than 50 percent, including Chapter 61 disability retirees with less than 20 years of service.

**Status:** Both bills are still in committee.

**H.R. 303: Concurrent receipt.** This bill authorizes full concurrent receipt of military retired pay and veterans' disability compensation for retirees with regular or Guard/Reserve retirements, regardless of disability rating.

**Status:** Still in Committee.

**H.R. 969 and S. 681: Blue water Navy veterans.** This bill authorizes potential veterans' benefits to Navy veterans who served onboard ships in the territorial waters of Vietnam, facing possible exposure to Agent Orange.

**Status:** March 6 referred to Subcommittee on Disability Assistance and Memorial Affairs.

**H.R. 216: Develop a long-term veterans strategy.** This bill requires the Secretary of the VA to establish a Chief Strategy Office to advise the Secretary on long-range VA planning. Status: Referred to the Committee on Veterans Affairs on March 25th.

**S. 172: Access to appropriate immunizations.** This bill establishes quality measures and metrics to ensure veterans receive immunizations at appropriate times as set forth by the Secretary of Health and Human Services (HHS).  
Status: Still in Veterans Affairs committee.

**S. 170 and H.R. 218: CHAMPVA children's protection.** This bill increases the maximum age for children eligible for medical care under the CHAMPVA program to age 26, similar to other TRICARE and insurance provided under the Affordable Care Act.

**Status:** Referred to Veterans Affairs Committee.

**S. 210: Military spouse job continuity.** This bill provides a \$500 tax credit to military spouses who must pursue new licensing or certification in a different state due to their servicemember's military ordered relocation. Status: Still in Finance Committee.

- See more at:

[http://www.moaa.org/Main\\_Menu/Take\\_Action/Top\\_Issues/Retired\\_Still\\_Working/Benefits/Bills\\_of\\_Interest.html#sthash.vzOrTBXV.dpuf](http://www.moaa.org/Main_Menu/Take_Action/Top_Issues/Retired_Still_Working/Benefits/Bills_of_Interest.html#sthash.vzOrTBXV.dpuf)

### **H.R.1384 Honor America's Guard-Reserve Retirees Act**

Introduced in House (03/16/2015) Honors as a veteran any person who is entitled to retired pay for nonregular (reserve) service or who, but for age, would be so entitled.

Provides that such person shall not be entitled to any benefit by reason of such recognition.

Status: Still in the House Veterans Affairs Committee. Click on the link:

<http://www.military.com/benefits/2013/02/07/reserve-retirees-may-soon-get-veteran-status.html>

### **Doc Fix Ordeal Resolved**

April 17, 2015 MOAA Legislative Update

On April 16, President Obama signed legislation preventing a 21 percent cut to providers who treat Medicare patients. After returning from a two-week recess, Congress set aside partisan differences and passed a long-term solution to provide stability to doctors who accept Medicare. By a vote of 92-8, the Senate overwhelmingly approved legislation that permanently replaces the formula used to pay providers treating Medicare patients. The House passed its version of the bill by a vote of 392-27 before adjourning for recess. Because TRICARE

reimbursement rates are tied to Medicare's, this legislation affects TRICARE beneficiaries of all ages. Providers technically had payments cut by 21 percent on April 1 while Congress was in recess. Since then, the Center for Medicare and Medicaid Services has relied on administrative lag times from when Medicare receives claims to when it actually makes payments to avoid imposing the pay cuts. The legislation is part of an effort to move away from a fee-for-service model and shift towards a value-based payment system. The fix changes the Sustainable Growth Rate (SGR) formula, a flawed legislative mechanism used to pay medical providers who see Medicare and TRICARE patients. The SGR was designed to incentivize providers to control medical spending by rewarding physicians when the rate of spending on physician services fell below the growth in gross domestic product (GDP). However, medical inflation consistently outpaced overall inflation, leading to scheduled cuts. Cuts to reimbursement rates lead to many providers dropping TRICARE and Medicare patients. Fearing a dramatic disruption in access to care for millions of Americans, Congress prevented the cuts 17 times between 2003 and 2015. However, each time Congress delayed action, the amount of scheduled cuts and cost of a permanent fix grew. Throughout it all, MOAA members sent nearly 1 million messages to their elected officials urging a permanent resolution. A permanent deal helps sustain Medicare and TRICARE for Life benefits. "MOAA members can be proud that they did their part to help millions of Americans keep their health providers. With over 1 million messages sent to Congress, one thing is certain: MOAA members represent a powerful voting bloc," said MOAA's Deputy Director for Government Relations, Capt. Kathy Beasley, USN (Ret). MOAA thanks Congress for coming up with a bipartisan solution to the doc fix ordeal. - See more at: [http://www.moaa.org/Main\\_Menu/Take\\_Action/Top\\_Issues/Enjoying\\_Retirement/Health\\_Care/Permanent\\_End\\_to\\_Doc\\_Fix\\_Ordeal.html#sthash.5aO9s5KP.dpuf](http://www.moaa.org/Main_Menu/Take_Action/Top_Issues/Enjoying_Retirement/Health_Care/Permanent_End_to_Doc_Fix_Ordeal.html#sthash.5aO9s5KP.dpuf)

## President Selects New Joint Chief of Staff and Vice Joint Chief of Staff

May 8, 2015 MOAA Legislative Update

On May 5, President Obama announced new leadership for the Joint Chiefs of Staff. The president nominated Gen. Joseph Dunford, USMC, to be the next Chairman of the Joint Chiefs of Staff and Gen. Paul Selva, USAF, to be the next Vice Chairman.

The nominations are two of the president's most important national security advisors. They represent the top two senior ranking officers in the military and serve as senior military advisors to the president, the secretary of defense, and the National Security Council.

Dunford currently serves as the Commandant of the Marine Corps. In announcing Dunford's nomination, Obama said "I know Joe. I trust him. Joe is a proven leader of our joint force ... [h]e is one of our military's most highly regarded strategic thinkers."

Selva also brings considerable experience to the table, currently serving as the commander of U.S. Transportation Command. Previously, Selva served as the top military advisor to then Secretary of State, Hillary Clinton. The president said Selva "understands our military, as powerful as it is, is one tool that must be used in concert with all other elements of national power."

Although the Senate must still confirm the two, Senate Armed Services Committee Chairman Sen. John McCain (R-Ariz.), offered both men praise, indicating in a written statement that their confirmation should not be contentious.

With their confirmations expected in the next few months, Dunford and Selva will be taking the reins in an austere budget environment. With the [Pentagon continuing to push cuts](#) to pay and benefits, and Congress moving ahead with [overhauling the military retirement](#)

system, MOAA hopes both men continue to look out for the best interest of the troops. "It is important that these men stand up for the troops during the pressures of budget cuts," said Col. Mike Barron, USA (Ret), deputy director for MOAA's Government Relations Department.

MOAA looks forward to working with Generals Dunford and Selva in the future, and thanks them for the tremendous work they have done for our military.

- See more at:

[http://www.moaa.org/Main\\_Menu/Take\\_Action/Top\\_Issues/Serving\\_in\\_Uniform/New\\_Joint\\_Chiefs\\_Chairman\\_and\\_Vice\\_Chairman\\_Nominations.html#sthash.Gc3HREiZ.dpuf](http://www.moaa.org/Main_Menu/Take_Action/Top_Issues/Serving_in_Uniform/New_Joint_Chiefs_Chairman_and_Vice_Chairman_Nominations.html#sthash.Gc3HREiZ.dpuf)

## Congress Passes Budget Resolution

May 8, 2015 MOAA Legislative Report

For the first time in six years, Congress passed a budget resolution. The Senate voted 51-48 along party lines to adopt the budget plan. The House passed its version of the budget submission in late March.

Only two senators broke ranks from their party: Sens. Ted Cruz (R-Texas) and Rand Paul (R-Kent.).

The budget submission increases defense spending above the sequester limits. To avoid triggering the automatic cuts, however, the proposal shifts money to the Pentagon's war accounts, which are not subject to sequester caps.

The non-binding resolution does not need to go to the White House for signature. It serves more as a blueprint for congressional leaders. The ten-year plan seeks to balance the budget by aggressively cutting government spending and dismantling the president's signature health care reform.

While MOAA is pleased that the proposed budget provides defense planners some relief from sequestration, we remain concerned

about using contingency accounts for normal DoD functions.

DoD agrees. In late March, Secretary of Defense Ash Carter said that these kinds of budget gimmicks are "undermining basic principles of accountability and responsible, long-term planning."

It's unlikely that some of the central pillars of the budget resolution are politically feasible. "What we want to see is Congress come to a common sense solution to provide permanent sequestration relief," said MOAA's Director of Government Relations, Col. Mike Hayden, USAF (Ret). "If sequestration remains in place, the services will be on the hook for cutting a quarter trillion dollars in just five years."

Although debt reduction is a national priority, military personnel and their families should not have to shoulder a disproportional share of the rebalancing. They have sacrificed more than any other segment of the American population.

Act now to send your legislators and MOAA suggested message asking them to end sequestration:

<http://capwiz.com/moaa/issues/alert/?alertid=62794996>

## Senate Up Next to Tackle Defense Bill

May 8, 2015 MOAA Legislative Update

The Senate Armed Services Committee begins work on its version of the FY16 defense bill May 11. Working on an ambitious timeline, the committee hopes to complete the bill by the end of the week.

Although work at the subcommittee level will be done in several open sessions, final negotiations will be held behind closed doors.

What is known is that the committee intends to move forward with controversial changes to military retirement. SASC Chairman John McCain (R-Ariz.) said that the committee has

been working closely with House colleagues on retirement modification and expects some type of reform this year.

With support for changes to military retirement in both chambers, it is likely that some version of retirement reform will be sent to the president this fall.

What's yet to be seen is if the SASC will support the White House's proposed defense budget - calling for a third year of active duty pay caps, increased costs and reduced choices for military health care, and cuts to housing allowances and commissary benefits - or if it will resemble the defense mark [passed last week by the House Armed Services Committee](#) .

Thankfully, the House version of the defense bill rejected many of the proposals from the White House, but with stricter budget rules in the Senate, anything is possible. Without finding ways to pay for the measures supported by the House, the Senate may be forced to accept the administration's budget-driven proposals.

These measures will continue to erode the very pay and benefits needed to sustain the all-volunteer force.

- See more at:  
[http://www.moaa.org/Main\\_Menu/Take\\_Action/Top\\_Issues/Enjoying\\_Retirement/Benefits/State\\_Up\\_Next\\_to\\_Tackle\\_Defense.html#sthash.GIMgnokC.dpuf](http://www.moaa.org/Main_Menu/Take_Action/Top_Issues/Enjoying_Retirement/Benefits/State_Up_Next_to_Tackle_Defense.html#sthash.GIMgnokC.dpuf)

## White House Backs Changes to Survivor Benefits

May 8, 2015 MOAA Government Relations

Support comes after a report made by the Military Compensation and Retirement Modernization Commission (MCRMC), a task force charged with recommending changes to military pay and benefits.

Under the MCRMC proposal, the Survivor Benefit Plan (SBP), a voluntary contribution program providing protection for military

retirees' survivors, would split into two tiers. The first tier continues the program under existing rules. A second, more expensive tier charges higher premiums and eliminates an unfair penalty that forces thousands of military survivors to forfeit their earned benefits. Retirees would have a one-year open season to make a decision on which tier to enroll.

### How SBP Works

Military retirement pay ends when the servicemember dies. A large majority of military retirees are survived by their spouses, and SBP provides a way to pass on a portion of military retirement pay to survivors.

Under current law, however, military survivors forfeit part or all of their entire military SBP annuity when receiving Dependency and Indemnity Compensation (DIC) from the Department of Veterans Affairs.

The two programs are paid for very different purposes: SBP is a program administered by DoD that allows uniformed service retirees to elect coverage to provide continuing financial support for an eligible survivor. DIC is paid to survivors of servicemembers who die while on active duty, or to survivors of retirees who die of a service-connected illness.

In many cases, the offset virtually wipes out any SBP payment, leaving survivors with only DIC, a modest payment of about \$15,000 a year.

When military service causes a servicemember's death, indemnity compensation from the VA should be paid in addition to SBP coverage, not subtracted from it.

### Proposed Changes

Under the current system, military retirees contribute up to 6.5 percent of retired pay to ensure their survivors receive up to 55 percent of the sponsor's retired pay. Premiums continue until the sponsor makes 360 payments and reaches age 70. Automatic

coverage is extended to survivors of servicemembers who die on duty.

The new tier increases the premium to 11.25 percent - a 73 percent increase. Survivors of retirees choosing the higher tier option will not be subjected to the SBP-DIC offset.

The change could have a significant impact on the amount of money servicemembers contribute to the program:

"The problem with this proposal is that it asks the folks who will most likely be affected by the offset, those who have significant service-connected health issues, to pay even more in premiums to take care of their loved ones," said MOAA's Deputy Director of Government Relations, Col. Phil Odom, USAF (Ret). "These individuals are likely to have serious issues finding gainful employment after military service. We shouldn't be asking them to pay even more money for SBP."

MOAA is also concerned that the new premium is likely to be seen as too expensive for servicemembers, and they may decline SBP coverage altogether. DoD and Congress have worked hard at improving SBP programs over the past 25 years. Participation is currently at record levels and no private insurance on the market can offer equal protection.

### **The 60,000 Survivor Question**

Unfortunately, the proposed changes fail to provide relief for the 60,000 military survivors currently affected by the SBP-DIC offset. These survivors will continue to be penalized by an antiquated Civil War-era law.

"Before we move forward with changes in survivors benefits, it's imperative that we help the most disadvantaged beneficiaries first," said Odom.

Rep. Joe Wilson (R-S.C.) and Sen. Bill Nelson (D-Fla.) have introduced legislation to eliminate the SBP-DIC offset.

- See more at:

[http://www.moaa.org/Main\\_Menu/Take\\_Action](http://www.moaa.org/Main_Menu/Take_Action)

[n/Top\\_Issues/Survivors/White\\_House\\_backs\\_changes\\_to\\_survivor\\_benefits.html#sthash.3bDahxkP.dpuf](http://www.moaa.org/Main_Menu/Top_Issues/Survivors/White_House_backs_changes_to_survivor_benefits.html#sthash.3bDahxkP.dpuf)

### **Three Pennsylvania Veterans' Homes make U.S. News & World Report Best Nursing Homes List**

by Joan Nissley DMVA Press Secretary

The Delaware Valley Veterans' Home in Philadelphia, the Pennsylvania Soldiers' and Sailors' Home in Erie and the Southwestern Veterans' Center in Pittsburgh all made the list of Best Nursing Homes in Pennsylvania according to U.S. News & World Report.

"We are very proud of the staff at each of the homes for the outstanding care they provide our veterans" said Brig. Gen. Jerry Beck Jr., the state's deputy adjutant general for veterans affairs.

"We strive to create an experience for residents that can't be matched in other facilities and making the U.S. News and World Report list is a testimony to the effort of our caring and dedicated staff."

U.S. News & World Report recently released its Best Nursing Homes 2015 online at <http://health.usnews.com/best-nursing-homes>. Listings are

based on health inspections, nurse staffing, quality measures of care and fire safety. The ratings are based on a five-

- star system established by the Federal Center for

Medicare & Medicaid Services. The rating system was established to help consumers, their families, and caregivers compare nursing homes more easily and to help identify areas about which they may want to ask questions. The three

state veterans' homes all received overall ratings of five stars. According to the report, only 19 percent of all nursing homes in Pennsylvania earned an overall five-star rating.

The Delaware Valley Veteran's Home has accommodations for 100 skilled nursing care residents, 41 personal care residents and 30 dementia residents. The Pennsylvania Soldiers' and Sailors' Home operates a 207 bed facility including 75 skilled nursing care, 32 dementia, 80 personal care

and 20 domiciliary beds. The Southwestern Veterans' Center cares for 160 skilled nursing care residents and 44 dementia residents. The

Pennsylvania Department of Military and Veterans Affairs operates a total of six facilities serving a total of 1,522 eligible veterans and their spouses. The other locations include the Gino J. Merli Veterans' Center in Scranton, the Hollidaysburg Veterans' Home in Hollidaysburg and the Southeastern Veterans' Center in Spring City.

For more information about DMVA's State Veterans Homes

visit [www.paveterans.state.pa.us](http://www.paveterans.state.pa.us) and click on State Veterans Home System or follow DMVA on Facebook at [www.facebook.com/padmva](https://www.facebook.com/padmva) or Twitter at [www.twitter.com/padmva](https://www.twitter.com/padmva).

## SBP-DIC Offset

By Kathy Prout, chair, MOAA Auxiliary Member Advisory Committee

The Survivor Benefit Plan (SBP) provides eligible beneficiaries with a benefit called an annuity, a monthly payment for the beneficiary's lifetime. The amount of this benefit is typically 55 percent of the retiree's retired pay at the cost of 6.5 percent of monthly retired pay. SBP is paid by the Defense Finance and Accounting Service.

Dependency and Indemnity Compensation (DIC) is a benefit paid monthly to eligible survivors through the VA. To qualify for this benefit, you must be the spouse, child, or dependent parent of a veteran who died while serving on active military duty or as a result of a service-connected disability or who had a disability rating of totally disabled for a certain length of time before death. Guardmembers and reservists who were activated for federal military service and later separated are considered veterans.

Under current law, SBP is reduced dollar for dollar by the DIC awarded, currently \$1,254.19 a month, leaving the surviving spouse with the remainder of the SBP — or, in many cases, nothing. Approximately 62,000 surviving spouses are affected by the SBP/DIC offset, and 35,000 of these receive only DIC as their SBP is completely offset. This means a survivor receives an income of only \$1,254.19 a month from DIC instead of full SBP *plus* full DIC. The average SBP payment is \$988 a month.

These are two separate programs for two separate purposes. In the entire federal government, un-remarried military surviving spouses are the only insured entity to incur this offset. Servicemembers and spouses purchase SBP at retirement to ensure the surviving spouse will have income upon the retiree's death. DIC is purchased with service and sacrifice. The 100-percent disabled retirees receive disability compensation in addition to their retired pay, yet the benefit is not paid for the deceased retiree who was 100 percent disabled and who died because of service to the country. This is wrong!

During the past 13 years, bills have been introduced in Congress to change the law and eliminate this unjust offset. So far, these bills have not been passed into law. Entering our 14th year, Sen. Bill Nelson (D-Fla.) and Rep. Joe Wilson (R-S.C.) are slated to introduce new legislation.



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## GLORIOUS INSULTS

"His mother should have thrown him away  
and kept the stork." - Mae West



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PA MOAA chapters have 1,894 members  
and another 10,591 MOAA national  
members live in PA and are not in  
chapters. That means our total PA  
membership is 12,485 and climbing.  
Thank you for staying involved!

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