**THE WASHINGTON RAMBLE**

By Michael P. Smith  
ARA Executive Director

In union with the “National Military Veterans Alliance” (NMVA) we continue to raise the visibility of the USFSPA issue to our elected leadership:

1. Benefits for military veterans are constantly in jeopardy.
2. ARA must continue to be vigilant over the USFSPA issue.
3. NMVA focused on the Federal side of military issues vice State.
4. ARA can make headway at the State level with bills introduced to repeal USFSPA.
5. NMVA has an excellent presence and recognition in Congress.
6. ED will continue to attend as many NMVA meetings as possible, representing ARA interests, coupled with “Hill” visits, and Congressional testimony as appropriate.
7. Ashton Carter, new SEC DEF ... appears to be attentive to vets. The Veterans Administration must be monitored. The current “budget” is a disaster. Will seriously effect our National Defense. The current administration is (deliberately) clueless.
8. We must continue to help our veterans and those in the process of leaving active service.

Your voice on Capitol Hill,  
Michael P. Smith; Executive Direc-

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**The Corry Report**  
**WHY VETERANS CAN’T GET JOBS**

By Charles E. Corry, Ph.D.  
F.G.S.A.  
President, Equal Justice Foundation  
Hire a veteran! Not!

In January 2015 I published a three-part series of essays outlining why veterans can’t get jobs today:

In Part One of this three part series I note that a major reason veterans couldn’t get jobs was that they were being given to foreigners on H1B and other visas.

In Part Two I review the plight of veterans caught in the justice system. Since then I have again pushed our district attorney to adopt deferred prosecution in our veteran court rather than the current practice of a veteran plea bargaining to a deferred sentence that leaves a permanent conviction on their record. A district...
VIEW FROM THE CHARTHOUSE

By Dennis Egge, President
American Retirees Association

This month’s newsletter is delayed, in order to include input from our Board of Directors meeting; unfortunately, that will not happen till April 11th, due to teleconference provider technical issues. To be honest, I am to blame, and I humbly apologize for that.

Our directors have agreed to “leave the USFSPA reform light on. Its provisions tragically impact the lives of too many brave warriors:

10USC1408(h) provisions deny equal justice for military personnel who are abused by their dependent military spouses.

Foreign-born spouses are authorized to file for divorce in any US jurisdiction of their choice, from their off-shore domiciles. Numerous family law attorneys are advertising their services in these countries

Unit commanders are reporting five service personnel deaths, due to self-inflicted wounds, each week. During the Vietnam Conflict, they reported three of these tragedies per month. 22 veterans die, in this manner every day.

To its credit, the Pentagon’s new proposed military personnel retirement system, will force predatory military jurisdiction to address and resolve all 10USC1408(d) financial issues in their final decrees.

Former dependent military spouses allege military personnel seek combat related special compensation (CRSC) relief funds, in lieu of military retired pay, to avoid paying them. How many Title 42 suicides will be prevented, if these principles are applied to disabled veterans compensation relief funds?

At your service,
Dennis Egge, ARA National President

Letters to the Editor

I have such a long story, but long story short. I am a female VET and my husband of 25 years had/has ALWAYS been emotionally and verbally abusive. I stayed with him for "the kids sake" (Stupid - yes I know.)

My former dependent military spouse came from another country with nothing. I petitioned for him, then his parents, then all his 5 siblings. I supported all of them when they arrived here with nothing. He always threw at my face that if I left him he would take my retirement. He knew more about USFSPA than I did. Upon hitting the 10 year mark, in the Coast Guard, he sarcastically said "I guess you're stuck with me," I didn't even know what he was talking about. I retired (from active duty) January 2010; he kept his job with the railroad. I finally left him in December 2013 and divorced him in May 28, 2014. The judge awarded him half my retirement even though I had/have my two minor children with me, ages 12 and 8 at the time.

For some reason, his attorney has yet to complete their research and submit the documents to the Coast Guard pay center. So, my former dependent military spouse is now threatening to sue me for retirement back pay from June 2014 through present. He was mandated to pay child support, but I have yet to see a penny because he insists I OWE HIM money. So, yes, I would definitely like to join (ARA), please let me know how.

Child support and alimony can be combined and paid in single, recurring payments but only the amount attributable to alimony is deductible by the payee/obligee unless the court order specifically provides that the payee/obligee may claim the child(ren) as dependents for income tax purposes.

That said, remember to distinguish alimony payments a retired service member is ordered to pay to an ex (from any sources/resources available to the service member) from payments due the ex as the ex's "share" of retired retainer pay when characterized as "property" for purposes of dividing marital property. When an ex receives income from the retired retainer pay, at least in theory, the service member never possess the ex's share and, thus, as to the retired service member, that portion going to the ex is never attributed to the retired service member as income but, rather, to the recipient - the ex.

I was divorced in Hawaii in 1985, after being married 7.25 years. I went on to retire from the military in 1996, after serving 20 years, and have made monthly payments to my ex-wife every month since I retired. My ex-wife has been married to four different career military members, since we divorced. I was the second of her four marriages.

I am not sure what the divorce decrees of the other 3 military retirees stipulate in regard to sharing their retirement. Since we were only married 7.25 years, I do not believe that the reference to the USFSPA in my divorce decree is accurate.

I recently retired from my "second career" and am now fully retired; continuing to make monthly payments (currently $888/month) to my first wife is now a significant financial burden. I am considering investigating the feasibility of appealing this divorce decree re-

Letters
Continued from page 2

quirement. Can you recommend an attorney in Hawaii who is experienced in USFSPA cases?

**CRSC is Combat Related Special Compensation:** CRDP is Concurrent Receipt of Disability Pay; CRSC is best described as the DoD’s Disability Compensation for actual war and “practicing for war” related injuries. The CRSC program allows me to claim “practicing for war” injury because I’m a “nuke exposed” vet.

Both programs base their payments on VA military service connection of injuries or disease disability rating percentages. The difference is that only war or combat-related injuries are payable under CRSC.

I’ve been asking the VA to grant me service connection for that 4-month TDY/TAD stint, for over 10 years. When the AF accepts my CRSC application, they will offer me the choice of receiving CRSC from the AF or CRDP from DFAS. By law, you can’t receive both, but If my CRSC amount is less than my CRDP amount. I may be able to request that my CRDP be reduced by the lower amount of CRSC. CRDP is taxable and divisible in a military divorce action, while CRSC is not taxable nor divisible. Note difference in their names - one is "Comp" (CRSC) - the other is "Pay" (CRDP).

Now, retirees who "put a check in the mail" to their former dependent military spouses should be deducting their payments as deductible alimony: The US Tax Court ruled that subject payments, made from military retired pay, to a former spouse, under the USFSPA CONSTITUTE ALIMONY! - See Proctor vs. Commissioner, 129 US 12, 10/10/2007. Period, end of discussion! (BTW - if the former spouse doesn’t claim the same amount as income as the retiree is claiming as deductible alimony paid, the former spouse may have some explaining to do to the IRS!!!)

I argued before the Board of Veterans’ Appeals that garnishment of my disability compensation (relief funds) was improper and inconsistent with federal law: To be specific, an independent review found the court’s final judgment, involving garnishment of my military benefits, to pay so-called “lump sum alimony,” violated 42 USC 659 provisions. The VA secretary concurred and the payments stopped.

**PLEASE ADVISE**

If **DIVORCE AND THE MILITARY II** is not on your MILITARY EXCHANGE BOOKSHELF, they are undermining our objective to provide all uniformed service personnel and their dependent spouses the opportunity to read this full disclosure reference guide before they divorce.

My email address is contactara@rocketmail.com.

At your service, Dennis Egge, President, American Retirees Association

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NATIONAL PARENTS ORGANIZATION REPORT

At least 17 states that have introduced shared parenting legislation. This is a sure sign that shared parenting is now a mainstream issue. The bills are quite different from each other.

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If we have missed something happening in your state, or for any other errors, please get back to us at Parents@NationalParentsOrganization.org.
http://www.veteranstoday.com/2015/03/12/clever-way-divorce-attorneys-steal-your-tax-dollars/

There are lots of combat disabled veterans who return from home just to find their spouse has decided to file for divorce based on their spouse’s disabilities, and walk away from the marriage with half or more of the veteran’s disability compensation as alimony. For some veterans this is enough for them to commit suicide, while others take on the fight to correct this problem. They soon find out, if they don’t take the time to find out their rights, they will be stuck paying their ex-spouse a lot more than what is allowed by law.

Most veterans do not take the time to educate themselves, how USC Title 38 of the US Code protects their VA disability compensation from attachment, levy, and/or garnishment before or after receipt by the “beneficiary.” Section 511 of USC Title 38 states that the Secretary of the VA is the only person that Congress specified has the absolute authority to garnish those monies. Congress was specific in their wording of this Code. There are no exceptions made for an attorney: every time an attorney attaches their client’s legal fees to a disabled veteran’s disability compensation they are guilty of a Federal crime. We aren’t talking about small change here; we are talking about billions of federal tax dollars.

I am convinced that divorce and the issues associated with divorce are directly related to the extremely high rate of veteran homelessness and suicide (22 per day). PTSD is not only related to combat experiences, but also how the veterans are treated when they get home; one particular study went as far as classifying former military personnel as being the most likely group of Americans to become homegrown terrorist. Any disabled veteran who has had this happen to them can stop many of the suicides and much of the homelessness by placing the blame on the attorneys and judges that have stripped our veterans down to the bone.

This is not just a veteran’s issue; it’s an American taxpayer issue. I’m certain there will be those who will accuse me of practicing law without a license and giving legal advice. I suggest that I am reporting a crime.

I would like to thank Vietnam veteran Mr. Paul Dionne for his contributions to this article.

The Corry Report
Continued from page 1

ATTENTION
SERVICE MEMBERS AND SPOUSES

Trying to make your way through the USFSPA maze? Need assistance in working with your attorney? Want to learn how to save money throughout your divorce process? Then consider the services of a degreed paralegal who can work with you and your attorney.

Marsha Thole, co-author of Divorce and the Military II, has worked with clients and attorneys since 1994. Free initial consultation.

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Annual membership dues are $25.00
The single copy price for our book “Divorce and the Military II” is $19.95 (shipping & handling included)
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National Military and Veterans Alliance

Uniformed Services Former Spouse Protection Act (USFSPA) legislative agenda for the 112th Congress

Goal: Identify, address and correct USFSPA inequities

Objectives:

- Continue discussions with DoD, regarding the urgent need to adequately brief all personnel on the USFSPA and its possible implications to a military career.
- Work to identify members of Congress to introduce meaningful legislation to address many of the problems, for all parties, that currently exist within the USFSPA

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American Military Retirees Association .............................................info@amra1973.org
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Share your USFSPA reform concerns with those your dues support.

How to contact those who represent your interests in Congress

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