THE WASHINGTON RAMBLE

By Capt Michael P. Smith  
ARA Executive Director

The National Presidential Election activity has precipitated the importance of this pivotal year for our country. So much is at stake. Further, regarding the USFSPA repeal environment we need to continue the close association with the “National Military Veterans Alliance” (NMVA) in not only the repeal efforts but related issues with our country’s veterans. ARA has been vigilant on a number of issues:

Erosion of military veterans benefits: ARA must continue to be vigilant over the USFSPA issue. Recommend work at the State level. NMVA focused on the Federal side of military issues vice State. ARA can make headway at the State level with bills introduced to repeal USFSPA. NMVA has an excellent presence and recognition in Congress.

ED will continue to attend as many NMVA meetings as possible representing ARA interests coupled with “Hill” visits and Congressional testimony as appropriate.

The new chairman of the House Armed Services Committee...appears to be as attentive to vets. The Veterans Administration must be closely monitored.

The current “NDAA” is not enough to sustain our National Security. The Obama administration is clueless. The current National Defense Authorization Act allows for a change in military retirement. Active, Reserve and retired veterans are frustrated with the level of non-attention given to our service members. Simply “no leadership” prevails.

We must continue to help our veterans and those in the process of leaving active service. Suicides are

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Lessons Learned

From Veteran Arrest Data

Since July 2010 I’ve been tabulating veteran arrests in El Paso County, Colorado, on a daily basis. To date that amounts to ~15,500 arrests of some 9,000 veterans, or about 8 per day. Without going into a lengthy statistical analysis these are some of the lessons learned:

PTSD and domestic violence

Under current laws any manifestation of PTSD is “domestic violence.” That primarily serves to break up families and destroy the children.

There is little or no evidence for a

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**VIEW FROM THE CHARTHOOSE**

By Dennis Egge, President
American Retirees Association

*Before the 97th Congress* enacted PL 97-252 Military retired pay wasn’t jointly earned marital property, divisible by court order in a divorce action. To their credit, Puerto Rico does not participate in the USFSPA plan:

**Arizona and Wyoming** exempts a divorcing veteran’s disability compensation from division in a divorce action, without indemnification: Those who seek this, as a divorce entitlement, are required to file a claim with the US Veterans Administration. Unlike DFAS, the USDVA is not obliged to enforce subject court orders.

According to the Pension Rights Center, www.pensionrights.org., Alabama, Georgia, Hawaii, Indiana, Mississippi and Tennessee, exempt their public employee’s pension checks from court ordered division in a divorce action. Hawaii’s State Legislature cavalierly ignores HB805/806 and SB1159/1161, call to similarly exempt veteran’s disability compensation; their public employees enjoy, as a pension benefit. During the 28th session, they did attempt to end their public employee’s exemption but the Governor vetoed it. Then, in spite of a nearly unanimous consent, Legislators chose not to override. Hawaii’s divorce industry strongly opposes our proposals but we never give up!

These six states have an opportunity to level their subject public employee paying fields.

If Governor Rick Scott signs SB688, Florida’s family law industry will finally move into the 21st Century. I’ve already alerted our email equipped Florida members. I now urge you to contact Governor Scott and encourage him to finally approve alimony reform in the Great State of Florida

Are we enjoying this, year of the monkey, election campaign rhetoric? Will those seeking to represent our federal government interests support:

a. Defining a former husband or wife as “unremarried” in 10USC1408(A)(6)?

b. Eliminating retainer pay from the definition of retired pay, in 10USC1408(a)(7)?

c. Striking all but the first 20 words from 10USC1408(d)(1)? and

d. Total elimination of 10USC1408(d)(2) and 10USC1408(d)(5)?

Are you curious to know where a billion or so of our defense dollars goes? Read the Solbert Report! We never give up!

Thank you for being here,
Dennis Egge,
ARA National President

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American Retirees Association
Serving Divorced Uniformed Service Personnel

Dennis Egge.........................Chief Editor
Nancy Plank..........................Membership
Bonnie Mitchell........................Publisher

The ARA Newsletter is published quarterly. To become a member, annual dues are $25, and submit the form on the back page to:
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araredlands@yahoo.com

www.americanretirees.org
Chartered California tax exempt corporation, ID: 1551226;
Federal 501(c)19 tax exempt ID:33-0246743

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The Washington Ramble
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still high...22 a day. Legislatively ARA was instrumental in passing the “Super-Bug” antibiotic efforts to help our Wounded Warriors combat virulent desceases in close association with NMVA. This is a major “win” on the health front.

These efforts continue in 2016.
“cycle of violence” in the veteran arrest data. There is, however, evidence of periodic PTSD episodes. In about half the arrests for domestic violence there are no allegations of interpersonal violence. Most veterans arrested for domestic violence return home immediately after their release from jail.

The percentage of false allegations of domestic violence, child abuse, etc., is very high; somewhere around 50% to 70% when divorce or child custody are at issue. Girlfriends and wives often use false allegations of domestic violence or abuse, or child abuse, as a method of revenge and vengeance, as well as for advantage in court to gain custody of children or property.

Experience has shown that a veteran charged with domestic violence who pleads Not Guilty and demands a jury trial has a very high probability of having the charges against him dismissed. If he can afford a competent, experienced attorney it is a virtual certainty that his case will be dismissed or that he will prevail at trial.

Physical disabilities associated with TBI and PTSD often lead to charges of child abuse when accidents happen that are a result of the veteran’s handicaps. Putting their children in foster care and charging them with child abuse afterward compounds the problems for the veteran and society.

Charles E. Corry, Ph.D., F.G.S.A., President; Equal Justice Foundation, 455 Bear Creek Road, Colorado Springs, Colorado 80906-5820

The Equal Justice Foundation (EJF) is a non-profit 501(c)(3) public charity supported entirely by members and contributions.

ARA receives inquiries from service members (SM), spouses, attorneys, and even relatives.

A breakdown, in terms of categories, includes the following:

1. Inquiries from people who have asked questions too late — their divorce case has been adjudicated, and they failed to ask their attorneys their questions before the divorce was final. In all these questions, we have to ask: Why didn’t you ask your attorney that question? This type of inquiry is asked most often. (Rule #1: Be an active participant in your own divorce! Ask questions when you don’t understand something.)

2. In a few cases, people are actually asking questions before the fact, trying to gather information before they file for divorce. In some of those inquiries, no matter which party asks, it still surprises us to see how little information people know about the USFSPA and divorce in general, and their lack of incentive to educate themselves.

3. In the last category are questions from people who have been divorced for several or even many years, now wanting to either stop the payments from the military retired pay (MRP), (inquiry from SM) or get more money (from the ex-spouse). On rare occasions, some cases can be reopened, and Lt Col Thole can refer people to expert lawyers in that regard.
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 with Congress for hearings regarding the USFSPA prior to the markup of the 2010 National Defense Authorization Act.
• 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

American Logistics Association .................................................................len@ala-national.org
American Military Retirees Association ..................................................info@amra1973.org
American Military Society .......................................................................(800) 379-6128
American Retirees Association ...............................................................Contactara@rocketmail.com
American WWII Orphans Network .........................................................Awon@aol.com
American Veterans (AMVETS) .................................................................Amvets@amvets.org
Armed Forces Marketing Council.............................................................Riprowan@aol.com
Catholic War Veterans .............................................................................Cwvlmnt@aol.com
Gold Star Wives of America .................................................................info@goldstarwives.org
Japanese American Veterans Association ...........................................Admin@javadc.org
Korean War Veterans Association .............................................................BillHutton@kwva.org
Legion of Valor .......................................................................................Pconran@cox.net
Military Order of the Foreign Wars .......................................................Spackmanj@yahoo.com
Military Order of the Purple Heart .......................................................Bbacon@purpleheart.org
Military Order of the World Wars .........................................................Moww@comcast.net
National Association for Uniformed Services ........................................Wmatz@naus.org
National Gulf War Resource Center ....................................................Pdavidson@ngwrc.org
Naval Enlisted Reserve Association .......................................................Neraexec@nera.org
Naval Reserve Association ..................................................................Legislat@navy-reserve.org
Paralyzed Veterans of America ............................................................info@pva.org
Reserve Enlisted Association .................................................................info@reaus.org
Reserve Officers Association .................................................................Dmccarthy@roa.org
Society of Military Widows ...............................................................Benefits@militarywidows.org
The Retired Enlisted Association ..........................................................Treahq@trea.org
Tragedy Assistance Program for Survivors .............................................info@taps.org
TREA Senior Citizen League ...............................................................(800) 333-8725
Uniformed Services Disabled Retirees ..................................................DegreedInfantry@yahoo.com
Veterans of Foreign Wars .....................................................................Info@vfw.org
Vietnam Veterans of America ...............................................................Communications@vva.org
Women in Search of Equity ....................................................................Lindylove@aol.com

Share your USFSPA reform concerns with those your dues support.

How to contact those who represent your interests in Congress
Call (800) 862-5530 or (866) 220-0044, toll-free, the Capitol Operator will answer: Simply ask them to connect you to your elected U.S. House or Senate representative(s) or a cognizant committee member.
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.

CONTACT MARSHA THOLE
at (505) 856-2080 or contactara@rocketmail.com
AMERICAN RETIREES ASSOCIATION
Membership dues/book order instructions and form

Annual membership dues are $25.00
The single copy price for our book “Divorce and the Military II” is $19.95 (shipping & handling included)
ARA Member Discount prices: 1 copy $15.95; 2-9 copies $14.95 each; 10+ copies $13.95 each
Non-ARA Member Discount prices are: 1-5 copies $18.95; 6-10 copies $17.95 each; 11+ copies $16.95 each
All shipments of 1 to 4 books will be shipped via USPS. For orders of 5 or more books, please contact our business office for a quote.

Libraries, Wholesalers, Bookstores, please contact ARA Business Office, phone (909) 557-0107, Fax: (909) 335-2711, or email araredlands@yahoo.com for rates and terms.

Please send your book order with payment to:
American Retirees Association
700 E. Redlands Blvd., Ste U-307
Redlands, CA 92373-6152

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### Uniformed Services Retiree Population with USFSPA Monthly Deductions

Data provided by DFAS Cleveland, OH and USCG PPC, Topeka, KS - 1 APR 2016

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