



**Mideast Division Bulletin June 2017**

This Mideast Division Bulletin is to provide communication on administrative policy and pending events within the division. These are areas that I want the Departments and Detachments to focus on to ensure the Mideast Division complies with directives from MCL National HQ. Disseminate this information to all detachments. Departments are requested to submit any information on scheduled events within their area to the Division Adjutant, Roger Ware at [rrware@yahoo.com](mailto:rrware@yahoo.com) and Division Web Sgt, Robin Elder at [mclmideast@gmail.com](mailto:mclmideast@gmail.com). The Division web site is: [www.mclmideast.com](http://www.mclmideast.com). The Chain of Command is: Individual - Detachment - Department - Division - National.

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**Mideast Division Membership**

Here are the total paid membership of the Mideast Division as of 3/31/17. NVC McLain asks each department to scan over their rosters and contact all unpaid and see if we can reduce the unpaid.

<u>3/31/17</u>	<u>12/31/16</u>	<u>9/30/16</u>	<u>6/30/16</u>	<u>3/31/16</u>	<u>12/31/15</u>	<u>9/30/15</u>	<u>6/30/15</u>
5734	6085	6227	6183	6220	6078	5996	6188

Here are the totals for the Division as of 3/31/17

PLM: 3489      Paid: 2245      Total Paid: 5734      Unpaid: 1345

Here are the changes since the 12/31/16 membership roster:

PLM -15      Paid: -346      Total Paid: -341      Unpaid: +262

The Mideast Division Membership on: 3/31/16 - **6220** 6/30/16 -**6183** 9/30/16 -**6227** 12/31/16 - **6085** This is a decrease of 341 since **12/31/16**. Total Unpaid 3/31/16 was **1098**. 9/30/16 was **1039** 12/31/16 was **1083** This is increase of 262 unpaid since **12/31/16**.

National Membership has sent the 3rd quarter detachment membership rosters to the NVC's who sent it to all the Departments.. This listed the members in each detachment including Paid Life Members (PLM), Paid ( those paying annual dues) and Total Paid ( includes PLM and dues paying) and all Unpaid. Only the Detachment Paymaster receives the detachment copy while the Department Commandant and Department Paymaster receive a copy of every detachment membership. Detachment Paymasters need to share this information with their Commandant and Jr Vice Commandant as well as those members of their Detachment Membership Retention Team (MRT). Every unpaid member listed must be contacted either via telephone call or letter and encouraged to continue paying their dues. The Commandant should ensure that every member of their detachment is contacted at least every 3 months. Communication is extremely important as it ensures your members are informed of your detachment activities and events so they can attend meetings and assist with some of your events. Due to the transition of All dues expiring on August 31 yearly, it is extremely important that each detachment track their unpaid members. Each Detachment to be proactive and take whatever steps are necessary to ensure that all unpaid members are informed of this change over. Departments must maintain contact with all your detachments during this transition to all dues expiring August 31 yearly. The membership cards will have Sep 1. National is not going to send out any more dues renewal notices so you will need to follow up with your membership and track all your unpaid. Every Department Commandant received an email that included: National Convention Registration Form, National Convention Agenda and copies of their Department roster that listed every detachment. Departments are to distribute copies to their respective detachments. If a detachment is interested in a list of

Delinquent members (past 2 years) that do not show on the roster, they can send an email to National HQ and request one.

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### **Make Annual Verification of Paid Life Members**

This is a reminder to all detachments to verify their Paid Life Members (PLM) listed on the membership roster dated 6/30/17 from National. Upon receipt is the best time to do this so it's not forgotten. These are due at National before Dec. 31. If a detachment does not certify its PLM roster is true and accurate before the deadline, it will not receive its annual residual interest for its life members. Take the original copy of the roster and verify the PLM members. The Commandant and Paymaster must sign a statement on the original that they certify and annotate that the life member list is audited and is true and accurate and that there are no changes. This must also be dated. Make a copy after signing and then forward the original to your Department Paymaster Who will send this to the National Adjutant/Paymaster. You must send this signed roster to your Department Paymaster with enough lead time to send it to National and arrive there by Dec. 31. Ref: National Bylaws Sections 645 and 646.

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### **IRS 990 -N -e-file - postcard**

There is a new procedure to file annual IRS 990 N- efile. Below is the new information now required. Read over the info and then log onto this site to get a new user name and password.

<https://www.irs.gov/Charities-&-Non-Profits/Annual-Electronic-Filing-Requirement-for-Small-Exempt-Organizations-Form-990-N-e-Postcard>

**NOTE:** IRS has changed how they accept the filings and does not send a confirmation back to your mail so when you finally get logged into the site and answer all the questions and file, make a copy of what you entered before sending. IRS does not send you a confirmation copy or acceptance. Once you create a user name and password , Be sure to write it down. Log into your email account and you will be given a code to enter your information. It's only good for 15 minutes. When you try to log into the site, you can enter your user name okay but you will have to enter your password twice as it will deny you on the first attempt. After logging in and answering all the question, copy off what you entered. After filing, wait for about an hour and log back into the site and see if IRS accepted your file. Copy off the IRS acceptance and send a copy to your Paymaster and or Dog Robber

### **Annual Electronic Filing Requirement for Small Exempt Organizations — Form 990-N (e-Postcard)**

#### **How to file**

To electronically submit Form 990-N, *Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990EZ*, use the [Form 990-N Electronic Filing system \(e-Postcard\)](#).

- All organizations are required to register at IRS.gov prior to filing Form 990-N. You won't be asked to register again the next time you file.
- Form 990-N must be completed and filed electronically. **There is no paper form.**
- Form 990-N filers may choose to file a complete Form 990 or Form 990-EZ instead.
- Use the Form 990-N Electronic Filing System (e-Postcard) [User Guide](#) while registering and filing.
- For filing system and website issues, refer to the second question on the [How to File: Frequently Asked Questions](#) page.

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**Prior to filing your form, please review the following information:**

### **Who must file**

Most small tax-exempt organizations whose annual gross receipts are normally \$50,000 or less can satisfy their annual reporting requirement by electronically submitting Form 990-N if they choose not to file Form 990 or Form 990-EZ instead.

Exceptions to this requirement include:

- Organizations that are included in a group return,
- Churches, their integrated auxiliaries, and conventions or associations of churches, and
- Organizations required to file a different return

### **Form 990-N filing due date**

Form 990-N is due every year by the 15th day of the 5th month after the close of your tax year.

**You cannot file the *e-Postcard* until after your tax year ends.**

**Example:** If your tax year ended on December 31, the *e-Postcard* is due May 15 of the following year. If the due date falls on a Saturday, Sunday, or legal holiday, the due date is the next business day.

If your 990-N is late, the IRS will send a reminder notice to the last address we received.

While there is no penalty assessment for filing Form 990-N late, organizations that fail to file required Forms 990, 990-EZ or 990-N for three consecutive years will automatically lose their tax-exempt status. Revocation of the organization's tax-exempt status will happen on the filing due date of the third consecutively-missed year. Watch this IRS YouTube presentation for more information.

### **Information you will need when filing Form 990-N**

Form 990-N is easy to complete. You'll need only eight items of basic information about your organization.

### **Search for Form 990-N filings**

To search for organizations that have filed Form 990-N and to view their filings, see *Exempt Organizations Select Check*. You can also download the entire database of Form 990-N filings.

### **Additional information**

- Frequently Asked Questions - Form 990-N
- User Guide for Form 990-N Electronic Filing System (e-Postcard)
- Form 990 Overview course at StayExempt.IRS.gov
- Frequently Asked Questions - Automatic revocation for not filing annual return or notice
- Final regulations (August 10, 2009)
- Educational tools - Help spread the word – Help small tax-exempt organizations stay exempt!
- EO Select Check - Search for organizations that have filed Form 990-N and view their filings
- EO Update - Subscribe to the IRS Exempt Organizations email newsletter that highlights new information
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### **Member Dues Update**

National has implemented the expiration of all dues paying members to August 31 yearly commencing in 2017. The computers at National HQ are not geared up to post August 31 but rather they will have a post date on 9/1/2017. I was at National HQ 2 weeks ago and here is the status on the dues. Even though all dues are supposed to expire on August 31, National has dated

some dues to expire in various months other than 1 September. This is based on when the dues were paid. During this adjustment period some dues might have these different dates. Members can pay their dues based on the date posted on your detachment membership roster of 3/31/2017. Even though National has all dues set to expire on August 31 some adjustments will be made for those who paid their dues and have a date later than Sep 1. When these members pay their dues all dues will automatically expire as of August 31, 2018. After this date there will be no other date posted on your detachment roster other than August 31. During this transition period your detachment will have dates expiring other than August 31. You do not need to contact National and make an inquiry because they will tell you the same thing listed here. It will take until August 31, 2018 to bring all dues in line to expire on that date. Here's an example. I have some members with due dates in October and November 2017. When these members pay their dues they will expire Sept 1, 2018. Now if members have an expiration date of Sept 1, 2017 and pay their dues in November or December 2017, their dues will expire August 31, 2018. If a member has dues expiring Sept 1, 2017 and does not pay until January 2018, their dues will also expire on August 31, 2018.

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### **2017 Proposed National Bylaws and AP changes**

#### **Bylaws**

1. National Board of Trustees; Section 205 - Power. This bylaw change will enable the Board of Trustees to respond in an appropriate fashion, and with authorized authority to requirements to appoint, organize, direct, control and respond in such a manner Marine Corps League may comply with regulations, laws and requests of regulatory of state and local governments.

2. Section 310 Duties - Staff Officers (P) National: Legislative Officer, Administrative Procedures, Chapter Three, National Staff CH 5-98 (g) National Legislative Committee This change would allow To chair the National Legislative Committee, in absence the vice chairperson shall chair the Legislative Committee.

Section (2) To attend Congressional VA hearings and meetings with the Armed Service Committees.

Section (3) Keep the Marine Corps League members informed of recent and currently pending actions related to Veterans affairs with the pending legislative action before Congress.

(1) Study all legislation to benefit to the Nation and Veterans.

(2) Arrive at recommendations to' be submitted to the National Staff and the National Convention concerning advisability of endorsing support or urging rejection of pending legislation affecting Veterans affairs.

(3) Study and develop resolutions, as deemed necessary sponsoring legislation beneficial to the protection of the Nation, the United States Marine Corps and Veterans.

(4) Prepare such resolutions mandated by the National Convention requesting specific legislative action of Congress.

3. Proposed New National Bylaws and Current National Bylaws and Administrative Procedures become National Administrative Procedures

The proposed amendment distills the essential elements of the current National Bylaws into concise new bylaws patterned on the model bylaws in Robert's Rules of Order and requirements of IRS standards. The Amendment which follows is in three parts that are adopted concurrently and would total 24 pages.

#### **Administrative Procedures**

#### **Enclosure 3 changes - Uniform code**

1. Casual Uniform Female - This change would add the medallion for Chapel of 4 Chaplains, Legion of Merit, Humanitarian Award or Bronze Medallion Award or National, Division, Department or Detachment MOY Medallion if authorized may be worn with Red Blazer Casual Uniform & Formal Dress Uniform only. The MODD collar may be worn as option.
2. Casual Uniform - This change would add the medallion for Chapel of 4 Chaplains, Legion of Merit, Humanitarian Award or Bronze Medallion Award or National, Division, Department or Detachment MOY Medallion if authorized may be worn with Red Blazer Casual Uniform & Formal Dress Uniform only. The MODD collar may be worn as option.
3. Formal Uniform Female - This change would add the medallion for Chapel of 4 Chaplains, Legion of Merit, Humanitarian Award or Bronze Medallion Award or National, Division, Department or Detachment MOY Medallion if authorized may be worn with Red Blazer Casual Uniform & Formal Dress Uniform only. The MODD collar may be worn as option.
4. Formal Uniform - This change would add the medallion for Chapel of 4 Chaplains, Legion of Merit, Humanitarian Award or Bronze Medallion Award or National, Division, Department or Detachment MOY Medallion if authorized may be worn with Red Blazer Casual Uniform & Formal Dress Uniform only. The MODD collar may be worn as option.
5. Medal and Ribbons - Would authorize the Miniature Marine Corps League or Miniature Department of Defense Medals may be worn on Casual Uniform - Red Blazer or the Formal Dress Uniform.
6. Shoulder patches and Ceremonial Uniform - Would authorize red t-shirt vice white t shirt when serving on ceremonial functions.
7. Shoulder patches and Ceremonial Uniform - Would authorize Honor Guard patch when serving on ceremonial functions.
8. MCL Cover - Authorization to wear with life member patch on cover to indicate MCL/MODD life membership.
9. MCL Cover - Authorization to add HONORARY CHIEF DEVIL DOG to cover.
10. Label Pins - Would condense Past Department/Detachment Commandant and add Ordained
11. Medallions- The medallion presented by Chapel of 4 Chaplains, Legion of Merit, Humanitarian Award or Bronze Medallion Award or National, Division, Department or Detachment MOY Medallion may be worn with Red Blazer Casual or Red Blazer Formal Dress Uniform, The Evening Dress Uniform, The Evening Dress Uniform {Male and Female} Only in lieu of the Military Order of Devil Dogs collar at the Option of the wearer. Only one of these Medallions or Collars, may be worn at any one time.

#### **Enclosure 4**

1. MCL Awards - Proposal to add a new section to Enclosure Four(4) Marine Corps League Awards to create ribbons and a medallion for Associate Members of the Year

#### **Resolutions**

Resolution No 1

Support legislation to remove the prohibition concurrent receipt for military retired pay and

veteran disability compensation for all longevity retired veterans

Resolution No 2

Extend commissary and exchange privileges to service connected disability veterans and their dependents

Resolution No 3

Support legislation to require the Vice President and members of to receive healthcare exclusively from the Department of Veterans Affairs

Resolution No 4

Support legislation to remove the prohibition against concrete receipt of retired pay and veterans disability compensation for all longevity retired veterans

Resolution No 5

Support legislation to remove the offset Survivor Benefits plan payments and Dependency and Indemnity Compensation

Resolution No 6

Support legislation to reduce the 10 year rule for Dependency and Indemnity the compensation

Resolution No 7

Consider treatment for a presumption service-connected condition as a claim for Department of Veterans Affairs compensation

Resolution No 8

Amend the law to provide a 10 year production. For service-connected disability evaluations

Resolution No 9

Enhance long-term service and support to service-connected disabled veterans

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**Contaminated Drinking Water at Camp Lejeune (May 2017 update)**

If you served at Marine Corps Base Camp Lejeune or Marine Corps Air Station (MCAS) New River in North Carolina, you may have had contact with contaminants in the drinking water there. Scientific and medical evidence has shown an association between exposure to these contaminants during military service and development of certain diseases later on. If you have qualifying service at Camp Lejeune and a current diagnosis of 1 of the conditions listed below, you may be able to get disability benefits.

Can I get disability benefits from VA?

You may be able to get disability benefits if you served at Camp Lejeune or MCAS New River for at least 30 cumulative days from August 1953 through December 1987 and:

- \* You were discharged from the military under conditions other than dishonorable, and
- \* You have a diagnosis of 1 or more of these presumptive conditions:

Adult leukemia

Aplastic anemia and other myelodysplastic syndromes

Bladder cancer

Kidney cancer

Liver cancer

Multiple myeloma

Non-Hodgkin's lymphoma

Parkinson's disease

Who's covered?

- \* Veterans
- \* Reservists
- \* Guardsmen

What kind of benefits can I get?

- \* Health care
- \* Compensation (payments)

How do I get these benefits?

You'll need to apply for benefits. You can do this in 1 of 3 ways:

- \* Be sure to note that you're applying for 1 or more of the presumed Camp Lejeune illnesses, and attach evidence (like a doctor's report or medical test results), or
- \* Get help from an accredited representative or VSO, or
- \* Get help at a VA regional office (**not recommended**)

When you apply, you'll need to give VA:

- \* Your military records showing you served at Camp Lejeune or MCAS New River for at least 30 days from August 1953 through December 1987 while on active duty, or in the National Guard or Reserves, and
- \* Evidence stating that you have 1 or more of the 8 illnesses on the presumptive conditions list (see above)

Are Veterans and their family members covered for health care?

Yes. Veterans who served at Camp Lejeune or MCAS New River for at least 30 cumulative days from August 1953 through December 1987—and their family members—can get health care benefits. We may pay you back for your out-of-pocket health care costs that were related to any of these 15 conditions:

- \* Bladder cancer
- \* Breast cancer
- \* Esophageal cancer
- \* Female infertility
- \* Hepatic steatosis
- \* Kidney cancer
- \* Leukemia
- \* Lung cancer
- \* Miscarriage
- \* Multiple myeloma
- \* Myelodysplastic syndromes
- \* Neurobehavioral effects
- \* Non-Hodgkin's lymphoma
- \* Renal toxicity
- \* Scleroderma

How do I get these benefits as a family member?

You'll need to apply for benefits in 1 of 2 ways:

- \* Fill out the Camp Lejeune Family Member Application online, or
- \* Download **VA Form 10-10068**. Fax it to 512-460-5536, or mail it to:

**Department of Veterans Affairs**

**Financial Services Center**

**PO Box 149200**

**Austin, TX 78714-9200**

When you apply, please provide:

- \* Proof of your relationship to the Veteran who served on active duty for at least 30 days at Camp Lejeune (like a marriage license or a birth certificate), and
- \* Proof that you lived at Camp Lejeune or MCAS New River for at least 30 days from August 1953 through December 1987 (like utility bills, base housing records, military orders, or tax forms), and
- \* Medical records that show you have 1 of the 15 conditions listed above, and
- \* The ***Camp Lejeune Family Member Program Treating Physician Report (VA Form 10-10068b)***. Have your doctor fill out and sign this form before submitting.

What was in the drinking water? - Two on-base water wells that were shut down in 1985 had these chemicals:

- \* Trichloroethylene (TCE)
- \* Perchloroethylene (PCE)
- \* Benzene
- \* Vinyl chloride
- \* Other compounds

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#### **VA Disability Payments & MCB Camp Lejeune's Toxic Water (May 2017 update)**

On March 22, 2017; the Marine Corps and the Department of Veterans Affairs announced a new rule that provides VA disability benefits for veterans who have one of eight diseases and who served for thirty or more consecutive days at Camp Lejeune, N.C., between August 1, 1953, and December 31, 1987.

Camp Lejeune's tainted water is one of the most notorious environmental catastrophes in a national history peppered with such cases. It is the toxic water case against which all others are measured. Camp Lejeune's water supply was contaminated with high levels of volatile organic compounds (VOCs) from the late 1950s (although probably earlier) through the mid-1980s. VOCs are the solvents, lubricants, pesticides, and other chemicals that abound on all military bases. When humans are exposed to these chemicals—be it through skin contact, inhalation, or ingestion—the results can be horrific. In addition to the eight illnesses now approved for presumptive disability status, birth defects, stillbirths, early infant deaths, and nervous system diseases are all potential outcomes of VOC exposure.

But Camp Lejeune's water is more than a medical nightmare. It is also a tale of abdicated responsibilities at the highest levels of the Marine Corps. Despite many reports filed with the base administration that reported the rising alarm of water engineers and environmental consultants through the 1970s and early 1980s, no official action was taken to curb the contamination until public awareness shifted from knowledge to outrage. Scientific data now estimates that more than one million people were exposed in the decades that Lejeune's water contamination went unchecked.

The federal Agency for Toxic Substances and Disease Registry now officially acknowledges that “past exposures to contaminants in the drinking water at Camp Lejeune likely increased the risk of cancers and other adverse health effects of residents (including infants and children), civilian workers, Marines and Naval personnel.”

The Honoring America's Veterans and Caring for Camp Lejeune Families Act, signed into law by President Obama in 2012, authorized medical care (but not disability benefits) for fifteen illnesses related to living at Camp Lejeune between 1957 and 1987. Lejeune activists then prepared for the next challenge: establishing presumptive disability status for those harmed by Camp Lejeune's water. Nearly eight thousand Lejeune veterans receive VA medical care for

water-connected ailments—but very few have been granted a disability rating.

Many advocates and benefits specialists agree that much work remains to be done to bring the Camp Lejeune benefits programs into line with prevailing scientific data. Some contend that the VA's application of scientific evidence is arbitrary and, at times, nonsensical. One example: The VA's medical care and disability qualification requirement of at least thirty consecutive days served at Camp Lejeune has no solid basis in science. Another example: The VA's list of diseases qualifying for medical care only—versus medical care and disability benefits—begs questions of consistency, fairness, and the equitable application of scientific evidence. Fifteen illnesses presumptively qualify for full VA medical care, but only eight also qualify for disability benefits. The VA tells us those eight conditions “are the only ones for which there is sufficient scientific and medical evidence to support the creation of presumptions.”

But if fifteen Lejeune-related diseases presumptively qualify for the VA's full range of medical care, why do only eight presumptively qualify for disability benefits? The VA says it will “continue to review relevant information as it becomes available,” so we can hope that process takes something less than another decade.

At this point, there is no clear avenue or administrative process for Lejeune veterans who filed disability claims before the recent ruling. Nor are there provisions for assistance to the children (now adults) who lived at Camp Lejeune, often for many years, and whose health was harmed by the tainted water.

Any Camp Lejeune veteran who meets the VA's service and medical condition criteria can enroll in VA health care by calling 877-222-8387 or at: <https://www.va.gov/healthbenefits/apply/>  
There is also further information at: <https://www.vets.gov/disability-benefits/conditions/exposure-to-hazardous-materials/contaminated-drinking-water-at-camp-lejeune/>  
For those who also seek disability status, the VA's e-benefits website is at: <https://www.ebenefits.va.gov/ebenefits/homepage>

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### **Military Exchange Shopping online being opened up to all who have served**

Military Exchange Shopping (What we used to call the PX)

Share this could be a nice little benefit, should be able to save some money.

The Army, Air Force and Navy exchange will start allowing all honorably discharged veterans to shop online, (think Amazon, but only cheaper with no taxes.) The target start date is Veterans Day, November 11, 2017. but you must register first. registration begins June 1, 2017. you must call 1-844-868-8672 <tel:(844)%20868-8672> , after June 1 to register. Here is the site with more information:

<https://www.defense.gov/News/News-Releases/News-Release-View/Article/1049503/departement-of-defense-extends-online-military-exchange-shopping-privileges-to-v/>

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### **Gulf War Winter Newsletter**

Here is the Gulf War Winter Newsletter information for veterans who served in operations desert shield and desert storm and their families.

Click on this link and go to the site.

<https://www.publichealth.va.gov/docs/gulfwar/gulfwar-newsletter-feb2017.pdf>

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### **VA Special Monthly Compensation**

Special Monthly Compensation (SMC) is an additional tax-free benefit that can be paid to

Veterans, their spouses, surviving spouses and parents. For Veterans, Special Monthly Compensation is a higher rate of compensation paid due to special circumstances such as the need of aid and attendance by another person or a specific disability, such as loss of use of one hand or leg. For spouses and surviving spouses, this benefit is commonly referred to as aid and attendance and is paid based on the need of aid and attendance by another person. Learn about special monthly compensation benefit rates

The majority of service-connected disabilities are defined by a percentage ranging from 0 to 100 percent to reflect the severity of the condition(s) and the disabling effects they have on the veteran. These percentages are explicitly defined by Federal Regulations under the Schedule for Rating Disabilities and are assigned a monetary compensation award based on the vocational limitations that these injuries or disorders cause and subsequently the effect they may have on monetary earnings.

Some injuries and disorders are more severe in nature and result in several additional debilitating residual conditions that can have additional adverse affects on an individual's socioeconomic state. To better assist with meeting the specialized needs of these individuals, additional benefits are available under Special Monthly Compensation (SMC) ratings provided under Title 38 of U.S.C. 1114. These ratings are in addition to the numerical ratings established under the standard rating schedule and are identified by letters such as SMC (k), SMC (l), SMC (m), SMC (n), SMC (o), SMC(p), SMC (r), SMC (s), and SMC (t). These rates are simply named after the subsections of the Code of Federal Regulations that outline the required eligibility requirements for each level of SMC.

SMC provides additional monetary compensation awards and where applicable can establish entitlement to additional ancillary benefits such as the VA's Specially Adapted Housing Grant and the Automobile and Adaptive Equipment Grants. The basic elements of Special Monthly Compensation Ratings include anatomical (or physical) loss or the loss of use of limbs, hands, feet and/or reproductive organs; aphonia; deafness; blindness; loss of bowel and bladder control; being permanently housebound; and a need for regular aid and attendance with activities of daily living or a higher level of care—all of which must be a result of the veteran's service-connected disabilities. Each level of SMC ratings are successive and are preceded by an entitlement to certain conditions included under SMC level (k).

A rating of SMC(k) would include:

The anatomical loss or loss of use of: i) one hand. ii) one foot. iii) both buttocks (where the applicable bilateral muscle group prevents the individual from maintaining unaided upright posture, rising and stooping actions). iv) one or more creative organs used for reproduction (absence of testicles, ovaries or other creative organ, ¼ loss of tissue of a single breast or both breasts in combination) due to trauma while in service, or as a residual of a service-connected disability(ies). \*(these do not serve as eligible prerequisite conditions for the higher levels of SMC)\* v) One eye (loss of use to include specific levels of blindness).  Complete organic aphonia (constant loss of voice due to disease).  Deafness of both ears to include absence of air and bone conduction.

A rating of SMC(l) would include:  The anatomical loss or loss of use of: i) Both feet ii) One hand and one foot  Blindness in both eyes with visual acuity of 5/200 or less.  Permanently bedridden.  Regular need for aid and attendance to assist with activities of daily living such as dressing oneself, tending to personal hygiene, care and adjustment of assistive appliances or prosthetics, feeding oneself, and the like. (specific criteria is established in 38 CFR § 3.352(a) ) (\*if such services are not being provided at the expense of the U.S. Government due to hospitalization).

Ratings above the SMC(l) level to include SMC (m), SMC (n), SMC (o), SMC (p), SMC(r) and SMC (s) are specialized multifaceted levels which are based on various specific combinations of anatomical loss or loss of use of designated extremities and/or senses, together with seriously disabling conditions and particular degrees of aid and attendance requirements, housebound or bedridden statuses deemed medically necessary, and explicit service connection ratings. These levels also outline various requirements to include full and half step upgraded SMC level ratings. The conditions providing the basis of these levels are as follows.

A rating of SMC(m) would include:

The anatomical loss or loss of use of: i) Both hands. ii) Both legs at the region of the knee iii) One arm at the region of the elbow with one leg at the region of the knee  Blindness in both eyes having only light perception.  Blindness in both eyes resulting in the need for regular aid and attendance.

A rating of SMC(n) would include:

The anatomical loss or loss of use of both arms at the region of the elbow.  The anatomical loss of both legs so near the hip that it prevents the use of a prosthetic appliance.  The anatomical loss of one arm so near the shoulder that it prevents the use of a prosthetic appliance along with the anatomical loss of one leg so near the hip that it prevents the use of a prosthetic appliance.  The anatomical loss of both eyes or blindness in both eyes to include loss of light perception.

A rating of SMC(o) would include:

The anatomical loss of both arms so near the shoulder that it prevents the use of a prosthetic appliance.  Bilateral deafness rated at least 60 percent disabling along with service-connected blindness with visual acuity of 20/200 or less of both eyes.  Complete deafness in one ear or bilateral deafness rated at least 40 percent disabling along with service connected blindness in both eyes to include loss of light perception.  Paraplegia – paralysis of both lower extremities along with bowel and bladder incontinence.  Helplessness due to a combination of anatomical loss or loss of use or two extremities with deafness and blindness or a combination of multiple injuries causing severe and total disability.

A rating of SMC(p) would include:

The anatomical loss or loss of use of a leg at or below the knee along with the anatomical loss or loss of use of the other leg at a level above the knee.  The anatomical loss or loss of use of a leg below the knee along with the anatomical loss or loss of use of an arm above the elbow.  The anatomical loss or loss of use of one leg above the knee and the anatomical loss or loss of use of a hand.  Blindness in both eyes meeting the requirements outlined in SMC (l), (m) or (n) levels.

Ratings under SMC(r) are assigned for seriously disabled veterans in need of advanced levels of aid and attendance. SMC(r) ratings require a minimal combination of entitlement to both SMC(o) and SMC(l). Additionally, Veterans in receipt of SMC rates based on Aid and Attendance are strongly advised to contact their service representative and/or VA Regional Office should they become hospitalized at the expense of the U.S. Government (i.e. a VA medical facility) as failure to do so could create an overpayment of monetary benefits.

Ratings under SMC(s) are also available if the veteran is permanently housebound. The VA defines “permanently housebound“ as being substantially (as opposed to completely) confined to a dwelling as the result of service connected disability and it is reasonably certain that that such disability will continue throughout the veteran’s lifetime. These kinds of determinations should be made by a physician, whose written opinions or reports in this respect would serve as the best

evidence to submit in support of a claim for “s” SMC benefits.

Ratings under SMC(t) are available to veterans who need regular aid A&A for residuals of Traumatic Brain Injury (TBI), but is not eligible for a higher level of A&A under (R)(2), and would require hospitalization, nursing home care, or other residential institutional care in absence of regular in-home aid and attendance. To determine what the 2017 SMC rates of compensation are for you based on your dependent status refer to

[http://www.benefits.va.gov/COMPENSATION/resources\\_comp02.asp](http://www.benefits.va.gov/COMPENSATION/resources_comp02.asp) . As Special Monthly Compensation ratings are very complex, this outline is simply to serve as an informational reference. It is important that you consult your service representative or local VA Office for assistance with determining eligibility and filing or maintaining claims for such ratings.

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### **Project 112/SHAD - VA Compensation**

Project 112/SHAD (Shipboard Hazard and Defense) is the name of the program for both shipboard and land-based biological and chemical testing conducted by the U.S. military between 1962 – 1973. VA will provide physical examinations to veterans who participated in the testing. Veterans will receive medical care free of charge for conditions related to exposure. Veterans may be eligible for disability compensation if they have a service-related disability and were discharged under other than dishonorable conditions. VA does not presume by regulation that any specific disabilities are related to participation in Project 112/SHAD. Veterans’ claims are decided on a case-by-case basis. VA presumes amyotrophic lateral sclerosis (ALS) diagnosed in all Veterans with 90 days or more continuous active military service is related to their service, although ALS is not related to Project 112/SHAD. Surviving spouses, dependent children and dependent parents of Veterans who died from health problems related to participation in Project 112/SHAD may be eligible for health care, compensation, education, and home loan benefits.

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### **Gulf War Presumptive - Fibromyalgia**

Fibromyalgia is a health condition characterized by unexplained pain throughout the body. Symptoms include:  At least 3 months of unexplained pain in the muscles, tendons, and other soft tissues  Points on the neck, shoulders, back, hips, arms, or legs that are tender and hurt with pressure  Additional health problems such as sleep disturbances, headaches, memory problems, or morning muscle stiffness

If you are concerned about symptoms related to fibromyalgia and would like to learn about health care options for Gulf War Veterans, go to

<https://www.publichealth.va.gov/exposures/gulfwar/benefits/%20health-care.asp> or call 1-877-222-8387. You can also, talk to an Environmental Health Coordinator near you about your concerns at <https://www.publichealth.va.gov/exposures/%20coordinators.asp>. Fibromyalgia is a presumptive illness for Gulf War Veterans: VA presumes that some health conditions, including fibromyalgia, were caused by military service. As a presumptive illness, Veterans do not have to prove an association between fibromyalgia and their military service. The condition must be at least 10 percent disabling and have first appeared sometime between active duty in the Southwest Asia theater of military operations and December 31, 2021.

Symptoms can be managed. Researchers and health care providers do not currently know a direct cause or cure for fibromyalgia. However, Veterans can work with their health care team to manage symptoms. Prescription drugs are available to treat fibromyalgia. Learn more about presumptive service connection and benefits for Gulf War Veterans at

<http://www.publichealth.va.gov/exposures/gulfwar/benefits/index.asp> or call 1-800-827-1000.

More information about fibromyalgia is available at

<https://www.publichealth.va.gov/exposures/gulfwar/fibromyalgia.asp>. Symptoms can be

managed. Researchers and health care providers do not currently know a direct cause or cure for fibromyalgia. However, Veterans can work with their health care team to manage symptoms. Prescription drugs are available to treat fibromyalgia. Learn more about presumptive service connection and benefits for Gulf War Veterans at <http://www.publichealth.va.gov/exposures/gulfwar/benefits/index.asp> or call 1-800-827-1000. More information about fibromyalgia is available at <https://www.publichealth.va.gov/exposures/gulfwar/fibromyalgia.asp>.

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### **VA Claim Decision - What To Do If you Disagree**

When a veteran receives a VA decision letter, it states that if they disagree with the decision to let VA know. Included is VA Form 21-0958, Notice of Disagreement (NOD), on which to list disagreement specifics. A NOD must be filed within one year of the decision letter. However, in many cases, it's far more expedient to reopen the claim rather than send a NOD if you have evidence proving the decision was in error. Sending a NOD is the first step in the VA appeals process, which is a long one.

For example, service-connection for a claimed disability may be denied because VA says there's no evidence of a diagnosis in service medical records and/or there's no evidence of a current diagnosis. If you can provide the missing evidence when you reopen, you'll likely be successful sooner than through a NOD and appeal. Remember, a well-grounded claim means you provide VA evidence of a current diagnosis of a chronic condition and a "nexus" to service, which means the chronic condition was diagnosed and treated on active duty; or is a presumptive condition (such as a disability related to herbicide exposure in Vietnam); or is a secondary condition of one you are already service-connected for; or, for select disabilities, was diagnosed within a presumptive period after separation.

Veterans often disagree with a percentage assigned for a disability simply because they feel they deserve a higher rating. However, ratings for each disability are based on medical evidence, such as range of motion for joints or specific test results for heart disease, for example. All rating criteria is outlined in the Code of Federal Regulations 38. Each decision letter explains why you got denied or why you got a certain percentage and what needs to be in evidence in order to get a higher percentage.

If you do submit a NOD, you'll receive a letter acknowledging receipt and asking which appeal process you prefer. After you respond, you'll wait for many months. If the evidence you've outlined in the NOD proves your contention, you'll get a new decision. However, if you did not submit evidence to support your disagreement, you'll get a Statement of the Case explaining why the decision was correct according to VA regulation. If you want to continue the appeal, you must "perfect" it by returning VA Form 9, electing a specific Board of Veterans Appeals (BVA) hearing. Currently the average wait from sending Form 9 to BVA hearing in Tennessee is two years. After the hearing, a year or more could pass before you get a decision from the BVA.

One reason it takes so long to get a BVA hearing is that many veterans do not file well-grounded claims or appeals. For example, a veteran will file a claim for a condition diagnosed years after service simply because he feels it began in service even though he was never treated or diagnosed with the condition. Or, a veteran may file for something he thinks is related to Agent Orange exposure in Vietnam, such as colon cancer. However, colon cancer is not on the presumptive list (list of conditions automatically granted service connection in regards to herbicide exposure.) and he will be denied. These veterans may appeal any decision and the VA must adjudicate them whether they have merit or not.

The best course of action is to visit an accredited veterans service officer for advice and guidance on how best to address disagreements, as there are many factors depending on the specific condition and claim, too numerous to highlight here. Sometimes the VA does make mistakes or misses evidence; in other cases, the rating is correct and the service officer can explain why, or give advice on how to gather evidence to be successful, if possible.

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#### **Pending Calendar**

2017 Mideast Division Conference will be June 23-25, 2017 hosted by Department of North Carolina at the Double Tree Hilton Hotel Raleigh-Durham Airport at Research Triangle Park, 4810 Page Creek Lane, Durham, North Carolina, 27703. Tel +1-919-941-6000 after May 17, 2016. for reservations. Room rate: \$99.00 plus room tax. Free breakfast and parking.

2017 MCL National Convention will be August 13 - 18, 2017 at the Sheraton Overland Park at the Convention Center, 6100 College Boulevard, Overland Park, KS, 66211. Book By Phone: 1-866-837-4214 Room rate: \$115.00 with 18% tax, free parking, free breakfast and free wifi. The 2017 National Convention website is: [www.2017mclnationalconvention.com](http://www.2017mclnationalconvention.com). You can check there for information and activities available for the convention.

2017 Modern Day Marine Expo will be Sep 19 - 21, 2017 at MCB, Quantico, VA.

2018 Department of West Virginia Convention will be May 4-6, 2018 at The Quality Inn Gallipolis, 577 State Route 7 North, Gallipolis, OH 45769. Phone: (740) 446-0090.

MGM Detachment 1180 will be the host detachment. Rooms rate : \$85.00 plus tax  
Banquet includes choice of: Prime Rib \$25, Chicken \$20. Dinners include salad, 2 vegetables, rolls, beverage, and dessert. Amenities: Group Rate includes free WiFi, free parking, free cable, free in-room coffee, free breakfast for two guests per room (each additional guest in a room pays \$6) Breakfast is 6 a.m. – 10 a.m.

2018 MCL National Convention will be August 2018 at the Buffalo Hyatt, Two Fountains Plaza, Buffalo, NY 14202. Phone: (716) 856-1234. Reservations open 0801 20 August 2017.

[Buffalo.hyatt.com](http://Buffalo.hyatt.com) . Room price \$113 for one and \$130 for 2 people plus room tax.. Free parking, free breakfast and free wifi.

Semper Fidelis,

Mike McLain  
NVC  
Mideast Division