

Retiree Bulletin



VOLUME 2 * 2012

From the Chairman

Warm regards from your Retiree Council. Time certainly continues to march. Hope this finds everyone doing well and enjoying the last days of summer 2012.

This year's Retiree Appreciation Days events were, once again, truly outstanding. The review at Post HQs on Thursday, although a little wet was great. SMA(R) Jack Tilley brought the house down and had a tremendous message for our community and those still serving. We would like to publicly thank him for taking the time to visit and for taking the "weather bullet" with such grace and style. The reception following at the Fort Jackson Museum was also first class. Thanks, to all that had a part in putting these events together. The golf tournament on Friday was, as always, well organized and an overwhelming success. Our thanks go out to Mike Casto and his entire team for another tremendous effort. Finally, the annual Solomon Center Expo was full of Retiree activity from start to finish on Saturday morning where Moncrief Army Community Hospital provided health screenings and critical information on health care services. Many other agencies attended and provided key information and assistance including Family and MWR which, once again, also served a great lunch.

Thanks go out to COL Ramona Fiore, our former Moncrief Commander, Mrs. Rose Ann Turner, from MWR, and Mr. Greg Fountain, our new RSO, for pulling everything together. It was a fitting conclu-

sion to a great weekend of Fort Jackson support. We would also like to thank BG Bryan Roberts and COL J.J. Love for setting the conditions for success and personally supporting the weekend activities. In addition, thanks for all you and your staffs do every day to improve the quality of life and support of our Retirees and their Families. Your personal dedication, professionalism, and obvious care and concern for Retirees and their Families are what make it that way every year. We will look forward to next year's event.

I hope the bulletin is helpful to you. As always, there is important information inside affecting Retirees and their Families as well as support services at Fort Jackson. I strongly recommend you take a few minutes and read it cover to cover. Please let the Council or RSO know what you think about the bulletin and its content. If there is something that needs to be added or eliminated, we want to know about it.

Your Council stands ready to hear your thoughts, comments and recommendations regarding your support at Fort Jackson. Feel free to contact any of us. Another way to be heard is through ICE (Interactive Customer Evaluation) and it is a quick way to get action. Fort Jackson is leading the Army in getting the community involved through this system . . .

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From the Chairman (Cont. From p. 1)

... If you have a computer, you can input by going to www.jackson.army.mil and then to the ICE Icon on the Home page. If you do not have a computer, paper forms are available everywhere you receive support.

Thanks again to BG Bryan Roberts, COL Steve Yackley, COL Ken Royalty, COL J.J. Love, COL Mike Graese (our new Garrison Commander), COL Ramona Fiorey, COL Mark Higdon, COL (R) Scott Nahrwold, COL (R) Bob Youmans, CSM Kevin Benson, CSM Chris Culbertson, CSM Ernest Lee, the entire Fort Jackson Garrison and Moncrief Hospital staffs, and the many other agencies across Fort Jackson for your continuing support of our community. We greatly appreciate your friendship and efforts on our behalf every day.

To our Retirees and Family Members, thanks for all you have done for our Nation and continue to do. Have a safe and blessed fall and holiday season. God Bless you, your Families and the United States of America.

Very Respectfully,



Mike Molosso, Colonel, USA, Retired
Chairman, Fort Jackson Retiree Council

FORT JACKSON LEADER

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AER

What's New in Army Emergency Relief?

Army Emergency Relief (AER) has added several new categories for assistance. New categories include: Family Member dental care, basic furniture needs, rental vehicles, and replacement vehicles.

Dental care eligible for AER assistance includes: diagnosis, fillings, crowns, root canals, extractions, sealants, and emergency care to alleviate pain. Assistance will be limited to no more than \$4,000 per case.

Basic furniture needs include: beds, cribs, sofas, chairs, and tables. The intent is to assist those Soldiers and Families establishing a household when the quarters have no furniture. Additionally, this category would be eligible to Soldiers who lost their furniture as a result of a natural disaster. Assistance will be limited to no more than \$4,000.

Assistance for a rental vehicle is intended to help those Soldiers on emergency leave, or waiting for the repair of a primary vehicle. The rental period would normally be seven to 10 days.

Assistance for a replacement vehicle is intended to help Soldiers when the cost to repair their current vehicle is greater than the vehicle's value. Assistance will be limited to not more than \$4,000.

Since its incorporation in 1942, AER has provided more than \$1.3 billion to more than 3.3 million Soldiers, Families, and retirees.

To obtain assistance or find out more information about the AER program, contact Army Community Services at (803) 751-5256.



ID Services

Family Matters Blog: Managing Military ID Cards Just Got Easier

By Lisa Daniel
American Forces Press Service

WASHINGTON, Sept. 17, 2012 - The Defense Manpower Data Center is making it easier for servicemembers and their Families to get and maintain identification cards.

The center has launched its RAPIDS (Real-time Automated Personnel Identification System) -- self-service portal to allow anyone with the Defense Department's common access card, or CAC, to apply for Family ID or retirement cards or update dependents' statuses online.

"It's really exciting," Mary Dixon, the center's director, said. "We've been working for some time now to try to improve and transform our whole ID card application process so people can do things online and not spend long hours going to a site and waiting to be seen."

The change may seem procedural, but its impact will be big for those who, without it, have had to spend countless hours waiting in line with their Families to get ID cards. Before RAPIDS, servicemembers, retirees and Families had to go together to a Defense Manpower Data Center (DMDC) to submit an application form and wait while the ID card is being made, Dixon said.

"This is a big project," she said. "It takes away time from your work, and if you are separated -- maybe the spouse is out on a ship or on deployment or your child is away at college -- it makes it a huge problem."

Now, the CAC holder can go onto the RAPIDS site, call up the listing of their dependents, and fill out and digitally sign form No. 1172-2 for their Family Members to receive an ID card. That Family Member then can go alone to the closest DMDC office -- they are listed on the

website and linked to Google Maps for driving directions -- to pick up the card, Dixon said.

RAPIDS is a win for both the department and Families, the director said. "You can do this from your desk," she said. "As long as your computer is CAC-enabled, it could be from your home or office. You can do it without going to a physical site, which is huge."

The site also allows you to get a DOD self-service user name and password, known as a DS Logon, that allows you to access several DOD and VA websites with the logon information, rather than a CAC. DS Logon, which is available only to CAC holders, also has a "premium account," which gives the highest level of access, allowing you to view personal data about yourself in the DOD and VA systems, apply for benefits online, check the status of your claims and update your address records. You must apply in person for the premium account.

DMDC will continue to expand its self-service options to include changing email certificates and information about Family Members, Dixon said. The upgrades include an effort to put the fingerprints of new recruits into the system, so lost paperwork can easily be replaced, she said.

Dixon said she hopes the site also will one day include alerts for when an ID card is about to expire, and will be integrated with DMDC's MilConnect website to access all DOD and Veterans Affairs benefits.

"We still have to have the face-to-face, which is important for legitimate ID proofing," she said. "But we're saying, 'What are the ways to reduce the time you spend at the sites?'"

Defense Department News Through Facebook On American Forces Press Service's Facebook page, you can post comments and share news, photos and videos. Go to

<http://www.facebook.com/pages/American-Forces-Press-Service/65137437532> or search for American Forces Press Service at Facebook.com.

Update your subscriptions, modify your password or e-mail address, or stop

ID Services (continued)

subscriptions at any time by clicking on your 'User Profile' page at

<https://public.govdelivery.com/accounts/USDOD/subscriber/edit?preferences=true#tab1> You will need to use your e-mail address to log in. If you have questions or problems with the subscription service, please e-mail support@govdelivery.com.

Have another inquiry? Visit the online FAQ at

<http://www.defense.gov/landing/questions.aspx> for up-to-date information.

Get the help you, your Family, and fellow servicemembers need, when you need it. Visit www.WarriorCare.mil to learn more.

Check out the National Resource Directory at

www.nationalresourcedirectory.org, a new web-based resource for wounded, ill and injured servicemembers, veterans, their Families, Families of the fallen and those who support them from the Departments of Defense, Labor, and Veterans Affairs.

This service is provided to you at no charge by U.S. Department of Defense. Visit us on the web at

<http://www.defense.gov/>.

Updates from the U.S. Department of Defense

Help keep Fort Jackson Safe

SAFETY HOTLINE

751-SAFE (751-7233)

All reports will be investigated.
All reports are anonymous.

Contact Us
Safety Switchboard: 751-6004
Garrison Division: 751-2541/4325
Mission Division: 751-2542/7599

Preventive Health Services in Adults

Test	Age (years)	How Often
Blood Pressure (Hypertension)	18 and older	Every office visit or yearly
Cholesterol (Hyperlipidemia)	35 and older	Every 5 years if levels are normal
Mammogram (Breast Cancer)	40 and older (women)	Every year
Pap Smear (Cervical Cancer)	21 and older (women) Sooner if sexually active	Every 1-3 years
Chlamydia (Chlamydial Infection)	25 or younger (women) If sexually active	Yearly until age 26
Colonoscopy (Colon Cancer)	50 and older	Every 5-10 years if normal
Stool Occult Blood (Colon Cancer)	50 and older	Every year
Bone Mineral Density (Osteoporosis)	65 and older (women)	Periodically



Legal Services

RETIREMENT, DIVORCE, YOU, AND YOURS

By CPT Nick Allen

Almost every client that comes through the doors of the Legal Assistance Office wishing to discuss divorce brings with them preconceived notions of what a divorce entails. Child custody myths, alimony assumptions, fault ground rumors, and other beliefs can often surge into a bustling cacophony of wrong ideas.

For servicemembers or spouses of servicemembers, one of the most misunderstood aspects of divorce is the division of military retirement pay and benefits. This article seeks to clarify this admittedly arcane slice of divorce by explaining how military pay and benefits are handled under federal law – specifically, the Uniformed Services Former Spouses' Protection Act. What is USFSPA?

Congress enacted the Uniformed Services Former Spouses' Protection Act (USFSPA) in 1982 (later amended in 2006) as a response to the previous year's landmark U.S. Supreme Court decision in the case of *McCarty v. McCarty*. There, the court held that federal law did not allow former spouses of servicemembers to receive a portion of a servicemember's retirement or disability pay at divorce. To counter this, among other things, Congress created the USFSPA which affords ex-spouses the ability to receive a portion of a servicemember's retirement pay – subject to certain conditions.

The Conditions

Section 1408(c)(1) of the USFSPA explains that when it comes to dividing military retirement pay upon divorce, a court can only divide disposable retired pay. As stated, "a court may treat disposable retired pay . . . either as property solely of the member or as property of the member and his spouse in accordance with the law

of the jurisdiction of such court."

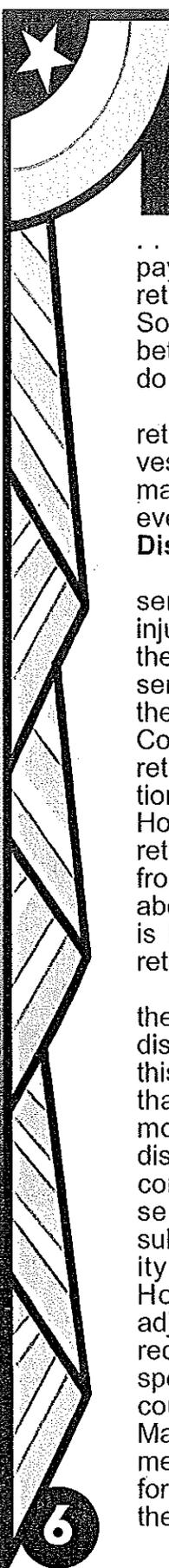
The reader should pull two major take-aways from this language.

First, only "disposable retired pay" can be divided. Section 1408(a)(4) defines disposable retired pay as the "total monthly retired pay to which a member is entitled less amounts . . . (a) owed by the servicemember to the U.S. for previous overpayments . . . (b) deducted . . . by a court-martial or as a result of a waiver of retired pay . . . in order to receive (disability compensation), (c) computed using the percentage of the member's disability on the date when the member was retired . . . or . . . (d) deducted because of . . . an annuity to a spouse or former spouse . . . pursuant to a court order." To simplify, disposable retired pay is full retirement pay (a.k.a. gross retirement pay) minus any amount owed to the government, forfeited, waived, or already paid out to a former spouse pursuant to a court order. So presume that Retiree Rick receives \$2,200 a month in gross retirement pay. Rick elects to receive VA disability in an amount of \$500 a month. Rick also has already agreed to pay a former spouse \$500 a month, as shown by a court order. The disability and annuity deducts from Rick's gross pay, leaving a disposable retired pay amount of \$1,200 a month. Therefore, if Rick's new ex wants a share of his retirement pay, his ex may get a cut from the \$1,200 amount but will not get to grab at the full \$2,200.

Second, how disposable retired pay is divided is up to state law. The USFSPA does not create a right for exes to receive retirement pay. It allows division but leaves the final decision on whether division will actually occur up to the states.

Nevertheless, of all the states and U.S. territories, the only one which flatly prohibits any division of military retirement pay upon divorce is Puerto Rico. All other states and territories allow for military retirement pay to be divided and many do so in different ways. Some jurisdictions, such as Arkansas and Indiana, require retirement pay to "vest" (i.e. for a servicemember to have reached 20 years of service by the time divorce finalizes) . . .

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Legal Services (continued)

... before they will divide any retirement pay. Most states, however, still divide retirement pay even if it hasn't vested. Some require a minimum overlap of time between the marriage and service. Others do not.

In South Carolina, disposable retired pay is divisible. It does not need to vest. The time of service and time of marriage does not need to overlap whatsoever.

Disability Compensation

Disability pay is provided to servicemembers and retirees who are injured or otherwise disabled as a result of their service (and, in the case of an active servicemember, are unable to perform their duties). As the 1989 U.S. Supreme Court case of *Mansell v. Mansell* explains, retirees can receive disability compensation from the Veterans Administration (VA). However, in accepting disability pay, the retiree forfeits a corresponding amount from their retirement pay (as illustrated above with Retiree Rick). If disability pay is higher than gross retirement pay, the retiree will just receive disability pay.

As was held in *Mansell v. Mansell*, the USFSPA does not allow the division of disability compensation. As a federal law, this prohibition pre-empts any state law that might attempt otherwise. Furthermore, as opposed to retirement pay, disability pay is not taxed. Thus, a retiree concerned about the division of post-service benefits at divorce may reap substantial benefits from receiving disability pay compared to retirement pay. However, any retiree contemplating adjusting their compensation in order to recoup greater benefits (or thwart a former spouse from theirs) should be aware that courts generally disfavor such moves. Many times, a court will offset such adjustments with other forms of relief for the former spouse or, in some states, even find the retiree in contempt of court for violation

of a court order if one has already been issued.

Commissary/PX and Medical Benefits

Section 1062 of the USFSPA explains that former spouses are entitled to the same commissary and PX benefits that a servicemember/retiree receives so long as the former spouse is unmarried and meets the "20/20/20" test. This test requires at least 20 years of credible service by the servicemember/retiree, 20 years of marriage, and 20 years of overlap between the two. If the former spouse ever remarries, the former spouse will lose these benefits. However, if the new marriage ends, these benefits revive (unlike health care benefits).

In regards to medical care, sections 1072, 1078, and 1086 establish three categories of healthcare that a former spouse can receive: (1) the full military health care program, (2) the transitional health care program, and (3) the DoD Continued Health Care Benefit Program (CHCBP).

The full military health care program is available to former spouses who do not remarry, meet the 20/20/20 test, and aren't enrolled in an employer-sponsored health insurance plan. This program provides full military coverage, including in-patient and out-patient care. An annulment of a new marriage will reinstate this benefit but divorce or death of the new spouse will not.

The transitional health care program is available to former spouses who do not remarry, meet the 20/20/15 test (meaning only 15 years of overlap is necessary), and aren't enrolled in an employer-sponsored health insurance plan. This program provides full coverage for one year after the divorce (with the possibility of a second year). An annulment of a new marriage will reinstate this benefit but divorce or death of the new spouse will not.

The DoD CHCBP is an insurance plan negotiated by the Department of Defense and is open to anyone who loses military health care entitlement benefits, including not just former spouses but...

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Legal Services (continued)

... also non-career Soldiers and their Family members. It provides temporary health coverage (usually up to 36 months) until the beneficiary is able to obtain alternate coverage. It is not free and requires beneficiaries to pay premiums three months in advance.

The Fort Jackson JAG office can provide further information regarding retirement and divorce concerns. While they can provide advice concerning this matter, they cannot represent you in a South Carolina court. Please also understand that the Fort Jackson JAG office cannot provide representation on VA disability matters. If you would like to discuss divorce or other matters pertaining to this article, please call the Legal Assistance Office at 751-4287 to schedule an appointment with an attorney.

Family & MWR is Online!

To find information on everything Family & MWR has to offer, please visit...



www.fortjacksonmwr.com

Family & MWR is also on Facebook!



To become a fan, just visit the Family & MWR website and click the Facebook link.

ARMY FAMILY COVENANT: KEEPING THE PROMISE

Learn more, visit ARMYOneSource.com to see what the Army Family Covenant can mean for you or someone you know.

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Family & MWR

Family and MWR

Fitness Programs Designed for Special Populations

When you see the words "Special Population" on the Family and MWR fitness calendars you might wonder to whom that refers. One of our goals in fitness is to provide a variety of programs to help meet the overall needs of all populations. From our retiree population to our seniors, our mission is not only to provide classes and programs for this population, but to design programs that can meet the needs of this group of healthy aging people. Our Special Population classes develop a healthy range of motion, cardiovascular conditioning, and muscle and bone strengthening while building positive social friendships.

Our current class lineup provides a daily opportunity to participate in physical activities. We feature water aerobics on Mondays and Fridays at 9:00 am and 10:00 am, at our indoor Knight Pool. We also offer land Special Population classes every Tuesday, Wednesday, and Thursday at 8:30 am at the Solomon Center. We have calendars at both locations and also have them available online for your convenience at www.fortjacksonmwr.com/fitness.

An upcoming nostalgic recreational event that the Family and MWR Fitness Department will offer is Square Dancing. This 10-week social workout activity began on 29 Sep12, at the Solomon Center from 12:00 noon to 2:00 pm. This free program will be conducted by a professional caller and Soldier, Dave Jenkins. If you are a former square dancer you may even remember the Jackson Squares, a square dancing club that was here on Fort Jackson in the early '80s. For more information or to sign up for Square Dancing or any of our other classes, contact Pamela Long, Fitness Coordinator, Family and MWR, at (803) 751-5768.

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 Fort Jackson, SC 29207-5208

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COL	R. Bernard Chapman Jr	8 Fallen Leaf Court	Columbia, SC 29229	865-1651	USA
COL	William A. Whatley	126 Peach Grove Circle	Elgin, SC 29045	661-8667	USA
CAPT	L. E. Spradlin*	6709 Kaminer Drive	Columbia, SC 29206	782-6500	USN
LTC	John R. Marcucci*(V/Ch)	404 White Birch Circle	Columbia, SC 29223	736-5041	USMC
LTC	Tom McAndrews	7217 Mountain Brook Drive	Columbia, SC 29209	776-1756	USA
LTC	Ward D. Ward	4 Chase Court	Irmo, SC 29063	767-6545	USA
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CW4	Harry S. Sobjack	105 Canton Way	Lexington, SC 29072	586-9501	USA
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*Indefinite Term of Svc

Retirement Services Officer: Gregory Fountain, (803) 751-6715