

# NORTH CAROLINA COUNCIL NEWSLETTER



**NC Council of Chapters Website: [www.moaa-nc.org](http://www.moaa-nc.org)**

**Serving Navy, Marines, Army, Air Force, Space Force, Coast Guard, Public Health Service, NOAA**

**Volume 2023 Issue 9**

## COUNCIL BOARD MEMBERS

- President - CW4 Jay E Garbus, USA (Ret)
- 1st VP - CDR Kenneth Klassen, USN (Ret)
- 2nd VP - LCDR Mark Sandvigen, USN (Ret)
- Immediate Past President - COL Jim Brumit, USA (Ret)
- Surviving Spouse Liaison - Dr. Vivianne Wersel, (SSL)
- Treasurer - Col Ken Hillman, USMC (Ret)
- Secretary - Mrs. Sue Harris, (SOM)
- Council Web Managers - LT Tracy Young, USA (FMR)
- Personal Affairs Officer - CAPT David Lee, USNR (Ret)
- Health and Welfare – MAJ Leon Rooks, USAR (Ret)
- Chaplain—CAPT (Chaplain) Thomas Atkins, USN, (Ret)
- Lay Chaplain – LTC Ed Grant, USA (Ret)
- Parliamentarian COL Vern Pike, USA (Ret)

## IMPORTANT MEETING DATES

### 2024 Roundtable Schedule

January 18* Association Management System	February 29 Levels of Excellence	March 28 Advocacy in Action	April 25 Marketing
May 23 Awards Program	June 27 Generational Recruiting	July 25 Chapter Health Update	August 22 Council/Chapter Visit Program
September 26 Legal Topics	Oct 24 Community Outreach	November 21* Harris Communication Award	December 19* 2024 review 2025 preview

\* Adjusted from 4<sup>th</sup> Thursday to Avoid Conflict



## 5 STAR COUNCIL



## PRESIDENT'S MESSAGE CW4 Jay E, Garbus, USA (Ret)



**“No Disrespect in Respectfully Disagreeing with Leaders”**

All,  
Congratulations to the **MOAA LEVELS OF EXCELLENCE AWARDS 2022 WINNERS.**  
**ALL CHAPTERS SUBMITTED RECEIVED 5 STARS** see page 2

We are looking for a Chapter or two to sponsor the 2024 4th Quarter annual meeting. We have not had an instate meeting since 2021. What Council will provide will be decided at the Council Board meeting.

I am looking for members to write a short article for the newsletter. I am sure you all have interesting stories or good humor. That would be the same as articles in the MOAA magazine.

# NORTH CAROLINA COUNCIL NEWS NC-00



## North Carolina Council of Chapters Monthly Meetings

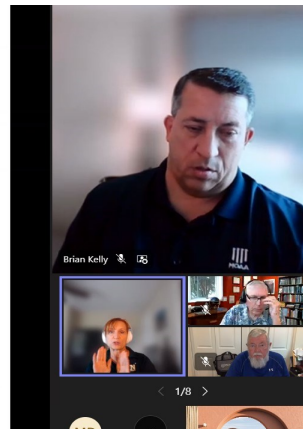


Zoom communication meetings at 10:00

- October - Wednesday, October 4<sup>th</sup> 1 hour (date change)
- Nov. -11<sup>th</sup> 4<sup>th</sup> Quarter Meeting and Annual Meeting on Cruise (5 days)
- Dec. 1: Community Outreach Grant application period opens
- Dec. 1: Community Outreach Sponsorship application period opens for next calendar year events (ongoing until funds are extinguished)
- December - Thursday, December 14<sup>th</sup> 1 hour (date change) Election of Officers

### Future of LOE

- 2022-2023 Changes Feedback
  - Weight of Criteria
  - Council President Assessment
- Award Presentation
- Proposals from members
  - Eliminate Program
  - Rename Program
  - One level of award
  - Gold-Silver-Bronze
  - Others



## MOAA LEVELS OF EXCELLENCE AWARDS 2022

### 5 STAR

- North Carolina State Council of Chapters
- Cape Fear Chapter
- Catawba Valley Chapter
- Charlotte-Metrolina Chapter
- Coastal Carolina Chapter
- High Country Chapter
- Southeastern NC Chapter
- Tarheel Central Chapter
- Triangle Chapter
- Western North Carolina Chapter



## Published by the North Carolina Council of Chapters of MOAA

**OUR MISSION STATEMENT** is in concert with the Military Officers Association of America purposes and objectives. The goal is to foster fraternal relations among retired, active, and former officers of the uniformed services and their Reserve and National Guard components. Our aim is to actively promote the protection of the rights and interests of members of the uniformed services, their family members, including survivors, provide useful services for members and their families, and serve the community, the active military forces (past, present, and future) and our nation.

**Publisher and Editor** – CW4 Jay E. Garbus, USA (Ret) and Sue Harris (SOM)

**Editor** may be reached at (704) 400-0160 or [jegarbus@gmail.com](mailto:jegarbus@gmail.com)

**The Newsletter** is published for members and friends of North Carolina Council of Chapters, MOAA.

**Editorial Policy:** The North Carolina Council of Chapters is affiliated with national MOAA. As such, the North Carolina Council of Chapters is nonprofit, politically nonpartisan. Editorial policies are established by the North Carolina Council of Chapters Publisher and Editor and are in consonance with MOAA's.

Advertising and sponsorship are accepted based on MOAA policies and standards.

**Chapter Website** - [www.moaa-nc.org](http://www.moaa-nc.org)

**MOAA "Take Action"** [http://www.moaa.org/take Action/](http://www.moaa.org/takeAction/)

A current issue of the newsletter can be found on the North Carolina Council of Chapters website, [www.moaa-nc.org](http://www.moaa-nc.org). Anyone wishing to receive this newsletter by e-mail may do so by contacting us using the "Contact Us" link

## IMPORTANT WEBSITE INFORMATION

**For all Council Members including NCCOC Committee Chairpersons, Chapter Presidents and Chapter Membership Officers**

Recommend that you review the NCCOC Website for updated information concerning posted NC Chapter reports. There also is a wealth of information from our 14 Chapters within the state for your information that gives excellent ideas and keeps all of us informed about what is happening in supporting the mission of MOAA. Log onto the website at: [www.moaa-nc.org](http://www.moaa-nc.org) for the latest on Chapters.

Leadership positions, the President's Newsletter, Legislative issues, Surviving Spouse Liaison and much more are features on the Council Website. For those in Chapter and Council Leadership positions, there is a protected backroom with restricted access to Council contact information, Semi-annual and Officer Reports from all NC Chapters of MOAA.

There are a few recent format changes to requested Chapter Semi-annual and Chapter Officer Reports in the backroom. That information is very helpful for Council and Chapter Leaders in connecting and sharing ideas with others in NC. For questions, comments or assistance with access, please email or call Ken Klassen, VP-1 for Membership.

Thanks,

Ken Klassen

# Veteran's Day Cruise Information

Dress is Casual for MOAA meetings on board. What is "casual"? This is "casual"! Cruise logo clothing is appropriate any time. There is still time to get your MOAA logo apparel.

## MEETING CASUAL



## ELEGANT NIGHT

### SEMI-FORMAL / BUSINESS



## SHOP ONLINE FOR VETERANS CRUISE LOGO APPAREL FROM QUEENSBORO APPAREL CO.

[Please Login – MOAA Store \(qbstores.com\)](https://www.qbstores.com)

Step 1. Begin by Registering for your personal account.  
That will open an online store with available logo apparel for our cruise.



Step 2. When you see an item that interests you, select it.

Step 3. Then insert a number in the box next to size and color for the quantity desired. That action will send it to your cart.

Options.

Step 1. Additional shopping is an option.

Step 2. When you are ready for checkout, you will be asked for shipping and billing address plus credit/debit card info.

Logo for the cruise will be embroidered on all items you select.

If you need help with the ordering, send an email to Queensboro at <https://www.queensboro.com> or you can call Ken Klassen, VP-1 for NCCOC. At (910) 616-9614

Guests will receive berthing info, details for final payment and other details later this spring from AAA Travel agent Lorna Tiller. She can be contacted by email: [ltillertravels@gmail.com](mailto:ltillertravels@gmail.com) or ph. (910)540-3390. It is shaping up to be a major social event in November. Dress to impress, sell the MOAA brand and wave the Flag!! Bon Voyage

## CHAPTER PRESIDENTS



- (NC01) - Cape Fear—COL Richard A. Underwood, USA, (Ret)
- (NC02) - Coastal Carolina—CAPT Randall Ramian, USN, (Ret)
- (NC04) - Charlotte-Metrolina—LTC Joe Anderson, USA, (Ret)
- (NC06) - Sandhills—COL Walter Havenstein, USMC, (Ret)
- (NC07) - Southeastern—Col. Joseph (Joe) Irrera, USMC, (Ret)
- (NC08) - Tarheel Central—Lt. Col. Greg Chase, USAF (Ret)
- (NC09) - Triangle—COL Herb Segal, USA, (Ret)
- (NC10) - Western Carolina—Capt. Donna Culp, USAF, (Fmr)
- (NC11) - Catawba Valley—LTC Clifford (Davey) Davenport, USA, (Ret)
- (NC14) - Piedmont—LTC Lee F Richmond, USAF (Ret)
- (NC17) - First in Flight— LCDR Al DelGarbino, USCG, (Ret)
- (NC20) - Central Carolina—LTC Gary Applewhite, USA, (Ret)
- (NC21) - High Country—Frankie Groff (SSL)
- (NC22) - New River—LCDR Steve Tucker, USN, (Ret)



NORTH CAROLINA  
COUNCIL OF CHAPTERS



CW4 Jay E. Garbus, USA (Ret)  
President

Cell - 704-400-0160  
Email - jegarbus@gmail.com

## COUNCIL COMMITTEES

### Executive Committee

1. CW4 Jay Garbus, USA (Ret)
2. CDR Kenneth Klassen, USN (Ret)
3. LCDR Mark Sandvigen, USN (Ret)
4. COL Jim Brumit, USA (Ret)
5. Col Ken Hillman, USMC (Ret)
6. Mrs. Sue Harris (SOM)— nonvoting

### Nominating Committee

1. Immediate Past President - COL Jim Brumit, USA (Ret)
2. Chapter President - Capt Donna Culp, USAF (FMR)
3. COL Jeri Graham, USA (Ret)
4. CAPT David Lee, USNR (Ret)

### Finance Committee

1. President - CW4 Jay Garbus, USA (Ret)
2. Treasurer - Col Ken Hillman, USMC (Ret)
3. Immediate Past President - COL Jim Brumit, USA (Ret)

### Planning Committee

1. President—CW4 Jay Garbus, USA (Ret)
2. 1<sup>st</sup> VP—CDR Ken Klassen, USN (Ret)
3. 2<sup>nd</sup> VP—LCDR Mark Sandvigen, USN (Ret)
4. Mrs. Sue Harris (SOM)
5. Col Ken Hillman, USMC (Ret)
6. Dr. Vivianne Wersel, D. Aud. (SSL)
7. COL Jeri Graham, USA (Ret)
8. Capt Donna Culp, USAF IFMR)
9. CAPT David Lee, USNR (Ret)
10. CAPT Doug Ehrhardt, USN (Ret)
11. COL Iggi Husar, USA (Ret)

### By-Law Committee

1. Juan Chavez, Past President, Cape Fear Chapter, Chairman
2. Walt Havenstein, President, Sandhills Chapter
3. Greg Chase, President, Tarheel Chapter
4. Al DelGarbino, President, First Flight Chapter
5. Jeri Graham, Past Council and Chapter President



# AMBA

ASSOCIATION MEMBER BENEFITS ADVISORS

TOGETHER WITH TRUIST

# TRUIST



Veterans Bridge Home

704-332-8802



NCServes in collaboration with NCCARE360

## 2024 COUNCIL STIPENDS

**Travel and virtual stipends** will again be available for 2024. The travel stipend, to be used to make visits to member chapters, will be in the amount of **\$1300** and the virtual stipend, for virtual meeting platform subscriptions, will again be **\$180**.

Please email [chapters@moaa.org](mailto:chapters@moaa.org) if you would like to receive ***either or both stipends***, which will be paid in early January.

No claims need to be submitted to national, but we do ask that you submit visit reports, as they might be considered for Levels of Excellence award purposes. *Council presidents are asked to kindly signal your intent for both virtual meeting and travel stipend, or intent not to receive the stipends, to [chapters@moaa.org](mailto:chapters@moaa.org).*

## UPCOMING EVENTS

[Find a complete list of Council and Chapter Affairs events online.](#)

**Save the Dates:** Regional Leader Workshops will be held in 2023 as follows. Presidents, membership chairs, legislative liaisons, and surviving spouse liaisons from councils and chapters in nearby states will be invited to attend. National MOAA pays for meals and Friday night lodging.

- Nov. 17-18, West (TBD)

## TAKE ACTION



Here is a look at MOAA's priorities, in support of the 50th anniversary of our all-volunteer force and to address the challenges facing our uniformed community. Note: Our advocacy team remains active on many other issues not listed here; our priorities will be shaped throughout the year depending on concurrent successes or emerging issues that warrant an all-hands approach. Additionally, we share many interests with The Military Coalition and other stakeholder groups, and leverage those relationships to expand our reach on Capitol Hill.

[Compensation and Service-Earned Benefits](#)

[Military Housing](#)

[Health Care for Currently Serving and Retirees](#)

[Health Care and Benefits for Veterans](#)

[Service Families](#)

[Survivors](#)

[Guard and Reserve](#)

# REFERENCE INFORMATION SECTION

## MOAA GUIDANCE ON PARTISAN POLITICAL ACTIVITIES

### PARTISAN POLITICAL ACTIVITIES

As organizations exempt from federal taxation under Sec. 501(c)(19) of the Internal Revenue Code, MOAA and its affiliates must take care to avoid engaging in partisan political activities. Under IRS rules, we are prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for public office.

### CANDIDATES FOR PUBLIC OFFICE

A candidate for public office is an individual who offers himself or herself, or is proposed by others, as a contestant for an elective public office, whether such office is national, state, or local, and includes incumbent candidates. The prohibition also extends beyond declared candidates and may apply to efforts to recruit an individual to run for office or advance exploratory activities. The prohibition also applies to advocating for the platform of one political party over another.

### PROHIBITED ACTIVITIES

Activities which constitute participation or intervention in a political campaign on behalf of or in opposition to a candidate include, but are not limited to, the publication or distribution of written or printed statements or the making of oral statements on behalf of or in opposition to such a candidate.

It is clear that the prohibition on partisan political activity prohibits such outright actions such as posting a “Vote for Biden” or “Vote for Trump” on the organization’s website, or “Support Republican Candidates” or “Vote Democratic.”

In addition to these obvious examples, the prohibition goes well beyond direct expressions of support. In determining whether an organization is engaged in unlawful partisan political activities, the IRS applies a “facts and circumstances” test. The IRS looks not only to the expressed language, but to external factors, such as the communication’s timing, its targeted audience, and how the message relates to public policy positions that distinguish a candidate in a campaign.

### CONSEQUENCES FOR VIOLATIONS

The consequences to an organization that violates the prohibition on partisan political activity can be severe including the loss of its tax exempt status and the imposition of certain excise taxes. For public charities, like The MOAA Foundation and the MOAA Scholarship Fund, the IRS can disallow tax deductions for charitable contributions. In addition, for an organization whose mission involves advocacy on key military community issues, MOAA must seek support from elected representatives from both parties.

Engaging in partisan political activities on behalf of one party or candidate would seriously undermine MOAA’s ability to achieve the bipartisan consensus on key issues essential to achieving its legislative objectives.

*Continued on next page*

# MOAA GUIDANCE ON PARTISAN POLITICAL ACTIVITIES, CONTINUED

## **PERSONAL OPINIONS**

As individuals, members and leaders of MOAA and MOAA's affiliates are not prohibited from engaging in partisan political activities so long as they do so in way that makes it clear they are acting for themselves and do not appear to be speaking on behalf of MOAA or its affiliates. For example, it is permissible for an individual to express his or her personal preference in support of or in opposition to a candidate or political party. And they may do so publicly.

However, when expressing their personal opinions or preferences, they may not make reference to their MOAA position, use MOAA communications channels, use MOAA letterhead or newsletters, identify themselves as MOAA leaders, or imply that MOAA or its members share their beliefs.

## **LEADERSHIP RESPONSIBILITIES**

Those in leadership positions have a special responsibility to separate their personal political opinions from statements that are or can be attributed to MOAA or its affiliates. For example, it is improper for a chapter leader to use the chapter's newsletter to advance the leader's personal political beliefs.

This goes beyond statements expressly advocating for a specific candidate or party by name. Statements that incorporate campaign messaging, campaign slogans, and political positions identified with a particular candidate or party are also prohibited. No MOAA leader is authorized to use MOAA's or an affiliate's resources to communicate their personal political beliefs. This is an outright violation of the leader's fiduciary duty to the organization and a serious leadership and ethical failure.

## **DIVISIVE SOCIAL ISSUES**

We are all aware of the divisive nature of the debate over today's leading social issues – protesting during the national anthem at sporting events, racial justice, public protests, and the conduct of law enforcement officers. These are issues over which many Americans have deeply held, but differing, personal beliefs. This is also true within the military community among the ranks of active duty and retired officers and within MOAA itself.

MOAA leaders have an obligation to keep this in mind when communicating on behalf of MOAA or its affiliates. Suggesting that MOAA only supports one side of a deeply divisive issue sends a message to those with a different belief that MOAA is not for them.

Officers today have grown up in a military culture that is very different than the past. Many are accepting of attitudes and views that were not mainstream when many of us were in uniform. If MOAA is going to connect with the newest generation of uniformed officers, it needs to be clear that those with strong views on racial and social justice imperatives are just as welcome as those who adhere to more traditional expressions of patriotism and officership.



# 2024 Roundtable Schedule

January 18* Association Management System	February 29 Levels of Excellence	March 28 Advocacy in Action	April 25 Marketing
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\* Adjusted from 4<sup>th</sup> Thursday to Avoid Conflict



## 2024 Leader Training Workshops



Leadership Seminar  
Orlando, FL  
January 25-27  
FL, Other C&C by invitation

Virtual Workshop  
New Leaders  
March 13-14  
Focused on New Chapter Leaders

South Workshop  
TBD  
May 10-11  
AL, GA, KY, MS, NC, SC, TN, VA

Virtual Workshop  
Experienced Leaders  
August 14-15  
Focused on Experienced Leaders

West Workshop  
TBD  
November 15-16  
AL, AZ, CA, HI, ID, MT, NV, OR, UT, WA, WY

# Chapter Health

- Dedicated Discussion at AiA CP Seminar
- LOE and individual CP input
- 60 chapters identified as “At Risk”
- Commitment of Council Presidents in partnering on Chapter Health
- Next steps
  - Individual discussions with at risk chapters and their council
  - Identify and implement helpful resources
  - Visits where indicated
    - Leadership meetings
    - Rescue meetings



# Chapter Overview

## The healthy chapter:

- Chapter purpose/mission
- Legislative advocacy/engagement
- Impactful community service
- Membership growth

## How we can measure accomplishment and sustainability:

- Use of committee module/other electronic tools
- Up-to-date leadership roster
- Recruiting and retention statistics
- Use of sponsorship and grant programs
- National and Council engagement
- Training involvement and collaborative engagement





## CHAPTER NEWS

**CAPE FEAR CHAPTER NC-01**  
COL Richard A. Underwood, USA, (Ret)

**COASTAL CAROLINA CHAPTER NC-02**  
CAPT Randall Ramian, USN, (Ret)

**CHARLOTTE-METROLINA CHAPTER NC-04**  
LTC Joe Anderson, USA, (Ret)



All tournament proceeds go to support higher education scholarships for outstanding JROTC cadets in Charlotte-Metrolina area high schools.

TOURNAMENT CHAIRMAN - JOE L. ANDERSON

**Friday, October 6, 2023**  
**Olde Sycamore Golf Plantation - Mint Hill, NC**

7:30a - 8:45a Registration, Continental Breakfast, Driving Range Balls, Practice Putting Green  
9:00a Tee Off Captain's Choice / Scramble Format & Tournament Play (until 2p)  
2:00p - 3:30p Barbecue Buffet Dinner, Awards, Door Prizes & Raffle Winners

**PRIZES AWARDED to 1st, 2nd, 3rd place teams, Closest to the Pins, Longest Drive & more!**  
(SEE PAGE 2 FOR PRICING, SPONSORSHIP LEVELS AND REGISTRATION FORM)



The Charlotte-Metrolina Chapter of MOAA is a 501 (c) 3 non-profit entity. The JROTC Scholarship Fund falls under that tax-exempt status and all donations are tax-free. Chapter Tax ID/EIN #38-3779812

**JROTC Scholarship Fund Benefit Golf Tournament - Oct 6, 2023**

**LEVELS & REGISTRATION**

**PRICE INCLUDES:** Green fees, Cart, 2 Beverage Tickets on Course, Raffle Ticket, Continental Breakfast, Buffet Dinner, Door Prizes & Gifts.

**PARTICIPATION**

Individual Golfer \$125      4 Person Team \$500

**SPONSORSHIPS**

**HOLE-IN-ONE SPONSORSHIP**

Individual \$100      Company Signage \$250      4 Person Team + Signage \$600

**PRIME COMPANY SPONSORSHIP**

ALL LEVELS INCLUDE: Acknowledgment at Tournament Dinner, and company name and/or logo on printed materials, and press releases. A representative of each Prime Sponsor will be invited to and be recognized at the JROTC scholarship awards dinner/ceremony in May 2024.

**Signature Sponsor \$5,000**

- (3) Foursomes
- Signature Sponsor Banner
- Opportunity to speak at Awards Dinner
- MOAA Challenge Coin to each golfer
- On MOAA website for 12 months

**Platinum Sponsor \$3,000**

- (2) Foursomes
- Title Sponsor Banner
- Opportunity to speak at Awards Dinner
- MOAA Challenge Coin to each golfer
- On MOAA website for 12 months

**Gold Sponsor \$2,000**

- (2) Foursomes
- Title Sponsor Banner
- MOAA Challenge Coin to each golfer

**Silver Sponsor \$1,000**

- (1) Foursome
- Title Sponsor Banner
- MOAA Challenge Coin to each golfer

**Registration Form - JROTC Scholarship Fund BENEFIT GOLF TOURNAMENT 2023**

Please Check One or Several (Mulligan packages available at Registration)

**PARTICIPATION:**  Individual Player \$125       4 Person Team \$500  
**SPONSORSHIPS:**  Individual \$100       Company Hole/tee \$250       4 Person Team Hole/tee \$600  
 Prime Company Sponsorship (Level, Select One)

Team Captain/Player 1: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Player 2: \_\_\_\_\_ Player 3: \_\_\_\_\_

Player 4: \_\_\_\_\_

**Payment and Registration Due by October 1, 2023**

**ONLINE:** Go to Charlotte-Metrolina MOAA website [charlottemoaa.org](http://charlottemoaa.org) to register and make payment

Email this form to: [treasurer@charlottemoaa.org](mailto:treasurer@charlottemoaa.org) and pay with a credit card: [charlottemoaa.org/go](http://charlottemoaa.org/go)

**BY CHECK:** Detach this form and make check payable to "MOAA Charlotte-Metrolina Chapter"

Mail to: Charlotte-Metrolina Chapter MOAA, ATTN: MOAA Scholarship Golf Tournament  
PO Box 31394, Charlotte, NC 28231-1394

## SANDHILLS CHAPTER, MOAA NC-06

COL Walter Havenstein, USMC, (Ret)

### **Festival D'Avion 2023 Moore County Regional Airport**

On 28 October 2023, members of Sandhills MOAA Chapter will staff a table to recruit new members and take orders to sponsor wreaths for Wreaths Across America.

## SOUTHEASTERN NC CHAPTER NC-07

Col. Joseph (Joe) Irrera, USMC, (Ret)

## THE TARHEEL CENTRAL CHAPTER NC-08

Lt. Col. Greg Chase, USAF (Ret)

### **Passing of CAPT "Hank" Wade, USN (Ret.)**

CAPT Shelba H. "Hank" Wade, Jr., USN, (Ret) passed away on April 12, 2023, after a seven-year valiant battle with cancer.

He enlisted in the Navy in 1955, and became a naval aviator in 1963. Following his marriage to Gaye Sowers in 1963, they traveled to Rota, Spain for his first tour of duty. Other tours included Pensacola, Norfolk, and Virginia Beach. After leaving active duty, Hank and Gaye moved to North Carolina and raised their two daughters, Deborah and Ashley. He continued his service in the Navy reserves until he retired with the rank of Captain in 1985. Hank worked as general manager of CENCO, Inc. and served as the company's chief corporate pilot.

Community service was very important to him. He was active at Advance United Methodist Church in committee work and teaching. Hank also served as President of the Stratford Kiwanis Club, and in more recent years as President and other offices in the Tarheel Central Chapter of the Military Officers Association of America.

### **Passing of CAPT Ira Schwarz, USN (Ret)**

At age 95, **Captain Ira N. Schwarz**, US Navy Retired, formerly of 3956 Walnut Hill Drive, Winston Salem, NC, left the bridge and passed peacefully into the arms of our Lord at 10:15 PM on Friday, September 22, 2023. Ira was not alone; members of the Tarheel Central Chapter of MOAA were present during his last moments. He often said, "You've got to expect the unexpected!"

Born on May 9, 1928, in Suitland, Maryland, USA to Alexander and Irene Schwarz, he lived in Greenbelt Town, Prince Georges, Maryland, with his parents and two younger brothers: Alfred and Lawrence. He attended Mount Vernon High School in Alexandria, VA where he played center on the football team and was elected senior class Vice President. He graduated in 1946 and registered for the draft. He spent three years in Aeronautical Engineering at Virginia Tech, but his education was cut short by the death of his father. In 1949, Ira joined the Navy.

After completion of heavier-than-air flight training, Ira was assigned to lighter-than-air dirigibles and served a post-WWII tour defending the east coast from submarines.

Then, he briefly flew amphibious aircraft like the PBY-5. His next tour was as an instrument flight instructor in SNJ & SNB aircraft, followed by General Line School at Monterey where Ira learned about ships and ship handling. He went on to Hawaii for a tour in VU-1, during which he completed jet transitional training. In 1960, Ira reported to the Naval Post Graduate School (NPGS) in Monterey, CA for further studies in Aeronautical Engineering.

Upon graduation, and switching to Aeronautical Engineering duty, Ira reported to the Senior Program Office (SPO) as Head, Inertial Navigation Section, and a part of the Navigation Branch. His group was responsible for the Ships Inertial Navigators (SINS), the heart of successful navigation at sea. To feed these systems they developed a satellite navigation system (later introduced for civilian use as GPS). They simultaneously perfected a periscope capable of exposure for only 30 seconds that recorded a 17-star fix. As he explained, "If you can know exactly where you are, you can accurately predict where your missiles will land!"

Next he commanded the Navy Aero Structures Laboratory at Naval Station, Philadelphia, PA. (1966-1968). During this tour Ira made two trips to Viet Nam. The first, to determine how long we could continue to fly the A-1 aircraft before the end of its wing life; and then a load spectrum under combat conditions for the newly introduced A-6 aircraft.

His second Viet Nam tour was with the Marines to determine the cause of and solution for the catastrophic losses of H-46 and H-53 helicopters. Ira and his team determined what the structural life of the blades was and how long they could be over stressed before failure would occur - blades could be replaced on a timed basis before catastrophic failure occurred. This new standard saved hundreds of crews and troops!

His next tour (1968-1971) was as the Officer Assignment Officer for all AED Officers. During this tour Ira had the privilege of serving on many promotion boards.

Ira was then assigned to the Air Systems Command (1971-1973) as Head, Structures Branch. In this position Ira was privileged to serve on the initial design team for the F-14 aircraft. Also, a part of his responsibility was the Airborne Mine Countermeasures Equipment and support and Ira again returned to Viet Nam when it came time to remove the mines from harbors there.

His next assignment (1973-1975) was as Commanding Officer, Naval Missile Center at Point Mugu, CA. Ira became Commander, Pacific Missile Test Center from 1975-1976. This command comprised over 7,800 square miles of sea test range with three airfields; Point Mugu, San Nicholas Island and Barking Sands (in Hawaii). His responsibilities included testing each airborne missile against every navy aircraft platform.

Following that tour Ira returned to Washington as Deputy Director, Navy Space Program. In 1977 Ira retired from the Navy. As an aviator he logged over 8,000 flight hours in multiple types of military aircraft.

Ira retired from the Navy in 1977, and spent a few years testing the waters in several areas: Solar Engineering, Real Estate, and Personnel Consulting. On March, 29, 1989, following the US Supreme Court decision in Davis v Michigan ruling that those States that taxed federal retirees but exempted State retirees were in violation of federal statute and the US Constitution, his life changed dramatically.

By April 14, 1989 they had obtained legal representation and 22 class members. They filed in federal court at 4:30 PM on that Friday, to assure preservation of the previous three years of tax payments with a later filing in State Court, known as Swanson v North Carolina.

Ira proceeded to organize the "Federal Retiree Tax Equity Task Force." Eventually signing 1,040 plaintiffs and over 13,000 members comprised of both in Military and Civil Service.

Meanwhile North Carolina, in order to comply with the US Supreme Court, imposed an equal tax on its state and local government retirees. After organizing the State retirees into a separate plaintiff class they filed suit on the basis of "breach of contract" claiming they had been promised there would be no tax of their retirement benefits in return for their salaries being held down over the years. This suit became known as Bailey v North Carolina.

In May 1998, following nine years of litigation including a trial that lasted several weeks, the North Carolina Supreme Court upheld the trial Judge in his decision that there was a breach of contract and that State and Local government retirees were due a refund of taxes paid during years 1989 – 1997. The State agreed to put up a fund of \$799 Million, under control of the Court, to refund the contested taxes paid by all North Carolina government retirees, Federal (military & Civil Service) and State and Local retirees. The Court was to administer the refunds, and Ira was appointed by the Court as Director, Settlement Administration.

*Continued on next page*

The refunds were paid to all claimants by 2002. The final result was that every claimant, over 183,000, received a refund of all taxes paid to the State for the years 1989-1997 on government retirement benefits, PLUS an average interest of 19%.

He is preceded in death by his parents, his first wife Ruth, second wife Annie and survived by his daughter Karen (Andy Clark), stepson Paul Edwards (Joy) and stepdaughter Martha Edwards (Steve) and two nephews.

A celebration of life and internment at Arlington are planned for a later date.

## THE TRIANGLE CHAPTER NC-09

Triangle—COL Herb Segal, USA, (Ret)

### 60th Anniversary Dinner Celebration

Please join us as we gather on October 17th to celebrate the 60th anniversary of the founding of MOAA's Triangle Chapter. The celebration, featuring Col Rojan J. Robotham, USAF, as guest speaker, will kick-off with a presentation of the Colors by Cadets of the Cary High School NJROTC Color Guard.

The observance will take place in the University Room of the NC State University Club, 4200 Hillsborough Street, Raleigh, NC 27606.

## WESTERN CAROLINA CHAPTER NC-10

Western Carolina—Capt. Donna Culp, USAF, (Fmr)

#### **Subject: A National MOAA Legislative Request to the Membership**

National MOAA has called State MOAA legislative leadership for membership action. Your WNC Chapter legislative team members have read and interpreted the bill, the situation, and the request from our National MOAA leadership and believe that an informed response from the chapter membership is appropriate. Hopefully, this email will give you some background, considerations, and options for responding to the automated legislative system provided by the National MOAA on their website. Since the bill's passage into law would prioritize certain veterans over other veterans without expecting the Department of Defense (DoD) to get any additional funding, please weigh your options and support decisions carefully and then respond to the National MOAA on their Legislative Action Center. There is the preferred bill, but other active legislative efforts would be prioritized lower if passed as currently written.

**Current Situation:** The US Senate is set to reconvene on 5 September, and the US House will return into session on 12 September. The House Armed Service Committee completed its review of the Richard Starr Act and has sent it to the Senate requesting they concur and accept the bill's verbiage. If the Senate accepts the House bill as written, it shortens the legislative process toward approval. National MOAA requests membership to sign into the Legislative Action Center and send a request for support to Senators Tillis and Budd. Including your House Representative is also desirable for an eventual vote.

**At Risk:** Since additional funding to support this bill, if signed into law, is not expected, its passage prioritizes the benefits of those included in the act over the general veteran population. Since this bill is very expensive (estimated by the Congressional Budget Office) to cost over \$9.75 billion in 10 years, your WNC Legislative team believes you should weigh your support appropriately. Note the offset will most



**CATAWBA VALLEY CHAPTER NC-11**

LTC Clifford (Davey) Davenport, USA, (Ret)

AMVETS Assistance Ends: Due to personnel shortages, AMVETS no longer provides claim assist to Veterans.

**PIEDMONT CHAPTER NC-14**

LTC Lee F Richmond, USAF (Ret)

**FIRST FLIGHT CHAPTER NC-17**

LCDR Al DelGarbino, USCG, (Ret)

**CENTRAL CAROLINA CHAPTER NC-20**

LTC Gary Applewhite, USA, (Ret)

**HIGH COUNTRY CHAPTER NC-21**

Frankie Groff (SSL)

**NEW RIVER CHAPTER NC-22**

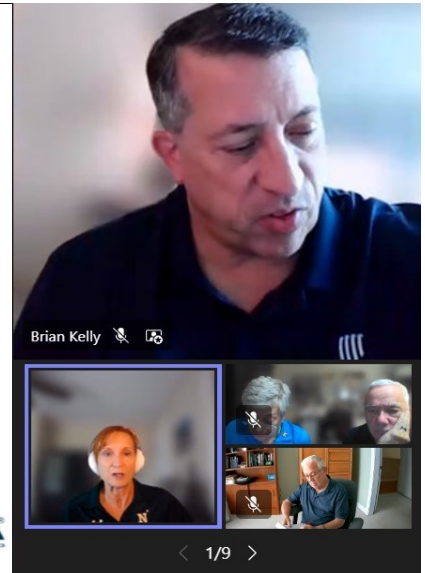
LCDR Steve Tucker, USN, (Ret)

# MOAA WEBINAR ON COUNCIL AND CHAPTERS

MOAA CEO LTG BRIAN KELLY

## Program Updates

- AMS Implementation Mar/Apr 2024
- Harris Communications Award Debriefs
- Levels of Excellence Award Update
- Strobridge and Surviving Spouse Awards
  - 14 Strobridge Nominations
  - 4 Surviving Spouse Nominations
- CP/ICP meeting 22 August, 2:00 pm ET
  - Chapter Health
  - LOE Award Criteria, Presentation, and Processes
  - Independent Chapter Council/Community of Interest



## Affiliate Checklist- P1

- Have a stated and known mission
- Officer familiarity with the MOAA website and Policies and Procedures Guide
- Subscribe to *The MOAA Newsletter*
- Proactively address renewals
- Have a succession plan
- Regularly submit awards nominations
- Update Committee Module roster and check Near Real Time Report monthly





# Affiliate Checklist-P2



Use existing technology/tools



Publish a newsletter (print or electronic)



Have a well-maintained website and social media presence



Regularly engage with Council and national Council and Chapter Affairs



Regularly attend offered training



Engage in community service and advocacy activities



Engage with other Military and Veteran Service Organizations/Coalitions/  
Chamber of Commerce



## Self-Assessment

- [www.moaa.org](http://www.moaa.org) > chapter resources>  
chapter administration > self-assessment
- **CHAPTER MEMBERSHIP:**
- **CHAPTER ADMINISTRATION**
- **CHAPTER ACTIVITIES**
- **CHAPTER COMMUNICATION**
- **EVALUATION**



## MEMBERSHIP RETENTION

- ⇒ Some specific factors that can present retention obstacles are:
- ⇒ Vague chapter mission and focus.
- ⇒ Age (perception that a chapter is for older people only and the fact that some older members can't always attend meetings).
- ⇒ Repetitive or uninteresting activities.
- ⇒ Members, especially new members, feeling unwelcome due to cliques or inattention.
- ⇒ Lack of attachment to a community.
- ⇒ To overcome retention obstacles, chapter leaders might want to consider these strategies:
- ⇒ Have a welcoming committee.
- ⇒ Remind chapter members to openly and warmly greet potential new members and socialize with them when they arrive at a chapter function.
- ⇒ Recognize affiliate officers and members with awards for outstanding performance. See [MOAA.org/MOAA-chapter-awards](http://MOAA.org/MOAA-chapter-awards) for local and national recognition programs.
- ⇒ Perform individual recognition ceremonies and present awards at meetings.
- ⇒ Use a website or newsletter to recognize accomplishments of members and publish biographies.

# MOAA NATIONAL NEWS



## WHY JOIN MOAA

The Military Officers Association of America (MOAA) is the country's leading organization protecting the rights of military servicemembers and their families. Those who belong to MOAA not only lend their voices to a greater cause, but they also gain access to extensive benefits tailored to the needs and lifestyles of military officers. MOAA members proudly hail from every branch of the uniformed services. To them, we have made the same promise that they have made to their country: Never Stop Serving.

Website [MOAA - Why Join MOAA](#)

**JOIN US** - Join a North Carolina Chapter at our website [www.moaa-nc.org](http://www.moaa-nc.org) and click **JOIN NOW** menu.



## SURVIVING SPOUSE NEWS

All eight members of the Surviving Spouse Advisory Council (SSAC) were among the nearly 200 MOAA members, leaders, and staff who participated in the association's annual Advocacy in Action event April 26 to meet with legislators about several important issues. (Learn more about these issues at [MOAA.org/AiA](http://MOAA.org/AiA).)

By the time the day was over, SSAC members visited with about 60 legislators and/or their staffs from seven states. Each came away feeling the message was well received and the experience was positive.

SSAC member Dr. Vivianne Wersel said the event gave her the opportunity to cultivate relationships with members and staffers from North Carolina as well as with other MOAA members.

Barb Smith, of Virginia, thought it was a great experience and, because this was her second time participating, she felt more confident and involved.

Capt. Kathy Thorp, USN (Ret), a MOAA board member and surviving spouse, summed up her experience: "Every time I visit the Hill, there is an underlining thrill of excitement. To walk the halls and witness the everyday rhythm of our democracy in action is something everyone should do in their lifetime. To witness MOAA in full force, with chapter and council presidents, surviving spouses, board members, and MOAA staff advocating for our military and their families, surviving spouses, and our veterans, always brings me overwhelming pride to be able to volunteer my time and energy for this organization."

**[RELATED: [The Latest Advocacy News From MOAA](#)]**

SSAC members already are looking forward to 2024 when they can once again be "lobbyists for a day."

# Surviving Spouse Resources and Links

This page is designed to provide resources to surviving spouses and answer some of the more frequent asked questions of MOAA regarding survivor issues. Access more MOAA resources by visiting [MOAA.org](https://www.moaa.org) or [MOAA's Surviving Spouse page](#); learn more about joining MOAA [here](#).

(Jump directly to [Suggested Reading](#) or information about [Survivor Organizations](#).)

**Q. What is the latest on efforts to repeal the Survivor Benefit Plan-Dependency and Indemnity Compensation (SBP-DIC) offset, also known as the "widows tax"?**

A. Efforts by MOAA and others to repeal this unfair law resulted in a phased removal of the repeal becoming law as part of the FY 2020 National Defense Authorization Act. Click [here](#) for the latest information.

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**Q. How do I reach out to MOAA's Surviving Spouse Advisory Council?**

A. Email the council at [sscomm@moaa.org](mailto:sscomm@moaa.org). Meet the members [here](#).

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**Q. How do I reach out to, or join, MOAA's Surviving Spouses Virtual Chapter?**

A. Email the virtual chapter at [mssvc02@gmail.com](mailto:mssvc02@gmail.com). You can also [join the chapter's Facebook group](#) to find details on membership, upcoming meetings, and other resoures. Apply using [this form](#).

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**Q. What publications does MOAA provide to surviving spouses?**

A. Click [here](#) for a list of survivor publications. You may also be interested in some [spouse and family publications](#), or [financial publications](#). Resources beyond publications, including advocacy news and monthly updates to MOAA's Surviving Spouse Corner, are available [here](#).

MOAA's Minnesota Chapter has compiled [The Day After Calls](#), an online publication to help families with steps to take when a military member passes.

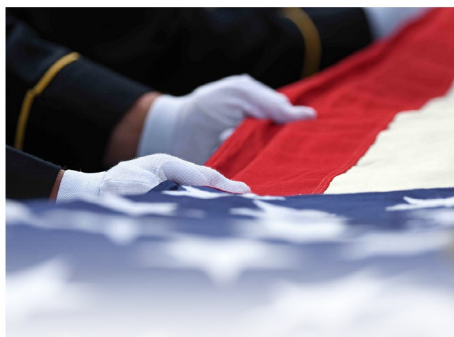
**MOAA's Surviving Spouses Advisory Council: How do I reach out to MOAA's Surviving Spouse Advisory Council?**

A. Email the council at [sscomm@moaa.org](mailto:sscomm@moaa.org). Meet the members [here](#).

## SURVIVING SPOUSE ADVISORY COUNCIL 2023



Row 1. Gail Joyce, Pat Green, Renee Matthews, Vivianne Wersel  
Row 2. Barbara Smith, Kathy Thorp, Nancy Mullen, Nora Durham  
Row 3. Suzanne Walker (MOAA Staff Advisor)



## Benefits to Support Survivors

- **DEATH GRATUITY** - A one-time, nontaxable payment to help surviving family members deal with the financial hardships that accompany the loss of a service member.
- **SSSB** - Social Security Survivor Benefits are monthly benefits paid to eligible family members of a deceased service member who has worked and paid Social Security taxes.
- **SSIA** - Special Survivor Indemnity Allowance is a benefit for surviving spouses who receive a Survivor Benefit Plan annuity that is offset by a Dependency and Indemnity Compensation payment from the U.S. Department of Veterans Affairs.
- **SGLI** - Servicemembers' Group Life Insurance is life insurance coverage for a service member.
- **TSGLI** - Servicemembers' Group Life Insurance Traumatic Injury Protection is financial assistance for service members who incur physical losses due to traumatic injuries.
- **FSGLI** - Family Servicemembers' Group Life Insurance is life insurance coverage for a service member's spouse and dependent children.
- **DIC** - Dependency and Indemnity Compensation is a tax-free monthly payment to survivors provided by the Department of Veterans Affairs.
- **SBP** - The Survivor Benefit Program is a taxable annuity for survivors paid through the Defense Finance and Accounting Service.
- **TRICARE** - The uniformed services' health care program.
- **DEA** - Dependents Educational Assistance is an educational benefit provided by the Department of Veterans Affairs.

This milestone guide outlines the change in benefits survivors can expect and what decisions a survivor may need to make.

## Primary and Secondary Next of Kin (Includes Spouses)

### Within 14 Days

- Meet your casualty assistance officer.
  - Verify family information.
  - Choose whether to authorize the disclosure of information to other government organizations for benefits and support.
- Review the will and any estate planning documents.
- Plan a funeral if you're the person authorized to direct disposition.
- Track and submit reimbursement claims for the funeral and related travel.
- Obtain a new dependent ID card (if applicable). ([www.dmdc.osd.mil/self\\_service](http://www.dmdc.osd.mil/self_service))

### Within First Year

- Update vehicle title and registration.
- Settle bank accounts, loans and credit cards.
- Connect with your service's long-term care management program.
- Request a copy of appropriate investigative reports.
- Inventory personal effects and submit claims for missing or damaged items if you're a person entitled to receive effects.
- Receive free financial counseling and online will preparation from FinancialPoint Plus if you are an SGLI recipient ([www.financialpointplus.com](http://www.financialpointplus.com)).

## Spouses

### Within First Year

- Update your status in the DEERS (Defense Eligibility Enrollment Reporting System) registry.
- Apply for Veterans Affairs DIC (Dependency and Indemnity Compensation), SBP (Survivor Benefit Plan), and Social Security (if applicable).
- Review initial Survivor Benefits Report with casualty assistance officer.

## For additional resources, visit:

- Long-term care at <https://go.usa.gov/xAZtY>
- Days Ahead Binder at <https://go.usa.gov/xAZt2>
- Survivors Guide to Benefits at <https://go.usa.gov/xAZtT>



Call or chat anytime, from anywhere in the world to learn more and connect to support. We're here for you 24/7.

800-342-9647 | [MilitaryOneSource.mil](http://MilitaryOneSource.mil)

To learn more, go to [MilitaryOneSource.mil](http://MilitaryOneSource.mil) and search "Survivor Support."



- Create a DS Logon Level 2 (Premium) account (<https://go.usa.gov/xAZtW>).
- Create a VA eBenefits account ([www.ebenefits.va.gov/ebenefits/apply](http://www.ebenefits.va.gov/ebenefits/apply)).
- Access your Interactive Online Survivor Benefits Report (<https://go.usa.gov/xAZtK>).
- Access free financial counseling from Military OneSource.
- File income taxes with free software and support from MiTax ([www.militaryonesource.mil/miltax](http://www.militaryonesource.mil/miltax)).

### One Year

- HEART (Heroes Earning Assistance and Relief Tax) Act eligibility for applicable survivors expires.
- "Final Move" deadline for survivors in government housing.

### Three Years

- "Final Move" deadline for survivors not in government housing. You may request an extension.
- "Qualifying widow/widower" federal income tax status expires.
- TRICARE Prime and active-duty dental plan expire. You're automatically enrolled in TRICARE Select for retirees. You may choose to enroll in TRICARE Prime for retirees and TRICARE Dental Program Survivor Benefit Plan.

### 20 Years

- Spouse Dependents' Educational Assistance eligibility ends.

### Age 55

- Remarriage restrictions on SBP payments lifted.
- Remarriage restrictions on DIC payments lifted.

### Age 57

- Remarriage restrictions on Social Security survivor benefits lifted.
- Reduced-rate Social Security retirement benefits available.

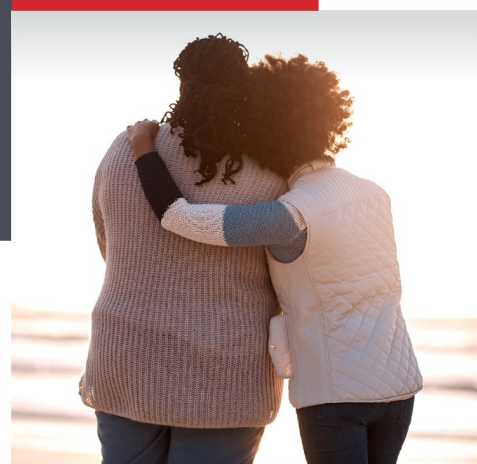
## Children

### Within First Year

- Obtain ID card (any age).
- Eligible for 40 hours of respite care at military Child Development Center.

### Age 16

- Social Security survivor benefits for child(ren)'s parental or nonparental caregiver ends.



# Today And Tomorrow

Department of Defense milestone guide for survivors of service members who died in an active-duty status



### Age 21

- TRICARE and TRICARE Dental Program Survivor Benefit eligibility ends. Full-time college students remain eligible through age 23, if they meet certain conditions. They may also qualify to buy TRICARE Young Adult (age 21-26). (<https://www.tricare.mil/TYA>)

### Age 23

- TRICARE and TRICARE Dental Program Survivor Benefit Plan eligibility ends for students; TRICARE Young Adult can be purchased.

### Age 26

- DEA eligibility ends.

### Age 33

- Fry Scholarship eligibility ends if eligibility began before Jan 1, 2013. Time limit lifted if eligibility began after that date.

## Financial Beneficiary

### Within First Year

- Free financial counseling and online will preparation are available from Financial Point Plus for SGLI recipients ([www.financialpointplus.com](http://www.financialpointplus.com)).
- If applicable: Nonparent guardian of Surviving child(ren) should establish legal guardianship.

### One Year

- HEART (Heroes Earning Assistance and Relief Tax) Act eligibility expires (applicable to SGLI and Death Gratuity recipients).

## **MOAA HAS FIVE VIRTUAL CHAPTERS**

They are: Uniformed Services Nurse Advocates Virtual Chapter, the Surviving Spouse Virtual Chapter, the Public Health Service Virtual Chapter, Chaplains Virtual Chapter and the Judge Advocate Virtual Chapter . Inquiries can be sent via email to [Moajavc@gmail.com](mailto:Moajavc@gmail.com).

Interested in participating in one of these virtual chapters, or in championing another group? Contact Capt. Pat L. Williams, USN (Ret), MOAA's Program Director for Engagement, at [patw@moaa.org](mailto:patw@moaa.org), or Capt. Erin Stone, JAGC, USN (Ret), Senior Director for Council and Chapter Affairs, at [erins@moaa.org](mailto:erins@moaa.org), for more information.

**Join the Facebook page “ DIC Surviving Spouses/DIC Increase Advocacy “ today and get involved! For more information contact MOAA surviving spouse Edith Smith, phone (703) 569-3380 or email [esmith@capitolcrusader.com](mailto:esmith@capitolcrusader.com)**

## **Learn What Your Fellow Veterans Know**

Mental Health Issues affect Veterans throughout the year, Veterans and those who care about them are encouraged to visit [MakeTheConnection.net](http://MakeTheConnection.net) to learn more about mental health and healing from Veterans who know because they've been there.

## **Veterans Eligible for Travel and Hotel Discounts**

[AmericanForcesTravel.com](http://AmericanForcesTravel.com) is a Department of Defense online leisure travel website managed by Morale, Welfare, and Recreation and supported by Priceline. Veterans can access exclusive deals on hotels, flights, rental cars, cruises, packages and event tickets

## **COMMUNITY OUTREACH SPONSORSHIP**

Apply for up to \$300 per chapter or \$800 per council to support community service programs and recruiting/branding events. Get details [at this link](#).

# PACT Act Related Effective Date Scenarios

## Compensation Claims

### Scenario 1: Original Compensation claim was filed for a PACT Act presumptive condition within 1 year of the date the PACT Act was signed into law

**What Actions Need To Be Taken:** Submit a VA Form 21-526EZ claiming the PACT Act presumptive condition. On the VA Form 21-526EZ in Section IV: Claim Information, the box states: “If due to exposure, Event, or Injury, Please Specify”, for this you will write **Toxic Exposure**. Additionally in Section IV it states: “Explain how the disability(ies) relates to the in-service event/exposure/injury, here you will write **Service in (xxxx)**.”

**Effective Date:** The effective date will be August 10, 2022 – the date the PACT Act was signed

### Scenario 2: Original Compensation claim for a newly added PACT Act Presumptive condition was filed after 1 year of the law change

**What Actions Need To Be Taken:** Same actions as Scenario 1

**Effective Date:** The effective date will be the date the claim was submitted.

### Scenario 3: Intent to File was submitted within 1 year of the PACT Act being signed into law and a compensation claim for a newly added PACT Act Presumptive condition is filed within 1 year of the ITF.

**What Actions Need To Be Taken:** Same actions as Scenario 1

**Effective Date:** The effective date will be August 10, 2022. This is due to the ITF preserving the date of law change as the effective date and the claim was submitted within the ITF window.

### Scenario 4: Veteran was denied benefits for a PACT Act presumptive condition prior to the PACT Act being signed into law.

**What Actions Need To Be Taken:** Submit VA Form 20-0995 with a VA Form 21-4138 stating:

*(Veteran’s Name) has previously filed a claim for (condition) and this claim was denied on (date) due to (reason for denial). (Veteran’s name) served in (location) from (dates of service in that location) and is now eligible for presumptive service connection under the PACT Act of 2022. Please accept this statement in conjunction with the law change as new and relevant evidence and review the veteran’s claim for (condition). Your attention to this matter is greatly appreciated.*

VA Form 20-0995 in Part II box 13A states to list the specific issues on appeal. Here you will write the condition and “Please see attached 21-4138 to satisfy requirement for new and relevant evidence.”

**Effective Date:** The effective date will be August 10, 2022 or 1 year prior to the filing of the claim, whichever is later. The effective date cannot be earlier than August 10, 2022.

### Scenario 5: Dependency Indemnity Compensation (DIC) claim was filed and denied BEFORE the PACT Act was signed.

**What Actions Need To Be Taken:** Submit A VA Form 21P-534EZ claiming DIC benefits, along with the death certificate and a VA Form 21-4138 explaining the surviving spouse was previously denied for DIC but is now eligible under the PACT Act.

**Effective Date:** The effective date will be the date the original DIC claim was filed.

# PACT Act Related Effective Date Scenarios

## Survivor Benefits Claims

### Scenario 6: Dependency Indemnity Compensation (DIC) claim filed *AFTER* PACT Act was signed.

**What Actions Need To Be Taken:** Submit A VA Form 21P-534EZ claiming DIC benefits, along with the death certificate showing the veteran passed away from a PACT Act Presumptive condition.

**Effective Date is:** The effective date will be August 10, 2022 or 1 year prior to the filing of the claim, whichever is later. The effective date cannot be earlier than August 10, 2022.

### Scenario 7: Intent to File was submitted within 1 year of the PACT Act being signed into law and a DIC claim for a newly added PACT Act Presumptive condition is filed within 1 year of the ITF.

**What Actions Need To Be Taken:** Same actions as Scenario 6

**Effective Date:** The effective date will be August 10, 2022. This is due to the ITF preserving the date of law change as the effective date and the claim was submitted within the ITF window.

**When filing for an appeal of a previously denied PACT Act Presumptive, follow this example of a 20-0995 already filed in.**

**When filing for a PACT Act Presumptive, follow this example of a 21-526EZ requesting service connection for Melanoma due to Toxic Exposure**

PART II - ISSUE(S) FOR SUPPLEMENTAL CLAIM	
13. YOU MUST LIST EACH ISSUE DECIDED BY VA THAT YOU WOULD LIKE VA TO REVIEW AS PART OF YOUR <b>SUPPLEMENTAL CLAIM</b> . Please refer to your decision notice(s) for a list of adjudicated issues. For each issue, please identify the date of VA's decision. (You may attach additional sheets of paper, if necessary. Include your name and file number on each additional sheet.)	
Check this box if any issue listed below is being withdrawn from the legacy appeals process. <input type="checkbox"/> OPT-IN from SOC/SSOC	
13A. SPECIFIC ISSUE(S)	13B. DATE OF VA DECISION NOTICE
Melanoma- Please see attached 21-4138 to satisfy requirement for new and Relevant Evidence.	DATE <input type="text"/>

**When filing for a PACT Act Presumptive, follow this example of a 21-526EZ requesting service connection**

SECTION IV: CLAIM INFORMATION			
16. LIST THE CURRENT DISABILITY(IES) OR SYMPTOMS THAT YOU CLAIM ARE RELATED TO YOUR MILITARY SERVICE AND/OR SERVICE-CONNECTED DISABILITY (If applicable, identify whether a disability is due to a service-connected disability; confinement as a prisoner of war; exposure to Agent Orange, asbestos, mustard gas, ionizing radiation, or Gulf War environmental hazards; or a disability for which compensation is payable under 38 U.S.C. 1151)			
<b>NOTE:</b> List your claimed conditions below. See the following three examples for guidance on how to complete Section IV.			
EXAMPLES OF DISABILITY(IES)	EXAMPLES OF EXPOSURE TYPE	EXAMPLES OF HOW THE DISABILITY(IES) RELATE TO SERVICE	EXAMPLES OF DATES
Example 1. HEARING LOSS	NOISE	HEAVY EQUIPMENT OPERATOR IN SERVICE	JULY 1968
Example 2. DIABETES	AGENT ORANGE	SERVICE IN VIETNAM WAR	DECEMBER 1972
Example 3. LEFT KNEE, SECONDARY TO RIGHT KNEE		INJURED LEFT KNEE WHEN BRACE ON RIGHT KNEE FAILED	6/11/2008
CURRENT DISABILITY(IES)	IF DUE TO EXPOSURE, EVENT, OR INJURY, PLEASE SPECIFY (e.g., Agent Orange, radiation)	EXPLAIN HOW THE DISABILITY(IES) RELATES TO THE IN-SERVICE EVENT/EXPOSURE/INJURY	APPROXIMATE DATE DISABILITY(IES) BEGAN OR WORSENERD
1. Melanoma	Toxic Exposure	Service in ( List where deployed)	Date



**Rank Insignia of the United States Armed Forces**

**OFFICERS**

<b>O-1</b>	<b>O-2</b>	<b>O-3</b>	<b>O-4</b>	<b>O-5</b>	<b>O-6</b>	<b>O-7</b>	<b>O-8</b>	<b>O-9</b>	<b>O-10</b>	<b>Special</b>
<b>AIR FORCE</b>										
										
Second Lieutenant (2d Lt)	First Lieutenant (1st Lt)	Captain (Capt)	Major (Maj)	Lieutenant Colonel (Lt Col)	Colonel (Col)	Brigadier General (Brig Gen)	Major General (Maj Gen)	Lieutenant General (Lt Gen)	General (Gen)	General of the Air Force (GAF)
<b>ARMY</b>										
										
Second Lieutenant (2LT)	First Lieutenant (1LT)	Captain (CPT)	Major (MAJ)	Lieutenant Colonel (LTC)	Colonel (COL)	Brigadier General (BG)	Major General (MG)	Lieutenant General (LTG)	General (GEN)	General of the Army (GA)
<b>MARINES</b>										
										
Second Lieutenant (2ndLt)	First Lieutenant (1stLt)	Captain (Capt)	Major (Maj)	Lieutenant Colonel (LtCol)	Colonel (Col)	Brigadier General (BGen)	Major General (MajGen)	Lieutenant General (LtGen)	General (Gen)	
<b>NAVY</b>										
										
Ensign (ENS)	Lieutenant Junior Grade (LTJG)	Lieutenant (LT)	Lieutenant Commander (LCDR)	Commander (CDR)	Captain (CAPT)	Rear Admiral Lower Half (RDML)	Rear Admiral Upper Half (RADM)	Vice Admiral (VADM)	Admiral (ADM)	Fleet Admiral (FADM)
<b>COAST GUARD</b>										
										
Ensign (ENS)	Lieutenant Junior Grade (LTJG)	Lieutenant (LT)	Lieutenant Commander (LCDR)	Commander (CDR)	Captain (CAPT)	Rear Admiral Lower Half (RDML)	Rear Admiral Upper Half (RADM)	Vice Admiral (VADM)	Admiral (ADM)	Fleet Admiral (FADM)
<b>WARRANT OFFICERS</b>										
<b>ARMY</b>					<b>MARINES</b>					
										
Warrant Officer (WO1)	Chief Warrant Officer (CW2)	Chief Warrant Officer (CW3)	Chief Warrant Officer (CW4)	Chief Warrant Officer (CW5)	Warrant Officer (WO)	Chief Warrant Officer (CWO2)	Chief Warrant Officer (CWO3)	Chief Warrant Officer (CWO4)	Chief Warrant Officer (CWO5)	
<b>NAVY</b>					<b>COAST GUARD</b>					
										
The grade of Warrant Officer (WO) is no longer in use.	Chief Warrant Officer (CWO-2)	Chief Warrant Officer (CWO-3)	Chief Warrant Officer (CWO-4)	Chief Warrant Officer (CWO-5)	The grade of Warrant Officer (WO) is no longer in use.	Chief Warrant Officer (CWO-2)	Chief Warrant Officer (CWO-3)	Chief Warrant Officer (CWO-4)	The grade of chief Warrant Officer (CWO-5) is no longer in use.	

