



American Retirees Association

With our affiliate, the Uniformed Servicemember Association,
defending the rights of all uniformed service personnel.

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THE WASHINGTON RAMBLE

Are we enjoying the cover our perpetual Trump v Media national drama provides? We're taking advantage of this soap opera.

Our nation's divorce industry is finding diminished legislative support for perpetuating the USFSPA, status-quo:

a. Thanks to the Pentagon's "Blended Military Retirement System, Congress was encouraged to implement California's Kniss v Kniss (remember that depublished decision?) nation-wide;

b. Alimony laws are beginning to re-focus on the divorced military spouse' need to become self-reliant;

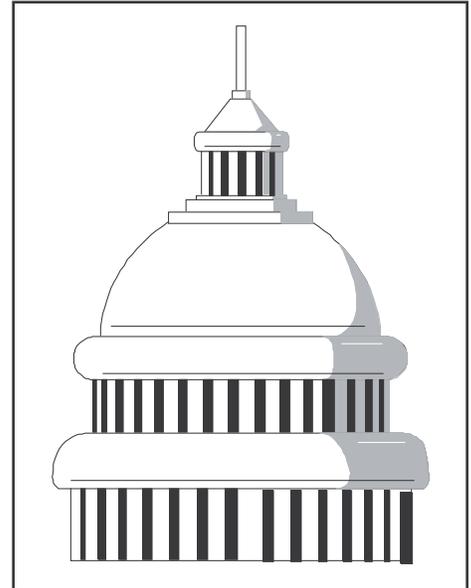
c. The involuntary allotment of traditional military retirement (from creditable service) system pay, as jointly earned marital property, bar is being raised to include only 20/20/20 in many jurisdictions, and

d. Thanks to the U.S. Supreme Court's Howell v Howell decision, all jurisdictions are advised that a veteran's disability compensation was never intended to be included as divisible income, directly or indirectly, in their divorce actions.

Aligning USFSPA re-marriage provisions with those provided other federal government employees is one inequity in our cross-hairs. Our provision is currently only provided to dependent military spouses who claim domestic abuse.

As concurrent receipt advocates lobby hard for expansion of their benefit, some members of Congress are beginning to understand how this legislation allowed our divorce industry to transform the Military Retirement System's "re-

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The Thole Report

Happy New Year!

If you are getting married under the impression that, if things don't work out, you can always divorce, then **DON'T GET MARRIED.** Marriage is forever.

If you are married and are contemplating divorce, go back to your vows—you aren't trying hard enough, and you are not as committed as you were on the day you said, "I do." Dumping a lifetime solves no problems! (Please note that I am not talking about the marriages where there is physical abuse or abuse of any kind, where leaving it is a necessity.)

Do an audit on your marriage. Just like a business, you have to "open" all the books—financial, emotional, and physical—in order to truly look at your marriage and where it is slipping off the tracks or, worse, is off the

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VIEW FROM THE CHARTHOUSE



By Dennis Egge, President
American Retirees Association

As former NAUS region presidents and Uniformed Service-member Association (USA) founder Al Stewart continue their efforts to re-establish the “all services all paygrades” principle we share, on Capitol Hill and in our State and Territorial Legislatures, we formally invite all of their abruptly set adrift NAUS affiliated members, on-board, effective immediately. Call 909-557-0107 or visit the americanretires.org website for membership information and instructions.

We have much to be thankful for but we cannot rest until all divorced USFSPA casualties enjoy equal justice under the law: Thanks to the:

a. Pentagon, for its Blended Military Retirement System; it intro-

duces annuity law to military divorce actions,

b. Congress, for protecting those joining our ranks, with new equitable provisions, written into NDAA17, and

c. the U.S. Supreme Court for protecting a divorcing disabled veterans compensation, including indemnification, from division.

The Pentagon’s new 401K-style Blended Military Retirement System requires the nation’s divorce jurisdictions to resolve all military marriage financial issues, effective final decree day. No more stinky USFSPA, retirement at half of half pay, albatross hanging on the di-

vorced service member’s neck.

With the National Military Veteran’s Alliance (NMVA) actively representing our common (ARA/USA) interests in Congress, we remain focused on embracing their legislative agenda. We should feel encouraged to represent our common interests in our respective state legislatures. Thanks to Congress and the U.S. Supreme Court decisions, many of them are treating their divorcing uniformed service residents with greater respect. Stay tuned for more information, in the next edition of this newsletter. From now on, I urge divorced ARA/USA members who are sharing their concerns with those elected to represent their interests in their state legislatures to just ask me for support.

*At your Service,
Dennis Egge,
ARA National President*

The Washington Ramble

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duced compensation for reduced services (to their respective service chief) pay” into a pension plan. North Carolina was one of the last States to support this principle: The U.S. Territory of Puerto Rico does not ascribe.

As a National Military Veterans Alliance (NMVA) delegate, in order to “leave no USFSPA casualty behind”, we are asking Congress to

consider allowing them to re-open their cases, for causes outlined above; we are asking State Legislatures to support this.

Are you pursuing a USFSPA casualty related issue in your State Legislature? Don’t be shy about asking us if we can help.

*Dennis Egge, ARA National President for
Michael P Smith, ARA Executive Director*

American Retirees Association Serving Divorced Uniformed Service Personnel

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How to contact those who represent you in Congress

Call 1-877-762-8762 or 1-866-220-0044, toll-free, the Capitol Operator will answer: Simply ask them to connect you to your elected U.S. House or Senate representative(s) or a cognizant committee member.

Thole Report

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tracks. There are counselors out there who can help you. Pastoral counselors are some of the best out there. The chaplains on the military installations can help, too.

Whether you are just starting out your marriage (first or second or third), or you are knee deep into it, finances are usually cited as the number one cause of marital problems.

Are you between spouses? Do not even date for two years after a divorce. And, whatever you do, do not move in with someone else of the opposite sex. Studies show that more than 75% of marriages that follow a live-in situation end up in divorce. The reasons are obvious. The divorce rate for second marriages is 67 percent.

News Flash! It is okay to be single. Census Bureau counts those currently married and those who are single are nearly 50-50 each.

If you are even contemplating marriage for a second (or third or...) time, take your time. Ask yourself why you want to remarry. Ask yourself

if you know what went wrong in your previous marriage. Ask yourself whether you were truly committed in that marriage. (Duh—if you had been, you would not have divorced, right?) If things were that bad, why did you stay married for 20-plus years? YOU were a contributor to the divorce, too.

Lastly, if you are young and newly married, do not plan to have children until your fourth year of marriage. Why? The statistics show that the first divorce often occurs at the 3-year point in the marriage. Next is the 7-year point. If you are remarrying someone with children, get counseling BEFORE you remarry. Stepchildren will be your biggest problem, after money, so say the experts.

There are more rules, but you get the picture. Marriage takes WORK. It is a 24/7/365 job, if you will. It takes commitment. If you didn't commit in your last marriage, what have you done to make sure you don't end up in divorce in your next marriage?

Disclosure: I am not a therapist, counselor, CPA, or lawyer. I am from the old school called "common sense." I know that since writing the

first *Divorce and the Military* in 1994, I haven't seen it all, I am sure, but I have certainly seen a lot.

Lt Col Marsha Thole, USAFR/RET, co-author of DIVORCE AND THE MILITARY II

NOTE: Neither ARA or their paralegal consultant and *Divorce and the Military II*, co-author give legal advice. Their comments are not legal advice, and you should consult with your own legal counsel if you have questions. Our paralegal consultant works with attorneys and their clients, and can be reached at (505) 856-2080 after 11 a.m. MDT.

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

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

1. Inquiries from people who have asked questions too late — their divorce case has been adjudicated, and they failed to ask their attorneys their questions before the divorce was final. In all these questions, we have to ask: Why didn't you ask your attorney that question? This type of inquiry is asked most often. (Rule #1: Be an active participant in your own divorce! Ask questions when you don't understand something.)
2. In a few cases, people are actually asking questions before the fact, trying to gather information before they file for divorce. In some of those inquiries, no matter which party asks, it still surprises us to see how little information people know about the USFSPA and divorce in general, and their lack of incentive to educate themselves.
3. In the last category are questions from people who have been divorced for several or even many years, now wanting to either stop the payments from the military retired pay (MRP), (inquiry from SM) or get more money (from the ex-spouse). On rare occasions, some cases can be reopened, and Lt Col Thole can refer people to expert lawyers in that regard.



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National Military and Veterans Alliance

Uniformed Services Former Spouse Protection Act (USFSPA)

legislative agenda for the 115th Congress

Goal: Identify, address and correct USFSPA inequities

Objectives:

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

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American Military Retirees Association	www.ara1973.org, mbergeron@amra1973.org
American Military Society	jpaulmay@aol.com
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Armed Forces Marketing Council	www.theafmc.org, tgordy@theafmc.org
Army and Navy Union of the USA	www.armynavy.net, lindenuwr@aol.com
Association of the United States Navy	www.ausn.org
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Gold Star Wives of America	www.goldstarwives.org, joe.goldstarwives@gmail.com
Hispanic War Veterans of America	www.hwva.us, hwva@hwva.org
Japanese American Veterans Association	www.javadc.org, brucehollywood@gmail.com
Korean War Veterans Association	(703) 893-6313
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Military Order of the Purple Heart	www.purpleheart.org, goberh@aol.com
Military Order of Foreign Wars	www.fwus.org/about.html, kwebber10@gmail.com
Military Order of the World Wars	www.militaryorder.net, chiefstaff@moww.org
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Reserve Enlisted Association	www.reaus.org, lburnett@reaus.org, legislation@reaus.org
Reserve Officers Association	www.roa.org, slukas@roa.org
Senior Citizens League.....	www.seniorsleague.org
Society of Military Widows	www.militarywidows.org, rjones@naus.org
The Flag and General Officers Network	www.flagandgeneralofficersnetwork.org, radmcarey@aol.com
The Retired Enlisted Association	www.trea.org, dholleman@treadc.org
Tragedy Assistance Program for Survivors	www.taps.org, info@taps.org
Uniformed Services Disabled Retirees	www.usdr.org, redleg@zianet.com
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Vietnam Veterans of America	www.vva.org, bedelman@vva.org

Share your USFSPA reform concerns with those your dues support.

The Corry Report

If you're looking for justice in the American justice system, you're not likely to find it. Prosecutors regularly admit they are judged by the public based on convictions, not justice. That's one reason multiple criminal charges are piled on people when they are arrested. This process, called "*overcharging*," does several things. It allows prosecutors to threaten defendants with extended prison sentences and fines upon conviction of multiple charges for the same crime. It gives prosecutors a backup charge to stick on the defendant in the event the defendant is acquitted of the most serious charges. It gives jurors more conviction options if there's doubt over some or most of the charges if the case goes to trial. But most importantly, it gives prosecutors more leverage to coerce a plea bargain.

No trial? This means that the prosecuting attorney is the judge and the jury. Unless we have missed the point here, all Americans are now subject to entrapment. Innocence or guilt has nothing to do with a judiciary gone wild. You can commit a federal crime in America and not even know it. People are targeted and a crime is found to fit.

The answer lies in the huge volume of federal and state criminal laws which are broad and impossibly vague. They have become dangerously disconnected from English common law tradition.

There are some 2.3 million people in American state and federal prisons, local jails, juvenile correction facilities, Indian Country jails, military prisons, and other incarceration facilities in the U.S. and its territories. Many of these prisons and jails are for-profit private enterprises with incentives to keep people incarcerated. America is a prison nation that makes communist countries look like welcome centers. One in three Americans will be arrested by the age of 23, many of them arrested on "*crimes*" including truancy and misbehavior in school.

In America, people can be and have been arrested for taking raw milk across state lines, selling "*unapproved*" rabbits, growing pigs the wrong color, uprooting a plant on their own property or draining their own pond. And with the arrests — and sometimes with no arrest or no charges filed — come the asset seizures. American law enforcement agencies confiscate millions of dollars a year from people if they just suspect it is in-

involved in or obtained by criminal activity. Most times they never have to prove the money or property involved illegal activity.

The result is criminal records for millions of people — mostly blacks — that haunt them throughout their lives by costing them access to jobs, housing and their families, all to benefit the corrupt system.

[Equal Justice Foundation comment — A rough estimate suggests that about 40% of all adult American males have a criminal history today.]

THE HOLLAND REPORT

The Florida Family Law Reform PAC is in the process of drafting a bill for 2019. We have heard from many of you about what you want to see in a bill. Of course, the degree of reform that can be achieved depends on the individuals elected. Florida is truly an outlier state, with regard to lifetime alimony, and this is something that must get fixed, and with the right elected officials in office, this is something we will get done in 2019.

While we do not know the stance of every single elected official running, we do know where certain elected officials stand. We are trying very hard to achieve bipartisan support through education. Members of our PAC come from all parties and all walks of life. Our common goal this session is long-overdue ALIMONY REFORM. If you do not know where elected officials in your district stand, ask them; two alimony reform bills that passed through the House and Senate in 2013 and 2016 were largely supported by Republicans and rejected by Democrats with a few notable exceptions.

IS DIVORCE AND THE MILITARY II ON YOUR MILITARY EXCHANGE BOOKSHELF?

If NOT, please advise me: My objective is to assure all service personnel have an opportunity to read this reference guide before they marry and divorce. My email address is contactara@rocketmail.com.

*Thank you for your service,
Dennis Egge, President, American Retirees Association BOD*

✂

American Retirees Association

2019-2022 Board of Directors Election Ballot

<u>NAME</u>	<u>STATE</u>	<u>TERM</u>	<u>SELECT</u>
Alan Leach	California	March 2018-2021	_____
Dennis Egge	Hawaii	March 2018-2021	_____
Michael Smith	Maryland	March 2018-2021	_____
All of the above	All of the above	March 2018-2021	_____

To be revised

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- b. Fax it to: 909-335-2711, or
- c. Scan and email it to: araredlands@yahoo.com on or before March 8th 2018

Veteran Directors Mike Del Selva and Richard Lambert, who represent our interests in California and New Mexico, respectively, retired from our BOD in 2015. Both remain, indefinitely, as advisors, effective March 14th, 2015. Associate BOD director Michael Robinsom, also represents our interests, in California.



ARA Mission Statement

The American Retirees Association (ARA) was chartered in California in 1984 as a nonprofit, tax-exempt corporation to deal with inequities in the Uniformed Services Former Spouses' Protection Act (USFSPA), Public Law 97-252, 10 U.S.C. § 1408 *et seq.* Its membership includes active duty, reserve, and retired members of the uniformed services, both male and female.

The ARA is headquartered in Redlands, California, and maintains an action office in the na-

tional capital area. The ARA is recognized, within the national community of veterans' organizations, as the leader of the USFSPA reform effort.

The goals of the ARA are relief for those military veterans already affected by various inequities in this law and reduction of the threat to future military retirees. The ARA maintains that there must be fair and equitable treatment for *both* members of any military marriage that ends in divorce.

AMERICAN RETIREES ASSOCIATION

Membership dues/book order instructions and form

Annual membership dues are \$30.00

The single copy price for our book "Divorce and the Military II" is \$19.95 (shipping & handling included)

ARA Member Discount prices: 1 copy \$15.95; 2-9 copies \$14.95 each; 10+ copies \$13.95 each

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