



— SINCE 1937 —

National Association of Retired & Veteran Railway Employees, Inc.

NARVRE National Office

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NARVRE NEWSLETTER

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FROM THE NATIONAL PRESIDENT —

This is a call in an effort to enlist two new Area Directors in Area 1 and Area 7. The objectives of an Area Director are to establish new Units, stay in touch with established Units, be a good salesman and public relations person and use common sense when working with others. An Area Director job is to communicate with the National office and the local Units, he/she is a member of the Governing Board which is responsible for

implementing the policies of the National Association between conventions. An Area Director must keep in touch with the National Vice President and inform he/she of activities in his/her area. All Area Directors have an expense account as well as a bonus if they start new Units. All assignments must be approved by the National Vice President as well as any and all expenses.

Area 1 consists of the states of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina and Tennessee.

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From the National Legislative Director —

We have received numerous requests for different information and facts that were addressed or discussed at the 2016 Convention. Recently, members have been asking for a copy of our example introductory letter to Congress, which was a part of our Legislative Report to the Delegates. While it is necessary for our members to contact Congress on a variety of issues affecting railroad retirees, it is also wise that we educate the offices representing the Congressional Districts where we reside. The point of being involved in NARVRE is to remain active by letting Congress know who we are and what we expect them to protect. We want them to understand some critical facts on the history and structure of the Railroad Retirement System. We want them to know us as one of their voting constituents, and

also as a member of our national retiree association. The work we do as individual constituents is a tool that binds us together as one voice speaking on behalf of all railroad retirees. As NARVRE members, we have our own special interest...the Railroad Retirement System. Hence, communication with your Representative in Congress can be a valuable tool and asset in protecting our retirement system. The following example is for your review and use. The best advice is to keep it concise and to the point and I have tried to do

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Happy Birthday Whitey!

NARVRE past President, A.W. Whitey Westphal, celebrated a momentous occasion; his 90th birthday. Westphal has been truly instrumental in the fight for the protection of our railroad retirement over the past five decades. With numerous talks given at informational meetings across the country and years of working to protect our rights as retirees, there is no surprise that Westphal is nationally known as an expert on senior issues. Before passing the gavel to Thomas Dwyer in 2008, Westphal served as the National President for fifteen years. We wish Whitey well as he celebrates his birthday. Pictured is Unit 19's birthday celebration at their June meeting.

“The work we do as individual constituents is a tool that binds us together as one voice speaking on behalf of all railroad retirees.”



N.A.R.V.R.E.

National Association of Retired and Veteran Railway Employees, Inc.

From the National Vice President —

By now the Primary Elections are over and as we approach the Congressional and Presidential Elections on Tuesday November 8, we encourage all members to go Vote. While we are a non-partisan organization we want to make sure that we wisely choose people that will stand up for the protection of our Railroad Retirement Pension Annuity. To see how your Representatives vote on senior issues, go to the Alliance for Retired Americans website at <http://retiredamericans.org/voting-record/> to see how your Representatives votes on issues affecting seniors. Please keep abreast of the RRB informational meetings taking place and try assigning members of the closest units to attend and man a NARVRE informational table. Although we may not sign up many members, we do expose our organization. **Some AREA Directors and Assistant Area Directors are doing a good job attending the Railroad Retirement Board Retiree Informational Meetings.** For example, President and Assistant Area 2 Director Jack Bengtson of Grand Rapids, MI of Unit 152 is manning a NARVRE table as he meets many of the future retirees at the Railroad Retirement informational Seminar in Romulus, Michigan. He is also working on chartering a unit in Elkhart, IN. ***“I spoke individually to about 40 of the 52 attendees and was asked by two of them to speak at their Railroad Union meetings. They are to get in touch with me. There was also a group of CN (former GTW) employees looking to start a unit near Battle Creek, Michigan. I’ll let you know how if it works out,”*** said Jack Bengtson. I am very proud of his work. Pictured below he is manning the NARVRE Table. Also, he was able to take a photo with RRB Staff as noted below.



Left to right: Jack Bengtson, NARVRE Asst. Area 2 Director; Sheryl Donough, District Manager – Houston; Teresa Scott-Feijoo, Detroit Claims; Deanna Smith, District Manager – Detroit; and Mary Ann Tonnemacher, Network Manager – Boston.

Another success story is Area 5 Director G. G. Gonzales was able to reorganize Laredo, Texas Unit 51. This is a Unit I organized in 2012, but due to sickness the President and Sec-Treasurer were not able to maintain the Unit. It was in the verge of closing, but both GG and I made a trip to do an informational meeting and we were able garner new members. He officially reorganized the unit with new officers who are now doing a tremendous job of proudly running the Unit. ***“I had a total of 30 people attending the meeting.***

Pictures from Left to right are Sergio Perez S-T Unit 061 San Antonio, Texas, Gus Meza V-P, Delegate, Gracie Meza, L-R, GG Gonzalez Area 5 Director, Cesar Trevino Pres., and Mike Barerra Sec-Treasurer. As Director I want to thanks all the officers of Unit 051 for growing their Unit to 28 paying members. I know it will continue to grow with the help of all officers,” said Area 5 Director G. G. Gonzales.

President R. C. Smith invited National VP Tony Padilla to address Unit 77, in Decatur, Ill on July 6, 2016. It was a pleasure to meet so many well organized members. I gave the history of the many NARVE challenges we experienced to fight to protect and preserve our Railroad Retirement Pension Annuity, including saving other senior issues as our Social Security which is the Tier II of our Railroad Retirement Pension Annuity, Medicare, Medicaid, and an affordable Health Care. Some in Congress refer to Social Security and Medicare as entitlements-which are not. **They are Earned Benefits** we paid into for our future senior years. It is not welfare but there are social programs that our employers and we workers paid into. ***“We were elated at the good turnout (52) in attendance and we Thank Tony Padilla for coming to speak to our Unit,”*** said President R.C. Smith. Below, are photos of some of the officers and members.



Officers of Unit 77 Dave Hahn-Legislative Rep; Jack McKinney-Registrar; Carol Sincebaugh, Sec-Treasurer; Tony Padilla-National VP; R.C Smith-President of Unit77, and Lloyd Holman UTU Members Reporting on Amtrak.



Unit Group

Members Bill Stuart and Sam Mahannah, both retired from CSX(old B&O).

— **Anthony (Tony) Padilla NARVRE National Vice President**



(National President's Column from page 1)

Area 7 includes Idaho, Montana, Oregon and Washington.

Anyone interested in these positions should contact NVP Tony Padilla at H - (512) 523-8465 or C - (512) 552-8703 or Email tonypadillatcuiaam@austin.rr.com

The 2018 National NARVRE Convention will be held in Council Bluffs, IA hosted by Unit 30 at the Hilton Garden Inn with the Horseshoe Casino next door. Our thanks go out to Unit 30 President Orval McGee and his committee for being willing to take this project on as well as the help of Moody Law Firm representative past president A.W. "Whitey" Westphal.

—**Tom Dwyer,**
National President

In Memoriam...



Charles W. Curtis passed away on June 1, 2016 at the age of 95. He went to work as a fireman for the Pennsylvania Railroad on June 2, 1941. He was later promoted to locomotive engineer. He also worked for the Penn Central and Conrail until his retirement in June 1982.

ment in June 1982.

He served in an Army Railroad Battalion in Iran during World War II. He was a 74 year member of the Masonic Lodge, a 65 year member of the Scottish Rite, a 58 year member of the Zorah and Murat Shrine, and a 61 year member of the Brotherhood of Locomotive Engineers (B of LE) serving as a Local Chairman for many years.

After retirement, he became an active member of NARVRE. He was a member of Unit 79 in Indianapolis and Unit 62 in Sarasota/Bradenton, Florida. He was president of the Florida unit for several years, a delegate to the National Convention for the Florida unit several times, and a delegate to the State of Florida Legislative Committee.

Charley and his wife Jean were married 67 years and had two children. A memorial service was held in Indianapolis on June 20, 2016.

Also Passed: Evelyn Hazen, Jack F. Bell, Arthur Coutts, Mary Martinez, and Elmira Doering.

From the National Secretary-Treasurer —

I am happy to announce the next electronic issue of our newsletter will be in color. This is a first in our history to my understanding and just one step in becoming a more tech-savvy organization.

There will be no extra charge for this service and only members receiving the publication via email

can view it in color.

Due to the cost of ink makes publishing the paper copy in color would be extremely costly to members and consequently it will remain issued in black and white.

Please let me know if this is satisfactory and I will notify the governing board.

— **James (Phil) Steward**
National Sec/Treas

(National Legislative Director from page 1)

both in the following example. You may receive a response from an aide in their office. That would be an opportune time to express and expand on your remarks. Thank you.

Example Communication to Your Representative in the U.S. Congress (Facts on Railroad Retirement)

The Honorable John A. Doe
United States House of Representatives
Washington, D.C. 20515
Dear Rep. Doe,

I am a constituent of yours and reside in (City & State). I am a railroad retiree with XX years of service on the XXX Railroad. I am covered under the Railroad Retirement Act (RRA) and receive my benefits and my retirement annuity through the U.S. Railroad Retirement Board (RRB). Many members of Congress have been confused as to the history and structure of the Railroad Retirement System, even though it has been around for almost 80 years. As my Representative in Congress, I want you to understand the facts on railroad retirement. Railroad Retirement Benefits and annuities are not funded by general taxpayer dollars, nor do they add to the U.S. fiscal deficit. Railroad Retirement benefits and RRB operations are funded with payroll taxes from railroad employers and their railroad employees. Railroad payroll taxes are transferred from the RRB to the Social Security Administration (SSA), where accounting separates out the Tier 1 benefit dollars in order to pay RRB annuitants. Other Tier 1 benefits above and beyond this are paid entirely out of the Railroad Retirement Trust Fund, such as the 2001 bipartisan legislation (Public Law 107-90) allowing employees with 30 years of service to retire at age 60. Under the Railroad Retirement Act, if the Railroad Retirement Trust Fund faces a shortfall, the onus is on the railroad carriers alone to raise their own taxes...not the employee taxes, and certainly, not the American taxpayer taxes. Tier II benefits are fully funded by additional payroll taxes paid solely by railroads and their employees. Railroad retirement taxes have historically been higher than Social Security taxes, in order to finance certain benefit payments over and above social security levels.

This is an abbreviated summary of a larger explanation that was circulated to Congressional offices in 2012 by the freight railroads, rail labor and NARVRE, after an unsubstantiated House Report 112-421 (H. Con Res. 112) proposed that Congress conform Railroad Retirement Tier 1 benefits to Social Security benefits. That Resolution also states that doing so would save U.S. taxpayers \$2 billion over 10 years, which is simply not true. Other false statements have held that our Railroad Retirement Board performs a duplication of work with the SSA. Again, this is not true. I am a member of the National Association of Retired & Veteran Railway Employees (NARVRE). If you need more information, or if you have a question on railroad retirement, NARVRE would advise that you please contact the U.S. Railroad Retirement Board Agency for the facts, verification and accuracy. As your constituent, I would appreciate being added to your E-newsletter. Thank you,

Sincerely,
Name

Address

Email address (if applicable)

— **Gary Faley, Legislative Director**

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From Palmetto, GBA

Delays in the Third Level of Medicare Appeals Level

It's been on the news, and you may have heard about it: the Medicare appeals process is taking longer, specifically, at the Administrative Law Judge (ALJ) level. This article explains the five levels of appeals and provides information about the wait times for an ALJ hearing.

To begin, let's look at the Medicare appeals process. The five levels are:

1. Redetermination (first-level, performed at Railroad Medicare or your local Medicare Administrative Contractor for part A or durable medical products claims)
2. Reconsideration (second-level, performed by a Qualified Independent Contractor/QIC)
3. Hearing before an Administrative Law Judge or ALJ (which are independent from Medicare and are governed by the US Department of Health & Human Services (HHS))
4. Review by the Medicare Appeals Council
5. Judicial review in the U.S. District Court

Each level of appeal has certain timeliness standards. For a redetermination and

reconsideration, contractors have 60 days to process an appeal request. For a third-level appeal, the guideline is the ALJ will generally conduct a hearing and render a decision within 90 days of the receipt of the hearing request. However, backlogs at the ALJ level are causing appeals to be processed, on average, in 819.4 days for Fiscal Year 2016 (from October 2015 to the present).

This problem with the untimely processing of appeals at the ALJ level is not new; however, the growing wait time has risen greatly since Fiscal Year (FY) 2012. The following trends show the average wait times by day at the ALJ level:

- * FY 2019 = 94.9 days
- * FY 2010 = 109.6 days
- * FY 2011 = 121.3 days
- * FY 2102 = 134.5 days
- * FY 2013 = 220.7 days
- * FY 2014 = 414.8 days
- * FY 2015 = 661.1 days
- * FY 2016 Average = 819.4 days

While the wait times average more than two years, HHS has been making beneficiary-submitted appeals a priority, "given that they often present emergent circumstances

that must be promptly addressed", as written on the Office of Medicare Hearings and Appeals (OMHA) Adjudication Timeframes webpage at http://www.hhs.gov/omha/important_notice_regarding_adjudication_timeframes.html.

It's important to note that Medicare contractors, such as Palmetto GBA Railroad Medicare, do not have any connection to the ALJs and cannot assist in fast-tracking any appeals at the ALJ level.

For more information on this issue, you can visit the OMHA website at <http://www.hhs.gov/omha/>.

If you have questions about your Medicare coverage, you may call our toll-free Beneficiary Customer Service Center at 800-833-4455, Monday through Friday, from 8:30 a.m. until 7 p.m. ET. For the hearing impaired, call TTY/TDD at 877-566-3572. We also encourage you to visit our website at www.PalmettoGBA.com/RR/ME and our beneficiary Facebook page at www.Facebook.com/MyRR-Medicare.

Jennifer Johnson