



National Association of Retired & Veteran Railway Employees, Inc.

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NARVRE NEWSLETTER

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FROM THE NATIONAL PRESIDENT —

Is your railroad retirement annuity safe? In November we will have national elections and most of the expert pundits are predicting a complete takeover by the Republican Party with the House gaining about 10 more seats and the Senate from a low of 8 seats to a high of 12 seats. What this means that all the committees of Congress will be chaired by Republican members. That is how the process works and they would also control the agenda.

I say this not to alarm anybody but we all know that there are members of Congress as well as conservative think tanks who want to change the way social security, Medicare, Medicaid and yes railroad retirement which would be included because of the Tier 1

section of our law. Amtrak also would come into play. So when you go to vote know what the issues are, where the candidates stand on retiree issues, where they stand on railroad retirement especially who will defend our annuities if elected to Congress. We have one of the best if not the best retirement system in the country--we need to keep it that way!

We have advertised for some time now of two vacancies in Area Directors positions namely Areas 6 and 8. Area 8 has been vacant since June because of a resignation. Area 8 consists of California, Nevada, Arizona and Utah. What puzzles me here is that there are listed 8 assistant Area Directors and no one has stepped forth to fill the position. No organization can fulfill its responsibilities if these positions are

not functional. I realize we are a volunteer organization and we have other family responsibilities as well.

The Area Director for Area 6 also resigned for personal reasons about a month ago. Area 6 includes the states of Colorado, Kansas, Nebraska, North Dakota, South Dakota and Wyoming. We have two listed assistant Area Directors in Area 6. All Unit officers in Area 6 and 8 who had email addresses were sent an email by me a few weeks ago about these vacancies. I never heard a word from anyone. That is a unfortunate situation. Anyone interested should contact National Vice President Tony Padilla or myself for further information and instructions.

Keep this in mind “The world is run by those who show up!”

— Tom Dwyer, National President

From the National Legislative Director —

Proposed Resolution R-6, was submitted for the consideration of Delegates at NARVRE’s 39th Biennial Convention, convened May 18-20, 2014, in Sacramento, CA. This resolution (R-6) speaks to the Supreme Court ruling on the “Citizens United” case stating it to be a mis-interpretation of the First Amendment, and allowing lobbying organizations and unidentified front groups a system for excessive and unlimited political spending which has usurped the integrity of a fair and viable campaign funding system. This proposal also points out the inappropriate title of “Citizens United”, as Americans are increasingly united and dead set against it. Polling shows 80% of Americans against this ruling, Democrats @ 82% against and Republicans @ 72% against. It is simply not popular in America, and it wasn’t with the delegates at the NARVRE Convention. Resolution R-6 ultimately asked that it therefore be resolved that NARVRE , all

Units and Members, working singularly or jointly, and with other organizations, to contact and request their Representatives in Congress to work for a bi-partisan way to overturn, or otherwise amend Citizens United, so as to reestablish the Founding Fathers original principals of the First Amendment. This issue prompted much discussion on the ruling and the impact of Citizens United on campaigns and elections. Delegates cited the subsequent influence of undisclosed and unlimited monies in politics, as Citizens United opened the floodgates for secretive donations by outside groups not having to disclose the identities of their donors, or even the origin of country. This ruling has blind-sided the American public and altered the true intent of “one-person, one vote”, and it certainly has breached the promise for a “government of, by and for the people”. **Resolution R-6, titled NARVRE vs. CITIZENS UNITED was “accepted” by the delegates** with the understanding that Units would have the autonomy to decide within their membership on how they would move forward on a

proposed goal to overturn Citizens United, to reverse or amend the language and content of that ruling, and to include the need for open transparency in our election process. This office agreed to **provide information on the issue** for the membership and follow the progress in the Senate, as well as the House of Representatives.

Citizens United is a ruling by a republican majority vote of the Supreme Court which opened the door to unlimited “corporate speech” in our elections. In a 5-4 ruling, the Justices declared unconstitutional the government restriction on “independent” political spending by corporations and unions. The Court majority argued that any restrictions on political spending was tantamount to eliminating free speech protected by the First Amendment, which also protects the act of speech itself, regardless of the speaker. Ergo, the five in favor of the ruling claim that the First Amendment protects the speech of corporations and unions, whether we consider them people or

From the National Vice President —

Harlingen, Texas was chartered as NARVRE Unit #64 on August 24, 2014

Joe Atkinson Chaplin, Robert Escobedo L.Rep., Tony Padilla N.V.P., J.R. Abrego V.P., David Gonzalez President, Aida Gonzalez Secretary-Treasurer, and G. G. Gonzalez Area 5 Director—Presentation of the official Federal Charter to the new NARVRE Harlingen, Texas Unit # 064.

Area Director G. G. Gonzalez organized a new NARVRE Unit #64 in Harlingen, Texas. The above picture captions the new officers as National Vice President Tony Padilla congratulated the new officers. His remarks included the history of Railroad Retirement and talked about the importance about making sure that their current railroad retirement pension is secured for the present and future railroad retirees. NARVRE's mission is to protect railroad retirement against forces in Congress that try to weaken the Railroad Retirement Annuities that retirees enjoy pointing out the sole purpose of NARVRE to preserve, protect, and promote the security of their Railroad Retirement Pension. "Harlingen makes History as this new unit becomes the first Unit organized in the Southern tip of Texas where many "Snow Bird Retirees" travel to Texas during the winter months to a warm climate, said Area Director G. G. Gonzalez" as he also congratulated the new officers. President David Gonzalez and the officers of the Unit formally invites through this newsletter all railroaders and welcomes railroad retirees that may travel

to South Texas or that live in the vicinity to attend and participate in the new Unit. We had Doris Calvillo as a special guest from the Railroad Retirement Board to speak and answer questions on issues affecting retirees. Doris is real expert and is a regular guest to the Texas Railroad Retiree NARVRE meetings. We sincerely thank her for her expertise and for the great job in answering many of the technical questions our members ask.

We continue to encourage all NARVRE Area Directors to try to organize new NARVRE Units. We are in a membership drive. We together must make an effort to bring in new members especially from the following States:

There 519,542 retirees in the country receiving a Railroad Retirement Pensions. Texas has 33,362 retirees with a great potential for many more Units along with states as **Illinois** next in line with 32,399 retirees, **Pennsylvania** has 31,901 retirees, **Florida** has 28,598 retirees, **California** has 26,614 retirees, **Ohio** has 24,198 retirees, **New York** has 20,529, and **Missouri** has 18,558 retirees. All these States have the potential for organizing many new units because they have the greatest number of Railroad Retirees not to mention other States with large concentrations of retirees. The potential is there and some of the Area Directors should evaluate where the greatest numbers are in your area. You the Area Directors have the expertise in your areas to make the contacts to reach out to new members and organize new NARVRE Units. The task is yours to protect, preserve and promote our NARVRE organization. The challenge



to increase our NARVRE membership and create new Units is, to lobby the U.S. Congress to Protect and defend our Railroad Retirement Pension when they attempt to weaken your pension. We work in coalition with all rail unions although we no longer are under a collective bargaining agreement except maybe for Health and Welfare.

We have two Area Director Vacancies that are part of the Governing Board of NARVRE.

1. Area 6 Director entails managing the States of Colorado, Kansas, Nebraska, North Dakota, South Dakota and Wyoming.

2. Area 8 Director entails managing the States of Arizona, California, Nevada and Utah.

The Duties Consist of 1) to establish new Units; 2) stay in touch with established Units; 3) be a good salesman and public relations person; and 4) use common sense when working with others. An Area Director's job is to communicate with the National Office and the local Units, you are a member of the Governing Board which is

continued on page 3 ►►►

From the National Secretary-Treasurer

We are getting requests daily from members wanting to receive the newsletter by e-mail. I thank each and everyone of our members who are volunteering their e-mails in order help cut costs. We all appreciate saving money, that was how our generations were raised.

Why would one rather receive the newsletter via email rather than US Postal Service?

Strictly voluntary.

(1) The cost of mailing out the monthly newsletter is a huge expense. This budget item is low hanging fruit if those folks who have computers, tablets, or smart phones would "opt in" to receive the electronic

edition. To help keep the dues as low as possible, this is an easy fix for those of us that have that capability. One of the reasons this is a big expense is that as members move or die, the National Office has no indication of a problem except for the additional cost of the returned undelivered newsletter.

(2) Traveling? Why wait until you get home to get the hard copy? An e-edition is as close as checking your email on a smart phone.

(3) The electronic edition is delivered sooner than the hard copy by US Postal Mail version.

It is time to get ready for our fall push to inform our members that their dues are going to be due by January 1, 2015. After February 28, 2015 they are delinquent. Believe it or not we are still receiving a few 2014 dues.

Units Treasurers we still have over 1900 members that have not paid for 2014. Please do not forget these folks and if they are not going to renew their membership, please let us know here at the National Office. Please talk to your members that have spouses, they receive Railroad Retirement Income also and have a vested position in being NARVRE members the same as the Railroad Retiree.

The 39th Biennial Convention was put on video then transferred to DVD, we now have these DVD for sale at \$6.00 each, if anyone would like to purchase one just e-mail narvre@gmail.com or call 1-800-551-2588 and we will send one out to you after we receive your check for payment.

— **Joyce A. Burton, National Sec/Treas**

(National Legislative Director from page 1)

not. They also argued that the government has no place in determining whether large political expenditures are corrupt, so it may not impose spending limits on that basis. On the other side of the argument, the four in opposition stated that the First Amendment protects only individual speech, not speech by associations of individuals. They argued that while the government has the authority to prevent corruption, campaign spending can be corrupt when it buys influence over legislators, therefore government may impose spending limits on corporations and unions. They also contend that while the public has the right to hear all available information, that right is interrupted when corporations spend money that individuals cannot match,

and the messages from the corporations drown out messages from others, as that information fails to reach the public. During arguments, it was suggested that TV and media broadcasting houses will be the prize winners in this ruling, airing ads for billions of dollars in congressional races alone. The imbalance of false and/or slanderous attack ads purchased by unidentified people in front groups, are presently being aired on ads ending with “this ad **is not approved** by any candidate”. Certainly, Citizens United opened a wider door for the airing of these character assassinations from supporters of both political parties, with no limitations on money or lies.

As information, on September 8, 2014, the Senate voted to invoke cloture (end a filibuster) on Senate Joint Resolution 19 (S.J. Res.19), a Constitutional Amendment

that will amend or overturn the United States Constitution to allow Congress to limit the amount of spending by corporations and wealthy individuals on elections and declare, that, for purposes of the First Amendment, corporations do not have the right to unlimited free speech by spending unlimited sums of money in the political process. The amendment was passed by a bipartisan vote of 79-18 and is now on the Senate calendar whereby each Senator will have to vote Yea or Nay for S.J. Res.19, titled the Democracy For All Amendment. The acceptance of NARVRE Resolution R-6 by NARVRE Delegates serves to encourage us to ask our Senators to support S.J. Res. 19. The amendment may be called up as early as today (9/10/14) for further action in the Senate. If passed, it will move to the House.

— **Gary M. Faley, Legislative Director**

The National Association of Retired and Veteran Railway Employees, Inc. (NARVRE) Unit #43 Conneaut, Ohio wish to thank the following for contributing to our 2nd annual picnic August 11th, at the Conneaut Township Park, upper pavillon. The Mooney Law Firm of Virginia, Gift Certificates for our door prizes included Biscotti's Restaurant, Conneaut, Ohio, Tony's Dogs House, Ashtabula, Ohio and Sue Mongenel for donating Gift Baskets for the Chinese Auction. We also want to thank Bob Lebzelter, AM Live Conneaut Telephone Co. for video taping and interviewing members and officers of the NARVRE Unit #43 at the picnic. Thank you, Officers and Members of NARVRE Unit #43 Conneaut, Ohio

(National Vice President — from page 1)

responsible for implementing the policies of the National Association between Conventions and all Area Directors must keep in touch with the National Vice President and inform him of activities in his/her area. There are other duties as an Area Director that will be explained once a candidate is approved. If you are interested please call or e-mail me at H-523-8465, Cell-512-552-8703, tonypadillatecuim@austin.rr.com. You can also call President Tom Dwyer at H-763-757-1501 or Cell 763-360-1570 E-mail Tdwyertcu@aol.com.

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

7th ANNUAL FALL Luncheon And RAILROAD REUNION Saturday October 25th, 2014

This year we will again be gathering in the Atlantic and Pacific rooms, Spenger's Seafood And Fish Grotto, 1919 Fourth Street, Berkeley CA 94719 (510-845-7771), which have their own entrance on Fourth St. Just North of the former fish market. Doors open at 12:30 PM for the Reunion which will run from 1:00PM to 5:00PM with lunch served at 2:00PM.

Menu will include Caesar Salad with Croutons, sour dough rolls with butter, coffee, iced tea (available at the bar) your choice of Pasta Primavera with veggies, Salmon, Chicken Breast Marsala, and Grilled Sliced Sirloin of Beef with mushroom glaze. Entrees will include vegetables and potatoes. The meal will conclude with Chocolate Truffle Cake and raspberry sauce. There will be a limited number of fruit plates available (15) for those who are diabetic. The price of the lunch which includes tax and tip is \$35.00 with the reservation, of \$40.00 at the door.

For reservations send your check for \$35.00 to: Mr. John Herrmann, P O Box 4763, Walnut Creek, CA 94596. Be sure to note your choice of entrée and if you'll be requesting a fruit plate on the check or note to John. Additional information can be had at 925-465-4122 or John's cell at 530-925-0325. NOTE: Spenger's is opposite the Berkeley Amtrak Station which is a Capital Corridor Train stop. Also, validated parking will be available opposite the restaurant. Additional information regarding musical entertainment will be forthcoming.

NARVRE Unit 061 Oakland, CA meets on the second Tuesday of each month at 10:00 AM at the Sons of Norway Hall aka Old Rails Hall, 2258 MacArthur Blvd. Oakland, CA 94619. Additionally, the NARVRE members are welcome to stay for the Old Rails Meeting and Raffle which will be at 12noon the same day and at the same place.

Mark Your Calendars — November 1, 2014

HELLO, MARK YOUR CALENDARS TO ATTEND THE KANSAS STATE LEGISLATIVE COMMITTEE MEETING/NATIONAL ASSOCIATION OF RETIRED AND VETERAN RAILWAY EMPLOYEES, NOVEMBER 1, 2014 AT THE AIRPORT HILTON DOUBLE TREE, 2098 SO AIRPORT RD WICHITA, KS 67209, HILTON PHONE 316-945-5272 NO ADMISSION FEE.

THANK YOU FOR YOUR PARTICIPATION AND ALL YOU DO TO PROTECT YOUR RAILROAD RETIREMENT.

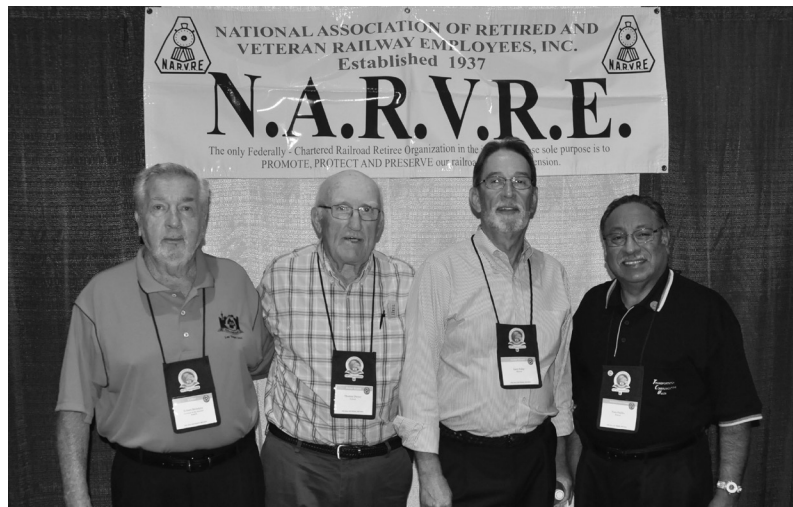
MEETING STARTS AT 10:00 AM, SPEAKERS ARE WHITEY WESTPHAL, MOODY LAW FIRM REP., TOM DWYER, NARVRE NP, TONY PADILLA, NARVRE NVP, MICHAEL COLLINS, RRB, BRING A RAILROAD RETIREE WITH YOU. HOPE TO SEE YOU THERE.

Roger W. Barr NARVRE, KSLC Secy. - Treas., Legis. Rep.



**National Association Of Retired And Veteran Railway Employees
Georgia Unit 101
July 9, 2014 Meeting
Ryan's Steak House, North Augusta, SC**

Georgia N.A.R.V.R.E. Unit 101's membership drive is in full swing, so if you are a railroad employee or retiree living in the Central Savannah River Area (CSRA), you are invited to join us every second Wednesday of the month (excluding December) at 12:00 Noon for informative meetings regarding the railroad and your retirement. After the meeting, we enjoy great fellowship and a wonderful lunch buffet. Members present (left to right) were: Back Row: Mary Frady, Joyce Luckey, Sarah Crozier, Jimmy Yonce, Ruth Collins, Johnny Glover, Paul Wilk, Jerry Fisk, Buddy Glover, Billy Bales (Treasurer), Alvin Holton, and Frank Sandy (President). Front Row: Sandra Barinowski (Secretary/Vice President) and Eric Howell (Legislative Director)



**NARVRE Officers Honored At The Transportation Communications Union 34th
Regular Convention Of July 22, 2014 In Las Vegas, Nevada**

Congratulations to TCU/IAM National President Robert Scardelletti and to President of the Carmen Division Rich Johnson and their team of officers who were re-elected by acclamation for another term of office during the 34th Regular Convention of the Transportation Communications Union/IAM on Tuesday, July 22, 2014 at Paris Hotel and Casino, Las Vegas, Nevada. "It was one of the best conventions I ever attended," said NARVRE President Tom Dwyer. National NARVRE officers and former officers of TCU who headed the National Legislative and Political office for many years in Washington D.C. were invited as exceptional retiree guests and honored with a special Presidential Award for their continued participation in the union representing not only TCU/IAM retirees, but also retirees of all railroad unions represented by NARVRE. We were invited to have an informational NARVRE Booth. We were honored to have Robert J. McIntyre, Assistant Area 8 Director and President of the Local NARVRE Unit #44 of Las Vegas to promote NARVRE and was assisted by Tony Padilla, Tom Dwyer and Gary Faley.

RRB Financial Reports

The Railroad Retirement Board (RRB) is required by law to submit annual financial reports to Congress on the financial condition of the railroad retirement system and the railroad unemployment insurance system. These reports must also include recommendations for any financing changes which may be advisable in order to ensure the solvency of the systems. In June, the RRB submitted its 2014 reports on the railroad retirement and railroad unemployment insurance systems.

The following questions and answers summarize the findings of these reports.

1. What were the assets of the railroad retirement and railroad unemployment insurance systems last year?

As of September 30, 2013, total railroad retirement system assets, comprising assets managed by the National Railroad Retirement Investment Trust and the railroad retirement system accounts at the Treasury, equaled \$26.7 billion. The Trust was established by the Railroad Retirement and Survivors' Improvement Act of 2001 to manage and invest railroad retirement assets. The cash balance of the railroad unemployment insurance system was \$192.5 million at the end of fiscal year 2013.

2. What was the conclusion of the 2014 report on the financial condition of the railroad retirement system?

The overall conclusion was that, barring a sudden, unanticipated, large decrease in railroad employment or substantial investment losses, the railroad retirement system will experience no cash-flow problems during the next 25 years. The long-term stability of the system, however, is still uncertain. Under the current financing structure, actual levels of railroad employment and investment return over the coming years will largely determine whether corrective action is necessary.

3. What methods were used in forecasting the financial condition of the railroad retirement system?

The 2014 report projected the various components of income and outgo of the railroad retirement system under three employment assumptions, intended to provide an optimistic, moderate and pessimistic outlook, for the 25 calendar years 2014-2038. The projections of these components were combined and the investment income calculated to produce the projected balances in the railroad retirement accounts at the end of each projection year.

Projecting income and outgo under optimistic, moderate and pessimistic employment assumptions, the valuation indicated no cash-flow problems occur throughout the 25-year projection period under any of the assumptions.

4. How do the results of the 2014 report compare with those of the 2013 report?

The projected tier II tax rates for each calendar year are either the same or lower than in last year's report. (Railroad retirement payroll taxes, like railroad retirement benefits, are calculated on a two-tier basis.) The projected combined account balances are higher at the end of each year.

The favorable comparison with last year was due to overall favorable economic and employment experience, with the largest impacts resulting from employment exceeding the RRB's projections and actual investment return of approximately 16 percent exceeding the expected investment return of 7 percent in calendar year 2013.

5. Did the 2014 report on the financial condition of the railroad retirement system recommend any railroad retirement payroll tax rate changes?

The report did not recommend any change in the rate of tax imposed by current law on employers and employees.

6. What were the findings of the 2014 report on the financial condition of the railroad unemployment insurance system?

The RRB's 2014 railroad unemployment insurance financial report was also generally favorable. Even as maximum benefit rates increase 41 percent (from \$68 to \$96) from 2013 to 2024, experience-based contribution rates are expected to keep the unemployment insurance system solvent. Unemployment levels are the single most significant factor affecting the financial status of the railroad unemployment insurance system. However, the system's experience-rating provisions, which adjust contribution rates for changing benefit levels, and its surcharge trigger for maintaining a minimum balance, help to ensure financial stability in the advent of adverse economic conditions.

Under experience-rating provisions, each employer's contribution rate is determined by the RRB on the basis of benefit payments made to the railroad's employees. Even under the report's most pessimistic assumption, the average employer contribution rate remains well below the maximum throughout the projection period.

While no surcharge is in effect in calendar year 2014, this year's report predicts a 1.5 percent surcharge in calendar years 2015 and 2016. A surcharge of 1.5 percent is also likely in calendar year 2017.

7. What methods were used to evaluate the financial condition of the railroad unemployment insurance system?

The economic and employment assumptions used in the unemployment insurance report corresponded to those used in the 2014 report on the financial condition of the retirement system. Projections were made for various components of income and outgo under each of the three employment assumptions, but for the period 2014-2024, rather than a 25-year period.

8. Did the 2014 report on the railroad unemployment insurance system recommend any financing changes to the system?

No financing changes were recommended at this time by the report.

The RRB's 2014 financial reports on the retirement and unemployment insurance systems are available in their entirety on the agency's website at www.rrb.gov. Information on the National Railroad Retirement Investment Trust, including its quarterly and annual reports, is also available on the site.

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From Palmetto, GBA

Railroad Medicare Protects The Trust Fund

With millions of claims submitted to Railroad Medicare each year, fraudulent or abusive billing is a possibility that cannot be ignored. Railroad Medicare is no different than Original Medicare, in that the same providers submitting claims to Original Medicare can also be submitting claims to Railroad Medicare.

Knowing that the potential for fraud and abuse exists, the Centers for Medicare & Medicaid Services (CMS) established seven Zone Program Integrity Contractors (ZPICs), which investigate potential fraudulent and abusive billing for multiple states and jurisdictions.

Railroad Medicare has its own dedicated Benefit Integrity Unit (BIU), which (just like the ZPICs) uses data analysis and referrals from beneficiaries, as well as the Medical Review and Appeals units in house, to ensure that claims are paid correctly. If the BIU discovers moneys have been improperly paid (which impacts the life of the Medicare Trust Fund), it takes aggressive steps to recover those claims payments.

The BIU works with law enforcement and refers cases to the Railroad Retirement Board Office of Inspector General (HHS OIG) to pursue on a case-by-case basis. Examples of a just a few of the types of issues the BIU investigates:

* Suppliers submitting claims for unusually high-dollar drugs and biologics
* Doctors billing for the same service for the same beneficiary for more visits than would normally be expected

When examining claims, the unit looks for an intentional deception or misrepresentation (fraud) that could result in payment of an unauthorized Medicare benefit. They also pursue abusive billing — incidents or practices that are inconsistent with accepted, sound medical practices or are medically unnecessary.

Our BIU works hard to fight fraud and abuse, but you can help, too. Sometimes the first indication of fraud or abuse is evident on a Medicare Summary Notice (MSN). When you receive your MSN, please read it carefully. Look to see if:

- Your name, address and Health Insurance Claim Number (Medicare Number) are correct
- The date(s) of a service on the statement match when you actually had a service
- The description of the services your doctor billed to Railroad Medicare is correct

If you need help reading your MSN, or you find something on it that appears to be wrong, you can call our toll-free Beneficiary Contact Center at 800-833-4455, Monday through Friday, from 8:30 a.m. until 7:00 p.m. ET. We offer a TTY/TDD line at 877-566-3572. This line is for the hearing impaired with the appropriate dial-up service and is available during the same hours Customer Service Representatives are available.

You may also call the Department of Health and Human Services Medicare Fraud Hotline to report suspected fraud and abuse. Their toll free number is 800-447-8477, or for TTY 800-377-4950.

For additional information, visit The Stop Medicare Fraud website (at <http://www.stopmedicarefraud.gov>), which is sponsored by The U.S. Department of Health and Human Services (HHS) and the Department of Justice. It explains more ways you can spot, stop and report Medicare fraud or abuse.

To keep up to date with what's happening with Railroad Medicare, you can sign up for email updates at www.PalmettoGBA.com/RR. Click 'Email Updates' on the lower left-hand side of the webpage under 'Stay Connected,' and complete the registration process. We also encourage you to visit us on our Facebook page at www.facebook.com/myrmedicare.

— Jennifer Johnson and Gayle Patterson