

## Military Resistance 9L4



**The Col. (Ret.) Got That Right:  
“The Predicament That We Now Find  
Ourselves In”  
“Supporting An Unstable Despot In A  
Very Unpopular War And Unable To  
Extract Ourselves Because Those In  
Washington Would Consider It A  
Defeat And Affect Their Re-Election”**

11.28.11

It is a sad state of affairs when a respected senior Army leader like Maj. Gen. (Peter) Fuller is fired for expressing what the vast majority of active and retired military thought when they heard Hamid Karzai's comments concerning taking the side of Pakistan in a war with the U.S. ("Maj. Gen. Fuller fired for criticizing Afghans," Nov. 14).

His comments were a prime example of the predicament that we now find ourselves in: Supporting an unstable despot in a very unpopular war and unable to extract ourselves because those in Washington would consider it a defeat and affect their re-election.

So, we will continue to slog through this quagmire, losing more of our service members until our political leaders have the intestinal fortitude to label this war for what it is, "a no-win situation" and leave it to Karzai to survive on his own.

Col. Jerry DiGrezio (ret.)  
Solver, N.H.

## **DO YOU HAVE A FRIEND OR RELATIVE IN MILITARY SERVICE?**

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**Send email requests to address up top or write to: The Military Resistance, Box 126, 2576 Broadway, New York, N.Y. 10025-5657. Phone: 888.711.2550**

## **AFGHANISTAN WAR REPORTS**

### **Memorial Service Held For Seminole Co. Soldier Killed In Afghanistan**

Nov. 23, 2011 WFTV

SEMINOLE COUNTY, Fla. —

Hundreds of family and friends remembered on Wednesday a Seminole County soldier who was killed in Afghanistan.

The flags at the Orange County Courthouse flew at half-staff in honor of Pfc. Theodore "Teddy" Rushing.

WFTV's Berndt Peterson attended Theodore Rushing's memorial service. It was a farewell full of honor.

Pastor Scott Carlson of Palm Springs Baptist Church spoke at the memorial.

"He told his dad before he left, 'If something does happen to me, I couldn't think of anything to be more proud of than laying down my life for my fellow soldiers and my country,'" Carlson said.

The 25-year-old was an Army scout serving in Afghanistan. He was killed in combat on Veterans Day.

Brig. Gen. Kenneth Dahl also spoke at the service. "At a time like this you have to ask yourself, 'OK. Is it all worth it?'" Dahl said. Dahl assured hundreds of mourners that it is worth it.

Theodore Rushing was born and raised in Central Florida. He attended Altamonte Christian School and Seminole State College, joined the service and made his family proud.

"Teddy always said that I was his role model," his father, Rick Rushing, said. "But I always knew in my heart that it was the other way around."

Loved ones said Theodore Rushing always had a smile on his face and was devoted to his family, his friends and his church.

"We thank you again for the life of Teddy Rushing," Carlson said at the service.

Those closest to Theodore Rushing said it was his faith that made him such a courageous soldier. They said the perfect words can be found in the book of John: "Greater love has no man than this, that a man lay down his life for his friends."

Theodore Rushing will be laid to rest Monday with full military honors at Arlington National Cemetery.

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## **Soldier, Navarre Grad Dies In Afghanistan**

Nov. 17, 2011 Written by Thyrie Bland, PNJ.com

The parents of a 2007 Navarre High School graduate were on hand Thursday when their fallen son's body arrived at Dover Air Force Base in Delaware.

Six military members carried Army Pfc. Matthew Colin's flagdraped casket from an aircraft as other soldiers saluted.

Colin's father, Kenneth Colin, 53, of Navarre posted on his Facebook page that his son was on patrol when he was killed Wednesday by a roadside bomb in Afghanistan. No other details have been released about the soldier's death.

Matthew Colin, 22, was scheduled to come home in January for a two-week break from his year-long deployment.

"This is a very difficult situation," said Diane Borgsteede, 47, a friend and neighbor of the family. "It has knocked the breath out of many of us, obviously his parents the most."

Matthew Colin's funeral arrangements have not been announced. He is survived by his father, his mother, Kathy, 48, and his brother, Michael, 26.

The family declined to comment Thursday.

Kenneth Colin is a spin class instructor and trainer at the Pullum Family YMCA in Navarre. Kathy Colin works for a mortgage brokerage business in Pensacola.

Matthew Colin followed in the footsteps of his father who served in the Army from 1978-85. His father was a squad leader.

Friends and family have been writing messages of condolences on Kenneth Colin's Facebook page since he posted the news of his son's death.

Zo Carlson, 44, of Navarre said her husband, Paul, went to visit the family Wednesday evening, several hours after they received word of Matthew Colin's death.

"They are in shock, and they are very broken," she said. "They just can't believe it. Ken, obviously, wants his son back."

Matthew Colin was assigned to the 1st Stryker Brigade Combat Team, 25th Infantry Division from Fort Wainwright, Alaska.

Dottie Thomas, branch director of the Pullum Family YMCA, said Kenneth Colin's greatest fear was something tragic happening to his son in Afghanistan.

**Kenneth Colin wrote on his Facebook page that 19 members of his son's unit have been killed in action since April.**

**POLITICIANS CAN'T BE COUNTED ON TO HALT  
THE BLOODSHED**

**THE TROOPS HAVE THE POWER TO STOP THE  
WARS**

# **“The U.S. And Its NATO Allies Could Start Running Low On Supplies For Troops In Afghanistan In As Little As 60 Days If Pakistan Keeps The Border Closed”**

**“Officials Said The Biggest Concern  
Was A Potential Shortage Of Fuel If  
The Border Stays Closed For Long”  
“If Two Months Go By We Are Talking  
Megacrisis”**

DECEMBER 3, 2011 By TOM WRIGHT in New Delhi and ADAM ENTOUS and JULIAN E. BARNES in Washington. [Excerpts]

Pakistan, in protest of the attacks, halted the flow of NATO supplies across its border with Afghanistan.

The U.S. and its NATO allies could start running low on supplies for troops in Afghanistan in as little as 60 days if Pakistan keeps the border closed, according to officials briefed on the Pentagon's contingency planning.

Pentagon spokesman Capt. John Kirby said border closures have yet to have an “appreciable” impact on NATO operations in Afghanistan but that any shutdown “magnifies over time.”

He said Marine Gen. John Allen, the commander of U.S. and NATO forces in Afghanistan, has started making an assessment of available supplies to figure out what he needs.

According to officials, the Pentagon sharply expanded stocks of ammunition and other military supplies inside Afghanistan after a 2010 cross-border raid prompted Pakistan to close the border for 10 days.

U.S. officials said they were concerned that border closures this time could last several weeks, if not longer.

“This is going to be a really painful one,” said a senior defense official. “I wouldn’t count on them opening the border anytime soon. The Pakistanis are really, really mad.”

“The strategic effects of this are going to be long term,” the official added.

NATO’s main alternative to shipping through Pakistan is the so-called Northern Distribution Network, a system of rail, sea and truck routes that begin at Baltic and Black Sea ports and extend to Afghanistan through Central Asia. Officials said the military is drawing up contingency plans to temporarily expand the amount of cargo entering Afghanistan through that network to meet up to 75% of NATO’s immediate resupply needs. The network, however, has its limits, since it was set up to only carry nonlethal supplies.

Officials said the biggest concern for NATO was a potential shortage of fuel if the border stays closed for long. NATO relies heavily on land routes through Pakistan to bring in much of the fuel Western forces use.

“If two months go by we are talking megacrisis,” said one official.

If Pakistan keeps the border closed for more than two months, officials said, the military might need to start reducing the pace of military operations in order to stretch out the supplies that it has, officials briefed on Pentagon planning said.

The official predicted that the Obama administration will not wait more than a month to begin to step up pressure on the Pakistani to open the border. The U.S. could threaten to withhold aid or exert other pressure on the government to begin to allow at least some critical supplies through.

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## Resistance Action

November 30th, 2011 By RAHIM FAIEZ, The Associated Press & Dec 1 (Reuters)

KABUL, Afghanistan - Afghan officials say three policemen died and four others were wounded in an explosion in northeast Afghanistan. Kamen Khan, a police official in Baghlan district of Baghlan province, says all seven were riding in an Afghan National Police vehicle on Thursday morning when it hit a roadside mine.

TAJI - Seven policemen were wounded when one of three roadside bombs they were trying to defuse went off in Taji, 20 km (12 miles) north of Baghdad, police said.

TAJI – Iraq’s minister of environment escaped an assassination attempt by a roadside bomb that blew up when his convoy was passing. It wounded one of the minister’s guards in Taji, police said.

BUHRIZ - Insurgents using silenced weapons stormed three houses of pro-government Sahwa militiamen, killing eight members of two families and wounding five members of a third family in Buhriz, about 60 km (35 miles) northeast of Baghdad, police and hospital sources said.

**IF YOU DON'T LIKE THE RESISTANCE  
END THE OCCUPATION**

## **SOMALIA WAR REPORTS**

### **“Unexploded Elements Seen This Morning In Wadajir District”**

12.3.11 Mareeg

Mogadishu - At least 2 people were killed and 4 others wounded in the somali capital Mogadishu after land mine explosion occurred at main Junction named Benadir close to military base, reports said.

Reports say that it was a remote control blast targeted to an armed vehicle of Somali transitional federal government passing by the way to Villa-Baidoa, military base close to Benadir Junction killing two soldiers and injuring 4 others including civilians.

On other hand, unexploded elements seen this morning in Wadajir district and security forces are trying to explode it by them and warning people to avoid it, reports said.

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**Traveling Soldier is the publication of the Military Resistance Organization.**

**Telling the truth - about the occupations or the criminals running the government in Washington - is the first reason for Traveling Soldier. But we want to do more than tell the truth; we want to report on the resistance to Imperial wars and all other forms of injustice inside the armed forces.**

**Our goal is for Traveling Soldier to become the thread that ties enlisted troops inside the armed services together. We want this newsletter to be a weapon to help organize resistance within the armed forces.**

**We hope that you'll build a network of active duty organizers.**

# MILITARY NEWS

## HOW MANY MORE FOR OBAMA'S WARS?



The remains of U.S. Army Pfc. Cody R. Norris, age 20, of Houston, TX, at Dover Air Force Base November 12, 2011 in Dover, Delaware. Norris was killed November 9 by small arms fire while serving in Kandahar province, Afghanistan. (Photo by Brendan Hoffman/Getty Images)

In Afghanistan



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## **FORWARD OBSERVATIONS**



**“At a time like this, scorching irony, not convincing argument, is needed. Oh had I the ability, and could reach the nation’s ear, I would, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke.**

**“For it is not light that is needed, but fire; it is not the gentle shower, but thunder.**

**“We need the storm, the whirlwind, and the earthquake.”**

**“The limits of tyrants are prescribed by the endurance of those whom they oppose.”**

**Frederick Douglass, 1852**

**Hope for change doesn’t cut it when you’re still losing buddies.  
-- J.D. Englehart, Iraq Veterans Against The War**

## **Clearing Up Confusion About The Senate Vote On Afghanistan**

From: Don Bacon  
To: Military Resistance Newsletter  
Sent: Saturday, December 03, 2011 8:26 PM  
Subject: Senate amendment

A comment on the most recent MR dispatch.

From Military Resistance 9L3:

*Senate Pushes To Hurry Up Afghanistan Pullout:  
"The Chamber's Vote Was Above All A Message To The Democratic President That It  
Was Time To End The U.S. Combat Role"*

*Nov 30, 2011 Reuters [Excerpts]*

*The Senate voted on Wednesday to require President Barack Obama to devise a plan for expediting the pullout of U.S. troops from Afghanistan, signaling growing impatience in Congress.*

**Actually and unfortunately there is no requirement.**

The amendment, not law yet, reads (in part):

Resolved, That it is the sense of the Senate that—

- 1) the President of the United States should expedite the transition of the responsibility for military and security operations to the Government of Afghanistan;
- 2) the President shall devise a plan based on inputs from military commanders, the diplomatic missions in the region, and appropriate members of the cabinet, along with the consultation of Congress, for expediting the drawdown of U.S. combat troops in Afghanistan and accelerating the transfer of security authority to Afghan authorities prior to December 2014; and
- 3) and not later than 90 days after the date of the enactment of this Resolution, the President shall transmit to Congress a plan with a timetable and completion date for the accelerated transition of all military and security operations in Afghanistan to the Government of Afghanistan.//

**So while the message is there as stated by Military Resistance, Reuters exaggerated.**

**This is merely a "sense of the senate" amendment to a law that might be vetoed.**

**Even if it signed into law, the president might disregard it.**

On the other hand, given the current problems with Pakistan and Russia, with resulting logistics problems, as well as the worsening US financial situation, and also the bragging on the success of the surge, the administration might expedite withdrawals.

In fact this amendment might have been orchestrated by the White House.

Let's hope so.

I know that you are particularly watchful regarding congressional shenanigans, so in that sense I pass this on.

**REPLY: T**

Thanks to Don Bacon [Lt Col, US Army (Ret), Vietnam & Smedley Butler Society: <http://www.warisaracket.org/>], the information above brings the Senate doings into sharp, clear focus, and removes any illusions that their action goes beyond a pious wish.

Certainly it is no demand for immediate withdrawal and an end to the killing of U.S. troops and Afghans.

Yeah, it's mush.

The Senate move also reflects growing pressure against the war coming up from below.

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## Highly Motivated & Frosty For The Cause



Several thousand people protest in Bonn, Germany against the war on Afghanistan December 3, 2011. REUTERS/Alex Domanski

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## The Amazing Mister Daffodil:

# J Edgar Hoover And Me: How I Was Spied On By The FBI; Clint Eastwood's Film Obscures The Fact That Hoover's Obsession With Sniffing Out So-Called Subversives Terrorised America [Film Review]



Federal Bureau of Investigation Director J Edgar Hoover is shown in the 1936 FBI documentary 'You Can't Get Away With It.' Photograph: AP Photo

2 December 2011 By Clancy Sigal, The Guardian [UK]

*I'd rather have a dead son than a daffodil son.*

– Judi Dench as J Edgar Hoover's possessive mother in the Clint Eastwood film

The Federal Bureau of Investigation's long time chief, J Edgar Hoover, almost was a member of my family.

In the 1920s, during the infamous "red scare" Palmer Raids, agents of his newly-formed Bureau of Investigation arrested, beat up and tried to deport my immigrant father for "criminal syndicalism" (union organising).

Combatively anti-labor, reflecting the director's prejudices, Hoover's "G-men" also tried stemming the 1930s union upsurge, in which both my parents were vocal rank-and-filers,

by threatening militants and their sympathisers and feeding dirt to employer groups and anti-union newspapers.

During the second world war, the FBI split their energies between tracking down the few Nazi spies and much greater number of home-grown radicals and union redhats – no real difference between them Hoover could see except that the Bolshevik menace would always be uppermost in his mind.

My mother, cousins and favorite uncle all became fodder for Hoover's extraordinary card-index system.

From the time I was 16, and later during the cold war, the FBI was on me for 15 solid years, even – illegally snooping – when I emigrated to England.

How could I make these fedora-wearing, smartly-suited snoops understand that, influenced by a James Cagney movie, I had been a Junior G-Man myself by sending in Quaker Oats boxtops? I proudly wore my tin badge and pinned to my wall J Edgar Hoover's commendation letter to me.

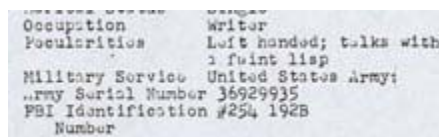
It's all coming back to me because I've just seen Clint Eastwood's draggy, so-darkly-lit-it's-hard-to-follow, superficially detailed but essentially untruthful case for the defense of America's Himmler as a homosexually repressed mama's boy.

I'm a fan of Leonardo di Caprio but, hey, come on, you don't send a boy to do a very, very weird man's job, even with the best makeup artists in the world.

The script, by Dustin Lance Black, who did such a great job with Milk, is an obscurantist mess of voice-over and backtracks and flash-forwards, where everything but the kitchen sink is dragged in – Emma Goldman! The Lindbergh baby! – but dramatic and even factual truth is left out.

The FBI got into my personal life when I was still in high school – I was a "comsub(versive)" on their 3x5in file cards, until decades later – a blow to my ego – I was demoted merely to a "comsymp(athiser)".

Along the way, I was tagged as the lisping, lefthanded (in other words, gay) ringleader of "The Cell With No Name", which in reality was a small group of poker-playing guys who met on Friday nights to dream up anti-Senator McCarthy leaflets and – big mistake, this prank – pretending on my tapped phone to be spies named Iranoff, Buljanov and Kopalski. (Leave it to these then-predominantly Mormon agents never to have seen the Billy Wilder comedy Ninotchka.)



Occupation	Writer
Peculiarities	Left handed; talks with a faint lisp
Military Service	United States Army:
Army Serial Number	36929935
FBI Identification #	254 192B
Number	

Lisping lefty: detail from Clancy Sigal's FBI file

If you were young and single, as I was, you could always skip town or else try verbally fencing with the agents in a vain attempt to pry open their secrets, even as they tried

getting you to inform on others. Ratting on friends was the sine qua non of J Edgar's obsession with compiling lists.

In a Los Angeles ruled by informers, and popular fear of a nuclear third world war, with the city encircled by Nike missiles, the FBI's aim wasn't really to ferret out national security threats so much as to create an atmosphere of fear, shame, degradation and humiliation.

You got the Nation magazine or IF Stone's Weekly mailed to you in a plain brown wrapper (almost always ripped open before you saw it), and, ipso facto, you were a Soviet spy or were handled as if you were. "Come on in, Clancy. Help us clean up our files. Eugene and Lois did. Don't be a party-poofer."

The minds of ordinary FBI agents reflected its director's Manichean brain fever.

On the door step, they were unfailingly courteous (except when they tried to ram your car and drive it off a beach road); absolutely lacking the humour gene; meticulous about tiny details like license plate numbers; and hayseed-ignorant of "context" or of anything much beyond J Edgar's emotional horizon.

Eastwood's movie portrays Hoover as a hard-driving patriotic bureaucrat, a file-card prodigy, his heart bloated by sexual repression and poisoned by dreams of revenge against both the (potentially rebellious) lower class and the (potentially traitorous) upper class. Stalin in a Panama hat, in fact.

**What is not portrayed is the gut-aching fear that Hoover, in his fantasias, instilled in hundreds of thousands of Americans – a real, felt terror at the time – and the injuries he and his agents dealt to so many lives.**

**Among my friends, intense FBI pressure created suicides, heart attacks, miscarriages, divorces, broken careers and, yes, betrayals.**

**What do you say about a man who masterminded the persecution of Albert Einstein and Martin Luther King and, reportedly anxious about his own racial ancestry, threw roadblocks in the way of the civil rights movement, and invented Cointelpro to foment assassination and violence on the left and among African American groups?**

The movie does show that presidents from FDR to Nixon were terrified of Hoover's "confidential files" (raw gossip) mainly about their, or their wives', sexual deviations. (One of Eastwood's more effective scenes has Nixon delivering a eulogy at Hoover's death while his henchmen frantically search bureau files for incriminating data.)

Hoover, who loved socialising with movie stars, was a little skittish about being seen to investigate Hollywood, instead funneling his unsubstantiated files (on Jean Seberg, Charlie Chaplin, etc) to lower orders of snoop, such as Senator Joe McCarthy, to whom he was a mentor, and the House Un-American Activities Committee, to which he secretly gave incriminating documents.

I was lucky and irresponsible.

My own assigned agents, “Mutt and Jeff” (I never knew their real names, no calling cards then), made me feel temporarily important at a time when nobody but Mr Hoover and his elves paid attention to the American left. For reasons too involved to go into, Jeff and I “double-dated”, each of us trying his best to “turn” the other. Socially, a disaster for both of us.

Inheritors of the FBI director’s strange tics – he fired or sent into exile chauffeur-agents, driving his bullet-proof Cadillac, who made roadway left turns – the FBI was, and is, an ossified bureaucracy where, today, whistleblowers are punished and whose most recent speciality is entrapping stupid, Jihad-infatuated Muslim youth with the use of agent-provocateurs and then, with a true J Edgar flair for self-promotion, announcing that yet another “terror threat” has been trounced.

Incidentally, I take it back about the FBI being detail-oriented, like its founder. I’m not lefthanded.

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## “Roughly A Gallon”

[Thanks to David McReynolds who sent this in.]

A driver was stuck in a traffic jam on the highway outside Washington DC. Nothing was moving. Suddenly, a man knocks on the window.

The driver rolls down the window and asks, “What’s going on?”

“Terrorists have kidnapped Congress, and they’re asking for a \$100 million dollar ransom. Otherwise, they’re going to douse them all in gasoline and set them on fire. We’re going from car to car, collecting donations.”

“How much is everyone giving, on average?” the driver asks.

The man replies, “Roughly a gallon.”

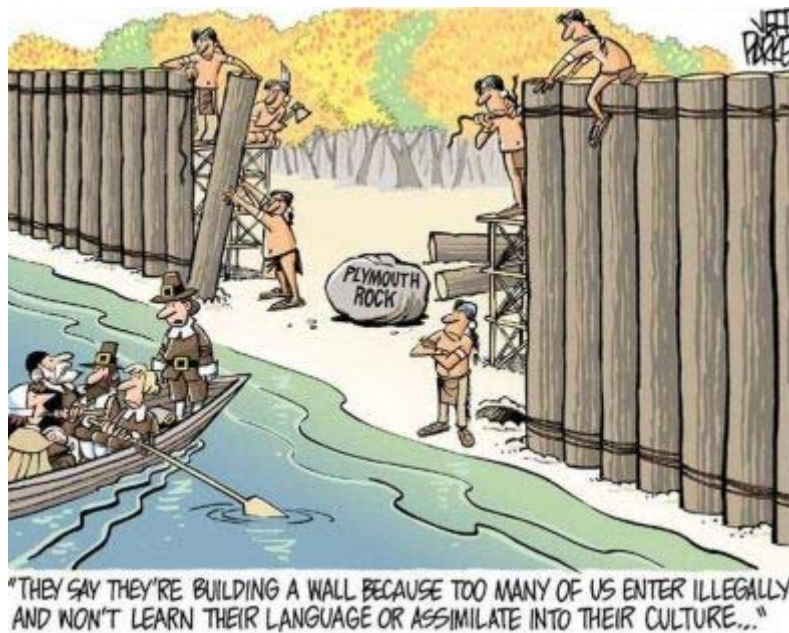
### **Troops Invited:**

**Comments, arguments, articles, and letters from service men and women, and veterans, are especially welcome. Write to Box 126, 2576 Broadway, New York, N.Y. 10025-5657 or email [contact@militaryproject.org](mailto:contact@militaryproject.org): Name, I.D., withheld unless you request publication. Same address to unsubscribe.**

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## DANGER: POLITICIANS AT WORK



## **Criminalizing Childhood: First-Grader Accused Of Sexual Harassment**



Mark Curran

December 02, 2011 By Maria Cramer, JOHN TLUMACKI, BOSTON GLOBE STAFF

A Boston elementary school is investigating a 7-year-old first-grader for sexual harassment after he struck another boy his age in the groin.

But the mother of the accused said her son was fending off the other child, who had choked him in an altercation on a school bus on Nov. 22.

"I think my kid was right to fight back," said the mother, Tasha Lynch, 30. "He wasn't doing anything except protecting himself."

Lynch's son, Mark Curran, who wears his light-brown hair in a Mohawk, said he has been afraid to return to Tynan Elementary School in South Boston since the fight.

"They can't promise me that it's not going to happen again," Lynch said of school officials.

Matthew Wilder, spokesman for the Boston public schools, declined to comment on the incident or why it has been classified as a possible case of sexual harassment. He said officials do not discuss confidential student information.

"Any kind of inappropriate touching would fall under that category," Wilder said. "The school administration is conducting a full investigation that has not concluded yet. Certainly, once that investigation is through, we'll then make a final conclusion as to who will be disciplined and how."

The interim school principal, Leslie Gant, did not return a phone call seeking comment.

Lynch offered her account of the fight yesterday as she and her son sat in the living room of their Dorchester apartment, where Mark watched cartoons.

That Tuesday afternoon, she said, she met her son at his bus stop. As he stepped off, he looked as if he were about to burst into tears.

When she asked him what was wrong, Lynch said, he told her another boy had choked him and taken his new gloves. Lynch said she stormed up to the bus driver and asked him what he saw.

"He just smiled and shrugged," she said. Lynch said she called the school repeatedly but got no answer.

The following Monday, Lynch said, she told her older son, who is 11, to take Mark to the principal's office and explain what happened.

"I just thought they were going to call the parents, tell us both to come in and make the boys shake hands," Lynch said. At best, she said the other boy would apologize and return her son's gloves.

Instead, Lynch said, officials kept him inside the office and began questioning him.

Lynch said the boy later told her he was so rattled by the questioning he told school officials he started the fight.

“They didn’t believe me,” Mark said softly. “I didn’t get my gloves back.”

Later that day, Lynch received a message from Mark’s grandmother, telling her that school officials were trying to reach her. Lynch said she spoke with Gant, who told her the school had called the state Department of Children and Families to report the incident.

Gant said Mark confessed to punching the other boy in the groin, according to Lynch. But later Mark said he had kicked, not punched, the student.

**“She said, ‘It doesn’t matter who hit who first,’ “ Lynch said. “ ‘He said he hit him in the testicles. That’s assault. That’s sexual assault.’**

**“I said: ‘The kid choked my son first and that’s called attempted murder. He said he couldn’t breathe,’ “ Lynch said.**

**That day, Lynch said her older son came home from school with a letter from Gant, telling her that Mark had been accused of violating codes of discipline related to sexual harassment and endangering the physical safety of another student.**

The school could suspend him or transfer him to another school, the letter stated.

Cayenne Isaksen, spokeswoman for the Department of Children and Families, said yesterday that she could not find a record of a complaint against Lynch or her son.

Wilder declined to comment on any possible calls to the state, but said generally they are legally obligated to report incidents of sexual misconduct to the agency.

“We’re mandatory reporters as a school employee,” he said. “We have to report any type of accusation of sexual assault or sexual harassment that is reported to a school employee.”

Lynch said she does not want her son to ride the bus until school officials assign an adult monitor. She said officials have told her to come in Monday for a hearing regarding the incident.

Wilder said either Gant, or the school principal, Eileen Morales, who has been on leave, will act as the hearing officer.

The hearing officer could call in various witnesses, including the two boys, though Wilder said it is unlikely they would be called at the same time.

Lynch said she has been trying to find a lawyer or an advocate who will help defend her son at the hearing.

“He said he felt totally alone,” she said. “Nobody believed him. Nobody was there for him.”

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## CLASS WAR REPORTS



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**Big Banks Hire Collection Agency Ghouls To Torment The Families Of Dead Debtors:  
“Some Debt Collectors Misled Relatives Into Believing They Had To Pay”  
“Working On Behalf Of Financial Giants From Bank Of America And Capital One Financial Corp. To**

# **Discover Financial Services And Citigroup Inc., Collection Firms Target Survivors”**

## **“The Big Selling Point Is That These Collectors Offer Banks A Cushion That Shields Them From Actually Having To Do The Gritty Work Of Going After Dead People’s Families”**

DECEMBER 3, 2011 By JESSICA SILVER-GREENBERG, Wall Street Journal  
[Excerpts]

**After Linda Long’s husband died of colon cancer last year, the phone calls poured in.**

**The 68-year-old retired office worker says she got as many as 10 calls a day from a debt-collection firm asking for \$16,651.52 that her husband, Millard, had racked up on a Bank of America Corp. credit card.**

An employee at West Asset Management in Omaha, Neb., explained that she wasn’t legally obliged to pay, according to a recording of the November call reviewed by The Wall Street Journal.

Then he veered into a discussion about how she could “get this taken off your plate.”

Mrs. Long, of Cape Coral, Fla., told the debt collector she had “lost everything.” She had sold the couple’s motor home to help cover medical bills and funeral costs. All that was left, she said, was \$2,000 in life-insurance proceeds.

“I can give you that,” she said when asked for the money, “anything just to get this off of my head.”

When you die, your debts usually die with you.

Surviving family members rarely have a legal obligation to pay unless they co-signed a loan, such as a mortgage or credit card. That leaves lenders in the lurch.

But debt collectors have found a way to help lenders get their money anyway.

Working on behalf of financial giants from Bank of America and Capital One Financial Corp. to Discover Financial Services and Citigroup Inc., collection firms target survivors who might agree to pay at least part of what the dead person owed.

None of the financial firms would say how much debt-recovery work is outsourced.

Tony Lloyd, a former manager for debt collector DCM Services LLC of Minneapolis, says the benefits of using death-debt collectors are clear. "The big selling point is that these collectors offer banks a cushion that shields them from actually having to do the gritty work of going after dead people's families," he says.

No one knows the size of the death-debt collection business, but it appears to be growing, according to court records, regulatory filings and interviews with dozens of lawyers and industry experts.

The Federal Trade Commission investigated the industry and issued new guidelines in July after receiving numerous consumer complaints.

William Howard, a consumer-rights lawyer with Morgan & Morgan in Tampa, Fla., says he has represented 50 people pursued for debts owed by dead family members so far this year, up from 10 in all of 2010.

**"Collectors are starting to realize just how much money you can get from someone when they are at their most vulnerable," he says.**

DCM Services, which exclusively focuses on deceased debts, says in its company fact sheet that it "manages collections on more than \$1 billion in deceased accounts per year with an extremely low complaint rate."

One thing isn't in dispute.

Dwindling retirement savings, falling home values and high unemployment mean that more Americans are dying while still in debt, says Sally Hurme, an elder-law lawyer with AARP, an advocacy group for people 50 or older.

Typically, death-debt collectors get paid based on the amount of money they recoup for the lenders, say lawyers for debt-collection firms.

**Firms can pocket up to 40% of the payments collected, roughly double the rate for other kinds of delinquent consumer obligations.**

**Debt collectors that target money owed by dead Americans tout their ability to get a lender's money back without public-relations headaches.**

On its website, DCM Services promises help "to protect our clients' brands and maximize their recoveries."

Estate Information Services LLC, based in Columbus, Ohio, offers "a proven approach that yields high returns at a low risk to the client's reputation," the company's website says. Both companies declined further comment.

In its investigation of the business, the FTC said it listened to recordings of thousands of calls between collectors and mourners.

**Some debt collectors misled relatives into believing they had to pay, says J. Reilly Dolan, acting director of the FTC's financial-practices division.**

Still, the agency determined the previous guidelines were ineffective and "too constricting," Mr. Dolan says.

So, in July, the agency issued a policy statement.

**Before the new guidelines, collectors were supposed to discuss a dead person's debt only with the person's spouse or someone chosen by the dead person's estate.**

**The FTC sought to improve the process and now allows debt-collection firms to contact anyone believed to be handling the estate, including parents, friends and neighbors.**

Agency officials wanted to resolve a "tension that was emerging" between state and U.S. laws on how collectors can go after money, Mr. Dolan adds. "While people might think it is horrible for collectors to speak with surviving spouses, we have no power to change that."

**FTC officials rejected requests by lawyers representing family members for an outright ban on calling surviving family members.**

**The agency also declined to impose a cooling-off period during which relatives couldn't be contacted by debt collectors.**

Jerome Lamet, a former FTC assistant regional director who oversaw debt-collection firms, claims the agency "squandered a spectacular opportunity."

Mr. Lamet is now a Chicago lawyer who specializes in debt-relief law.

Mark Schiffman, a spokesman with ACA, the trade group for debt collectors, supports the new guidelines, saying the FTC recognized "the industry needs to have flexibility to find out who handles the estate."

**Collecting the debts of the dead is often easier than other collection work, says Mark Russell, a director at debt-collection advisory firm Kaulkin Ginsberg in Rockville, Md.**

**Most borrowers behind on their bills have little or no money.**

**Successfully collecting death debts takes just one relative who is willing to pay, he says.**

To target survivors, DCM Services built a massive database of the recently deceased, says Mr. Lloyd, the former employee.

The company uses the database to cross-reference accounts handed over by lenders, he says.

**In addition, low-level employees at DCM Services get paid a daily stipend to scour obituaries and estate notices in newspapers across the U.S.**

Debt collectors often tell surviving family members that they aren't personally responsible for paying the debts of the deceased. But those words barely register with grieving relatives, according to interviews with a dozen lawyers who represent about 60 families pursued for money owed by dead relatives.

**“Each call brought up fresh memories of my husband’s death,” Patricia Smith, 56, says about the calls she started getting last year about \$1,787.04 in credit-card debt owed by her late husband, Arthur.**

**The debt-collection calls and letters kept coming and wore her down, says Mrs. Smith, who lives in Jackson, Miss. She agreed to scrounge together \$50 a month “just to make the calls stop.”**

**After talking to a lawyer, she changed her mind.**

In March, Mrs. Smith filed a federal lawsuit against the collector, DCM Services, alleging the company harassed her. DCM Services declined to comment but has asked a judge to dismiss the case.

**Collectors in the death-debt business use carefully calibrated techniques. Employees often begin their calls with a sprinkle of grief counseling. DCM Services uses what it calls “empathetic active recovery.”**

“Handled appropriately, we believe that our Account Representatives can create a positive emotional experience with survivors,” the company says on its website.

Phillips & Cohen Associates Ltd. employees try to persuade families “to make a morality payment,” according to a copy of the debt-collection firm’s training materials reviewed by the Journal.

**Employees at the Wilmington, Del., company are also taught how to navigate “crying as a defense.”**

“You have been through some tough times,” employees are told to say. “But we need to resolve this issue.”

**Some debt collectors send condolence cards that double as collection letters.**

In September, Maxine Feinberg of Brooklyn, N.Y., got a letter from AscensionPoint Recovery Services LLC, a debt collector in Coon Rapids, Minn.

**The company offered its “deepest condolences,” referring to the death of her husband, David.**

**The company then brought up the \$407.96 owed by Mr. Feinberg on a Macy’s Inc. credit card. The letter thanked Mrs. Feinberg for “promptly attending to this important matter in the life of David Feinberg.”**

In October, Mrs. Feinberg accused AscensionPoint of harassment in a federal-court suit.

**Some people claim they are misled into believing they are required by law to pay the debts of dead relatives.**

**Jody Randazzo, a 37-year-old teacher in Farmington Hills, Mich., says DCM Services employees threatened to seize her late father's Florida home after his 2009 death unless she paid \$6,000 he owed on a Citigroup credit card.**

She refused. Ms. Randazzo submitted a complaint to the Florida Attorney General's office.

**Death-debt collectors can be persistent. Lisa Wood, a 46-year-old legal assistant in Wichita, Kan., says she has gotten roughly 200 calls from them after her mother's death in January.**

Her mother died owing more than \$11,000 to American Express Co., HSBC Holdings PLC and J.P. Morgan Chase & Co. "The abuse has gotten so bad that every day I think about just paying," Ms. Wood says about the debt collectors. The companies declined to comment about her.

Some people sue debt collectors in hopes of making them go away. Lawyers for plaintiffs in such cases typically are paid fees plus a percentage of any damages or settlement.

Mrs. Long, the Cape Coral, Fla., woman who was prodded to pay her dead husband's credit-card debt of \$16,651.52, was surprised when she got a call six months after he died. She assumed his death had snuffed out the bill.

"I have no money," she said.

"Hang in there," said Jason Shea, an employee at West Asset Management.

Near the end of the seven-minute call, which was recorded by the debt-collection firm, Mr. Shea offered to write off the credit-card debt for \$12,500 "if that makes any difference or if there's any family that can maybe help out with the situation."

Two months later, Mr. Shea called back to ask if there had been "any change...to make it possible to address this bill."

**She said she was "destitute," living with her 88-year-old aunt, lost her house to foreclosure and had her car repossessed.**

**The debt collector listened patiently and then gently prodded Mrs. Long for life-insurance proceeds or "anything at all that can be offered." "I know that's really hard to come up with," Mr. Shea said.**

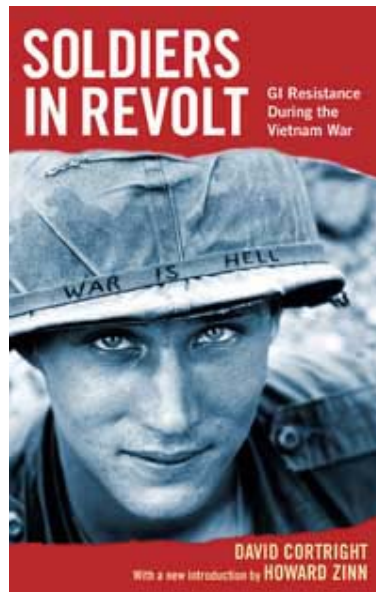
**He then offered to accept \$2,000 to "get this bill taken care of," according to a recording of the call. Mrs. Long couldn't afford to pay but agreed anyway.**

“I didn’t want his name dragged through the mud like some kind of deadbeat,” she says.

After talking to a lawyer who said she didn’t owe the money, Mrs. Long sued Bank of America and West Asset Management, a unit of West Corp., in a Florida state court in August, alleging harassment. In court filings, the companies have denied harassing her. West Asset declined to make Mr. Shea available for comment.

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