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THE DEPARTMENT OF NEW HAMPSHIRE  
THE AMERICAN LEGION

**TO MY LEGION FAMILY:**

**AMERICAN LEGION 96<sup>TH</sup> NATIONAL CONVENTION:** The Department of New Hampshire will be sending a delegation to the 96<sup>th</sup> Annual National Convention of the American Legion called to meet in Charlotte, North Carolina, August 26-28, 2014.

The Department of New Hampshire will be staying at the Hilton Garden Inn. As I have mentioned before the National Convention is an opportunity for this department to voice its concerns on behalf of our membership as a result of business conducted at our own convention.

As in recent years, membership will be at the forefront of conversation at this convention. This Department struggles with its own membership this year and as a result we will be looking at other Departments to gain ideas and come up with ways to improve upon the plan we already have in place to increase the membership within this Department. We look forward to a very successful convention and wish everyone that is going a safe trip this year. May we come back with a fresh perspective on how to improve upon the programs of the American Legion and serve our veteran's.

**ADHERE TO IRS RULES & MEMBERSHIP ELIGIBILITY:** Recently I have received some referrals from National Headquarters from people who have complained about certain Posts in the State that have members in them that may not be eligible for membership because they either do not have a DD Form 214, or the type of discharge they have makes them not eligible or they just are not a veteran at all. This was addressed by me a year ago in my news letter as well as many other publications since.

To refresh everyone's memory. One of the new IRS rules, Section 4.76.26 requires American Legion Posts to maintain dates of service and character of service records for all members. The penalty for not having the required proof of eligibility can be \$1,000 per day. The IRS has spelled out that in order to be considered exempt for tax purposes

under IRC 501(c) (19), **the definition of a member is an individual who is eligible for membership as described in the constitution and by-laws of the “veterans” organization.** The National and Department Constitution and By-laws spells out the eligibility dates for membership within the American Legion.

Additionally, the Officers Manual illustrates the types of discharges that are accepted for a veteran. Not always does a veteran have to have an honorable discharge and under certain conditions a less than honorable discharge is acceptable. Plus it also describes what titles a person needs to have to include people in the Guard and Reserve. If there are any questions about a person’s eligibility for membership I urge you to call Department Headquarters and we will help you determine if that person is eligible based on the paperwork presented.

I will again stress to all Adjutants in this department that you need to check the eligibility of potential members wishing to join your Post. That can only effectively be done by the presentation of a DD Form 214 by that potential member to you. In addition you are required to maintain a copy of that member DD Form 214 on file for future audit if necessary by any authorized entity, i.e. the IRS, Department and National Headquarters, ect. I will be checking compliance if there is evidence to believe this process is not being completed.

I understand that this concerns some Posts that have had issues maintaining records of members. I just want to remind Post leadership that although you may have members in your Post that you do not have this documentation on record because of the periods of time they have been members, you have a small operation and or records have been misplaced over the years; the intent is to ensure future membership follows these guidelines. Additionally all effort is made to ensure that any new members fall under these eligible guidelines and Posts maintain records of service records. Adjutants that have called me I have advised to make every effort to follow these guidelines the best you can and ensure new membership is maintained.

**VA COMMITTEE CHAIR: WHAT WENT WRONG AT VA, AND WHAT MUST BE DONE TO FIX IT**

As with many of the members of this Department who depend on the VA for your medical insurance there is no question that the last few months have been difficult to say the least. As we question the ability of the VA to provide proper medical care for the veterans who deserve it, we also have to wonder how it came to be this bad and what they plan to do to fix it. I just wanted to pass on some of the most recent information that I have received in hopes that we will get a better idea of where the VA plans on going.

There is no doubt this will be one of the major topics of discussion going into this year's National Convention. For one who depends on getting my medical care from the VA it is important that the American Legion continue to take a stand in making sure the VA's top priority is taking care of our military veterans to the best of their ability.

By now, nearly everyone knows the Department of Veterans Affairs is in dire need of reform. Oversight by the House Committee on Veterans' Affairs and whistleblower revelations have exposed widespread corruption, systemic delays in access to medical care and failures in accountability across the board at our nation's second largest federal agency.

As more than 110 VA medical facilities maintained secret lists to hide long waits for medical care, thousands of veterans throughout the country were neglected. Some for years, some in pain, some while chronic or fatal conditions worsened until little hope remained. At least 24 veterans have died because VA didn't provide them with the health care our nation had promised. Except for a pair of employees in Columbia, S.C., and Augusta, Ga., who received a temporary written warning and a verbal counseling, respectively, no VA administrators who presided over the deaths have been subject to any formal disciplinary actions outside of paid leave.

Even though the Manchester Veterans Medical Center received high marks for its ability to provide timely medical care for the Granite States veterans. There were still some problems noted in regards to the amount of time some veterans did have to wait for some medical care.

So how did things get to this point? The unfortunate truth is that top leaders simply ignored or denied the department's problems at every turn.

For more than a year, there have been plea's with former VA Secretary Eric Shinseki to do something to address the culture of complacency that was taking hold within the department. Even at last year's convention there were members who told him about a host of serious and specific patient safety issues at VA hospitals to include his own employees lying to him about the department's performance. This bears the questions as to why in the wake of dozens of preventable deaths at VA medical centers around the country were no VA employees held accountable.

Shinseki downplayed concerns and chose to believe the VA employees whose lies allowed the VA scandal to fester. Now Shinseki has been forced out of his position, while those who created the department's delays in care crisis are still on the payroll.

As time went on and more people were bringing these problems to light; Shinseki said in part, “VA embraces a patient safety culture that allows staff to feel safe to report patient safety risks.”

If only that were true. As dozens of VA whistleblowers have come forward over the past few months, we’ve learned that in instance after instance at one VA facility after another, brave employees who have spoken out about mismanagement and negligence that harms veterans have been harassed, punished and in some cases fired.

It's impossible to solve problems by whitewashing them or denying they exist. This is the chief lesson of the VA scandal. If incoming VA Secretary Bob McDonald is to have any luck turning the department around, he must learn it well.

As part of a bipartisan VA reform package, which by chance was co-sponsored by our own Senator Ayotte, and Senator Shaheen, that recently passed the House and Senate and awaits the president’s signature, Congress has given McDonald a number of tools to immediately address some of the department’s most pressing problems. The legislation includes \$10 billion in emergency funding to offer veterans who can’t get VA medical care within 30 days the option to receive non-VA treatment and provides \$5 billion to increase the department’s internal medical care capacity. Perhaps most importantly, the legislation grants McDonald complete authority to fire corrupt or incompetent senior VA executives for cause – power he’ll need to use liberally to replace the department’s culture of complacency with a climate of accountability.

House oversight was crucial in bringing VA’s problems to light, and it will not stop once the President signs the Veterans Access, Choice and Accountability Act of 2014 into law. In the coming weeks and months, the House Committee on Veterans’ Affairs will continue its aggressive agenda of investigations and hearings to ensure the administration implements the law with speed and efficiency and determine if there are other problems lurking beneath the surface of VA’s massive bureaucracy.

Ultimately, however, Congress cannot legislate or mandate honesty and ethical behavior. We can only spotlight instances in which VA fails to meet these standards, and hope the administration moves swiftly to address them. For too long, VA leaders have simply chosen to do the wrong thing by downplaying or ignoring congressional oversight, treating any outside criticism like an impending public relations crisis. One in which to admit mistakes would be to admit defeat.

But this isn’t about PR. It’s about problem solving. McDonald’s success as secretary will depend on his willingness to have an honest conversation about VA’s challenges with Congress and the public while working with them to generate solutions. In other words, he’ll need to take the opposite approach of past VA leaders. It will be the American Legion that will continue to voice and ensure that the leaders of the VA continue to

maintain the standards it has set for itself for the immediate and distant future. It is time that all veterans stop becoming pawns of corruption and greed and receive the care they richly deserve. (*NBC NEWS, 2014*)(*March, Joe, 2014; Media & Communications, American Legion*)

**DATES TO REMEMBER**

- August 4<sup>th</sup>, Coast Guard Day
- August 7<sup>th</sup>, Purple Heart Day
- August 9<sup>th</sup>, Department Executive Board Meeting, Post 43
- August 11<sup>th</sup>, VJ Day
- August 16<sup>th</sup>, District 4 Conference/Picnic, Post 100
- August 22<sup>nd</sup>- 28<sup>th</sup>, National American Legion Convention at Charlotte NC

**DEPARTMENT MEMBERSHIP:** Recently our new Department Commander, Bob Dionne, and Membership Chairmen, Mark Grimshaw went to the 2014 membership workshop held in Indianapolis on August 1 & 2. In talking to the Commander he is hopeful this will be a better year for membership. Helping with this endeavor is PDC Bill Hooley who has always been at the forefront of membership in the past. The recent heart transplant that his wife has received has allowed Bill to get back into working with this year’s membership committee. I want to wish Mark “Grim’ Grimshaw and PDC Bill Hooley the best as they face the challenges of bringing in new members into this great organization, and this goes for the entire team this year. If your Post is interested in trying to bring in more membership contact Mark “Grim” Grimshaw, ph#603-918-7545, email: [nhmembership@comcast.net](mailto:nhmembership@comcast.net) for further information on how to accomplish this.

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