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THE DEPARTMENT OF NEW HAMPSHIRE  
THE AMERICAN LEGION

**TO MY LEGION FAMILY:**

**WEBSITE AND EMAIL CHANGES FOR DEPARTMENT:**

The Department of New Hampshire recently changed websites which also affected our email addresses. We hope that the new website will be more user friendly and provide as much information on the Department and programs of the American Legion as we can. I would ask that you continue to have patience while we update and build on this new website which is now controlled by Lisa and me.

I would like to thank Everett Russ who has been the Department Webmaster for the last two years. For those that do not know, Everett was instrumental in bringing back a website for this Department in a time when we did not have one and struggled to get one going. Thank you Everett for all you did for this department and will continue to do.

Our new website is located at [www.legionnh.org](http://www.legionnh.org).

The new email addresses for the staff at Department are:

- Bob Dionne, Department Commander: [commandernh@legionnh.org](mailto:commandernh@legionnh.org)
- Dan Yoder, Department Adjutant: [adjutantnh@legionnh.org](mailto:adjutantnh@legionnh.org)
- Lisa Beale, Executive Assistant: [nhsect@legionnh.org](mailto:nhsect@legionnh.org)
- Ned Brooks, Clerk: [nhlegionclerk@legionnh.org](mailto:nhlegionclerk@legionnh.org)
- Joyce Flanders, Auxiliary Secretary: [nhalasec@legionnh.org](mailto:nhalasec@legionnh.org)

As you will see we added a new email address for the Department Commander which is something we have never had before and hope this will help enhance customer service for our members.



The real story here is not telling our younger veterans that organizations like the American Legion are a dying breed but that without veteran organizations like the American Legion many of the services and programs that support our younger veterans today would never have been. The message to our veterans needs to be how the membership of the American Legion gives us a voice and seat before Congress. That the name of the American Legion is at the forefront of all service organizations and without the American Legion there would have been no GI Bill. Many veterans do not know the GI Bill was one of the greatest pieces of social legislation ever passed for veterans and was solely supported by the American Legion at a time when people thought it would do no good. A lot of people thought America couldn't afford it. But the GI Bill made it possible for veterans after World War II to get an education and accomplish great things. That continues today and if not for the GI Bill thousands of veterans would not be getting the education they are today. The American Legion ensured this legislation passed and since has helped all veterans who had few if any benefits.

The American Legion is a veteran's organization that provides financial, social and economic support to members of the armed forces and their families. Since 1919, the American Legion has been a support structure for veterans. No other organization can even say or come close to that. The American Legion continues to provide services to help veterans file claims and find employment and also supports all members of the military. As a result the American Legion led the way in ensuring our veterans continue to receive the best care holding the VA accountable for recent events inside that organization leading to a much needed restructure of leadership in the VA.

There was mention in this article about how other organizations like Team Rubicon have helped clean up after natural disasters. The American Legion has been involved directly and indirectly in helping people come back from natural disasters for decades through programs like the National Emergency Fund that has raised millions of dollars to help veterans and their families recover from all types of natural disasters through direct participation in cleanup to financial assistance and services.

This article also mentioned how much money like the Wounded Warriors Program has raised and sponsored for organizations like the Mission Continues. I question organizations like the Wounded Warriors project, how it is really helping veterans and it's a broad but closely held sentiment within the veterans' advocacy community: grumbling and critiques about how the fundraising behemoth WWP has become and whether it has been as effective as it could be. Critical veterans' and advocates such as myself think that the Wounded Warrior Project cares more about its image than it does about helping veterans; that it makes public splashes by taking vets on dramatic skydiving trips but doesn't do enough to help the long-term wellbeing of those injured in combat. I can say this in personal confidence as a member of the WWP alumni, because many of my fellow veterans say that organizations like the WWP have become nothing

more about image than action. Do not get me wrong in that I believe in what many of these organizations are doing for our veterans and most recently got a nice little package in the mail from WWP outlining some of their promotions. However none can say that it has done more for the veterans of this country then the American Legion.

It is not to say the culture within the American Legion does need to change but it is changing. Many posts have moved away from the bar like setting and have focused more on the interaction with the veterans of the community through its programs. It has come to a point where some of our local Posts have gone as far as making the bar area a non-smoking environment in an effort to keep up with changing trends in social gatherings. But regardless of what many think of this organization, the American Legion was built on tradition and commitment to its veterans through Americanism, its Children and Youth, National Security and Veteran Affairs & Rehabilitation. The message that this article should have wrote about is although there are new-school veteran organizations available for our younger veterans that fit their lifestyles but also traditional veteran organizations like the American Legion still and will continue to serve all of this countries veterans and is more than just a smoke filled bar room full of ancient history.

As a veteran of Iraq and Afghanistan myself, I say to any new member or member that is thinking about dropping their membership. ‘We are not asking you to join for you, we’re asking you to join and remain a member for those men and women who are coming home today who need our assistance. We’re asking you to support an organization that has proven time and time again its dedication to this countries veterans so we can continue to support our returning veterans, our aging veterans, and our veterans of all wars.

Recognizing the struggle of a couple of our local Posts is good but to portray the American Legion as a dying organization with nothing to offer the younger veterans of this country is wrong. As one of those younger veterans I can tell you the American Legion has the most to offer the younger veterans of this country!

**Half-staffing of the United States Flag - Patriot Day September 11**

In accordance with Public Law 107-51 the President of the United States is requested to issue a proclamation for the United States flag to be displayed at half-staff in observance of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland, which will be celebrated Sunday, October 12, 2014.

When issued the proclamation will be found on the White House website @ <http://www.whitehouse.gov/briefing-room/presidential-actions>.

# AMERICNA LEGION COLLEGE:

## The National American Legion College



This year's college will be different from past colleges. National has a record number of students attending (57 from 31 different departments) and the college has undergone only its second revamp since its inception some 15 years ago.

This year's class will focus on the following items:

- How to be an effective leader in The American Legion
- How to be an effective mentor in The American Legion
- How to develop a department level American Legion College
- Parliamentary procedures (how to run a district meeting)
- The communication process (brand awareness, marketing, etc .....)
- The resolution process
- Three train-the-trainer classes covering "Getting AC&Y Programs in your Community; myLegion.org; and ALEI"

Representing the Department of New Hampshire will be Department Vice Commander, Thomas Wiley, and our Children and Youth Chairmen, Gerry Bernard. I want to wish them the best of luck as they go to this very exciting program. I encourage members to consider attending this college, especially if you plan on becoming a leader within your Post.

### **DATES TO REMEMBER**

- October 11, Auxiliary Executive Board Meeting, Post 59
- October 12-16, Commander & Adjutants Conf, Indianapolis
- October 15-19, Traveling Vietnam Memorial, Salem High School, Hosted by Post 63
- October 19, District 7 Fall Conference, Post 49
- October 25, Fall Conference, Legion, Laconia High School
- October 26, Awards and Recognition Day, Post 47





the law was changed, and retirees were eligible to receive both retired pay and VA disability compensation, if they had a VA service-connected disability rating of 50% or higher.

Here is how the compensation breaks down if a retiree is eligible to receive both types of compensation:

**VA Disability Rating of 40% or lower.** Retirees who choose to receive VA disability compensation will have their military retirement pay offset by the amount of compensation they receive from the VA. Most retirees choose to receive VA disability compensation because it is tax-free income, while their retired pay is taxed. They receive the same amount of total compensation they otherwise would have received; however, the VA compensation portion is tax-free, giving them more spending power.

**VA Disability Rating of 50% or greater.** Retirees with a disability rating of 50% or greater are eligible to receive both payments under CRDP. They receive their full retired pay and 100% of their VA disability compensation. They do not need to offset their military pay by the amount of the compensation they receive from VA.

### **What is the difference in compensation between a 40% and 50% Disability Rating?**

The reason why The American Legion continues to lobby for full concurrent receipt for those with 40% disability is those retirees with 40% or lower disability ratings lose thousands of dollars every year compared to those veterans with the higher disability compensation because those veterans receive full retired pay that is not offset by the concurrent receipt laws plus their VA compensation. It is an equity issue and a fairness issue and that is why our resolution mandates this repeal.

### **How is Military Retired Pay Offset by VA Compensation?**

If the VA disability rating is 40% or lower, retired pay is offset by the amount of VA compensation. In other words a 40% disability rating does not mean 40% of retired pay is tax free. It means the retiree receives tax-free compensation from VA at the 40% rate, and military retired pay is deducted by that amount. ([http://www.benefits.va.gov/COMPENSATION/resources\\_comp01.asp](http://www.benefits.va.gov/COMPENSATION/resources_comp01.asp) for current rates.) For example, a retiree earns monthly retired pay of \$2,000. Assume the retiree has a VA service-connected disability rating of 40%, and has one dependent (a spouse). The VA disability compensation would be \$641.28 for the month. The retiree would receive \$641.28 from VA, which would be tax-free. The retiree would then receive \$1,358.72 as military retired pay ( $\$2,000 - \$641.28 = \$1,358.72$ ). The total amount still equals \$2,000 per month, but \$641.28 of that is tax-free income. If the retiree had a 50% or greater rating this offset would not be taken.

## What is the Value of Concurrent Receipt?

Given the example above, the main benefit of VA disability offset is receiving tax-free pay from VA. Although the final dollar amount is the same, the tax-free portion gives the veteran greater spending power than if the veteran received the full value of retired pay with no VA offset.

But the amount would be much greater if the veteran received both forms of compensation under CRDP laws; the increase would mean the full value of retired pay, plus the full value of VA disability compensation. This is why The American Legion continues to fight for those service-connected retirees with a 40% rating or less.

## How does a Retiree qualify for Combat Related Special Compensation Pay?

To qualify for CRSC, a retiree must have a service-connected disability rating that is considered combat-related. Other eligibility criteria:

- You must be a military retiree (Active or Reserve with 20 years of creditable service; Chapter 61 medically retired with less than 20 years of service; Retired under Temporary Early Retirement Act (TERA); or retired under the Temporary Disabled Retirement List (TDRL)).
- You must have a VA service-connected disability rating of at least 10% that is considered to be combat-related.
- Your military retired pay must currently be reduced by the VA disability offset.

The injury does not have to be from direct combat. Disabilities may be considered combat-related for CRSC purposes if they are a direct result of:

- **Armed Conflict/Combat:** direct or indirect wounds that happened during armed conflict.
- **Hazardous Duty:** demolition duty, diving, parachuting, aerial flight, etc.
- **An Instrumentality of War:** An injury sustained from exposure to an ‘instrumentality of war’, such as a weapon or weapon systems specifically designed for military duty or warfare. This can include certain military combat vehicles, vessels, aircraft, or an injury or sickness caused by exposure to fumes, gases, or chemicals. Agent Orange exposure would qualify as an instrumentality of war.
- **Simulated War:** Activities such as military training, exercises, airborne operations, live fire exercises, hand-to-hand combat training, and more. This does not include standard physical training such as running, jogging, or group sports activities.

Anyone can be eligible so long as they meet the above criteria. This includes retirees who have been retired for years, or someone who just retired last month. There is the possibility of back pay; however, it can only be extended back to the effective dates of the laws, which are June 1, 2003 for those with 20 years of service, or January 1, 2008, for those who were medically retired under Chapter 61 with less than 20 years of service. A retiree must apply with their branch of service. Concurrent Receipt is automatically applied by Defense Finance and Accounting Service (DFAS) and VA. However, the CRSC program is administered by each branch of the military. A retiree will need to complete an application and send in supporting documentation to receive this benefit.

**Will Concurrent Receipt Be Extended to Everyone?**

Resolution No. 164 mandates all military retirees who have a VA service-connected disability rating be eligible to receive disability pay in addition to retired pay. Therefore, it is important you contact your two senators and representative and ask they support changing this unfair law. Unfortunately, Congress and the President use this law and current payment methods to help control the federal budget. The Concurrent Receipt laws we have now were phased in over a ten-year period, with veterans receiving incrementally larger amounts of VA compensation added to their retired pay each year.

**Will Concurrent Receipt Laws Change?**

The American Legion is working hard to get the Concurrent Receipt laws extended to all retirees, regardless of their disability rating. It is even more imperative to settle this issue as Congress will receive a report on changing military retirement and compensation benefits in February of next year. But as of this writing, the bills supporting this change have yet been approved by Congress and sent to President Obama for his signature. The American Legion wants to get the law repealed that unfairly forces military retirees to forfeit their military retired pay in order to receive their VA disability pay.

I hope this information helps clear up any questions those of you may have receiving military retirement and disability benefits.

**AMERICAN LEGION RIDERS:**

Sometimes I get information about the American legion Riders and feel it may benefit the legion Riders in this State. Understanding the Riders in this Department do not have a State organization if I get information I will pass it on. The following is just a link to the Legion Riders newsletter for those interested.

**The American Legion Riders Newsletter.**



The American Legion Riders Update E-newsletter provides information on the American Legion Riders, the annual Ride to the Thunder events, as well as The American Legion Legacy Run and regional/state Legacy Runs. The e-newsletter will share information on ALR program updates or changes, as well as links to external media stories about what Legion Rider chapters are doing across the country ----- <http://www.legion.org/newsletters>

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