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.

The new email addresses for the staff at Department are:

Bob Dionne, Department Commander: commandernh@legionnh.org
Dan Yoder, Department Adjutant: adjutantnh@legionnh.org
Lisa Beale, Executive Assistant: nhsect@legionnh.org
Ned Brooks, Clerk: nhlegionclerk@legionnh.org
Joyce Flanders, Auxiliary Secretary: nhalassec@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.
AMERICAN LEGION; ARE WE LOOSING YOUNGER VETERANS:

Recently there was an article in the Concord Monitor that asked the question as to whether old-school veteran organizations like the American Legion are struggling for relevance. More precisely the article featured whether or not our younger veterans are looking to move away from the more traditional veterans service organization and looking for veteran organizations that concentrate more on their needs and problems and are considered more so “new-school veteran service organizations”.

“Instead of getting together at the Legion’s bar and sharing war stories over a pack of cigarettes, these veterans are meeting up at a Spartan Race and making new stories on a mountain.”(The Concord Monitor, Sept 28, 2014). These are the words that are being used to describe the American Legion and how our younger veterans look at us.

This article featured a couple of our smaller Posts located in some of our smaller communities and highlighted the difficulty of getting new members to join as well as getting current members to get involved in Post activities over all. I will agree and acknowledge that our smaller Posts are struggling to survive and it has been extremely difficult for them to get our younger veterans involved in an organization which has been stereotyped as only a smoke filled bar room full of crotchety old men talking about wars gone by that most of our younger veterans have only read about in history books. There is no doubt that the American Legion has a lot of work to do in representing itself as an organization more directed to servicing all our veterans, young and old, then just a place where our older veterans go to drink and smoke.

I believe this does not reflect the entire picture of where the American Legion is headed or what the American Legion is all about. There are some organizations out there that would lead you to believe organizations like the American Legion are old hat and have out grown its usefulness. There is no denying that the American Legion along with other veteran organizations has struggled over the last decade in particular with connecting with those younger veterans coming out of recent conflicts since 9/11. It is also very difficult for our smaller Posts to stay open based on dwindling membership and lack of participation. What is going on with our smaller Posts is not unusual and we are trying to find new ways of helping our smaller Posts survive and we will continue to do so. However to characterize the American Legion as just a bar where veterans share war stories and a pack of cigarettes is one of the reasons why this organization and others are having such a difficult time connecting to our younger veterans. There are many American Legion Posts in this state that are smaller and where there is no bar or canteen and survives solely on its membership and the programs they support but are also very successful. The American Legion has been supporting veterans long before organizations like the Wounded Warrior Project and Team Red, White, and Blue were even thought of.
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 then 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](http://www.whitehouse.gov/briefing-room/presidential-actions).
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
A PRIMER ON HOW VA DISABILITY COMPENSATION AFFECTS MILITARY RETIRED PAY

I receive a lot of information over the course of the month and try to get out as much as I can to our members. One subject that I get a lot of questions on and I am sure our Department Service office also gets, is how disability affects military retirement. Being one that will start receiving military retirement in the near future I also wanted to have some of these answers as well as get this information out to our members. The majority of this information in this article comes from the National Weekly Legislative Update.

If a military retiree has a Department of Veterans Affairs (VA) service-connected disability rating of 10% or higher, the retiree is eligible to receive a monthly compensation check from the VA. The monthly compensation payments vary by disability rating—and if the rating is 30% or higher—the rates are increased, depending upon the number of dependents the retiree filed on the claim. Therefore, if a retiree from the military is also eligible for VA disability compensation, determining how much will be paid, and from where, can be complicated.

Until 2004, it was against the law to receive military retired pay and VA disability compensation at the same time. Retirees had to choose which pay they wanted to receive, and if they chose to receive their VA disability compensation, those funds were “offset,” or deducted, from their retired pay. There have been two major changes to this law in the past decade, and some veterans may be eligible to receive their full military retired pay with their VA disability compensation. These laws are:

- Concurrent Retirement Disability Pay (CRDP) (enacted in 2004), which applies to retirees who have a VA disability rating of 50% or greater, and
- Combat Related Special Compensation (CRSC) (enacted in 2008), which applies to retirees who have a service-connected disability rating of at least 10% that stems from a combat-related incident.

It is possible to be eligible for both of these programs; however, a retiree can only receive the additional monetary compensation from one of them. Veterans who qualify for both plans are given the choice of which they wish to receive when they apply for their benefits. (Note: a retiree can change their election if their situation changes.) CRDP sends out open season letters in December; veterans must select their choice by the end of January. Below are some frequently asked questions and their answers to help provide you a better understanding of how these forms of compensation work together.
How Do VA Disability Compensation and Military Retirement Pay Differ?

Military retired pay and VA disability compensation are two entirely separate forms of compensation. They are paid from different agencies and paid from different department accounts of money.

They represent two different forms of compensation. Military retired pay is based on years of service. VA service-connected disability compensation is a monetary award based on a decreased ability to perform work after leaving military service.

Military retired pay is income that is taxable by the federal government, and is also taxed by most states (some states either do not have an income tax or do not tax military retired pay). VA disability compensation is non-taxable income at the federal government and state levels. It is this non-taxable income advantage---dollar for dollar---of VA disability compensation that gives veterans more spending power than retired pay because VA compensation is never taxed.

What Happens When a Retiree is Eligible to Receive Retired Pay and Disability Compensation?

The answer depends upon the disability rating. If a retiree has a combined disability rating of 50% or greater, the retiree should be eligible to receive CRDP. If the retiree receives CRDP, the retiree will receive full military retired pay with full VA disability compensation. There will be no reduction to military retired pay.

If a retiree has a combined service-connected disability rating of 40% or lower, then the retiree is not eligible for CRDP. However, if the retiree has a service-connected disability that is considered a combat-related disability, then the retiree may be eligible for CRSC. CRSC replaces the VA disability offset, and will increase total compensation, even if the retiree does not have a combined rating of at least 50%.

If a retiree has a combined disability rating of 40% or lower and does not have a combat-related disability, then retired pay will be offset, or deducted, by the amount of VA service-connected disability compensation received. It is this part of the law that The American Legion continues to lobby for repeal.

What is Concurrent Retirement Disability Pay (CRDP)? Up until 2004, the law prevented retirees from receiving part or all of their military pay if they received disability compensation from VA. Retirees had to choose which payment they wanted to receive: military retired pay, or VA disability compensation. If they chose to receive both forms of payment, they had to offset, or waive, a portion of their retired pay equal to the amount they received from VA. Basically, it prevents service members from ‘double-dipping’ and receiving compensation from both VA and the military. In 2004,
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 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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