



THE AMERICAN LEGION

POST SERVICE OFFICERS GUIDE

2008



THE AMERICAN LEGION

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Foreword

This 2008 edition of the Post Service Officer Guide has been updated to provide you the most current information available to help you in ensuring that our Nation's veterans and their dependents receive the best possible assistance and service when seeking VA benefits. It is truly hoped that through its use, we continue to maintain and enhance the tradition and quality of The American Legion's Rehabilitation Program.

We continue to emphasize the importance for Post Service Officers to coordinate their efforts with the professional Department Service Officer due to the complexity of the VA benefit process, which is governed by a multitude of laws and regulations. Thus, this guide is a general source of information, and should be used in conjunction with the direction of the Department's accredited representatives.

One copy for each Post has been forwarded through the Department Adjutant for distribution. As always, your comments and suggestions about this guide are welcome by our staff. Should there be any questions regarding the content, please contact the Veterans Affairs and Rehabilitation Division in Washington, D.C.

K. Robert Lewis

Chairman, VA&R Commission

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The Veterans Affairs and Rehabilitation Program

OVERVIEW

Since its inception, The American Legion's National Veterans Affairs and Rehabilitation (VA&R) Commission has assisted veterans in "readjusting to civilian life, restoring their health and usefulness to society, maintaining their dignity and respect, and assuring them of the well-being of their widows and children." The backbone of this effort has always been the service officer.

The VA&R program involves a comprehensive network of service officers at the Post, County, District, Department and National levels to furnish direct assistance to veterans, their dependents and survivors in claims for any federal or state benefits or services to which they may be entitled.

This section is intended to give the Post Service Officer a clear understanding of the importance of his/her position and its relationship to the various committees and officials responsible for carrying out the VA&R program.

POST REHABILITATION COMMITTEE

This committee has two principal areas of focus. The first deals with national policy issues affecting veterans in general and the second is in providing direct service and assistance to veterans and their families locally.

When active and properly utilized, the Post Rehabilitation Committee can be one of the service officer's most effective tools, providing expertise in the VA&R program, contacts to community leaders and assistance in carrying out the Post's service programs.

THE KEY ELEMENTS OF A SUCCESSFUL SERVICE PROGRAM ARE:

- A competent and dedicated Post Service Officer, who ideally should serve as Chairperson of the Post Rehabilitation Committee
- Appointment of an Assistant Post Service Officer
- An ongoing communication program within the local community that publicizes issues of importance to veterans and their families

POST SERVICE OFFICER

Veterans needing assistance with benefits and programs of the Department of Veterans Affairs (VA), and other military-related matters, often turn to The American Legion for help. For most veterans, the post in their community is "The American Legion," not the national or Department headquarters. This means that veterans needing help are going to look for it at the local post. This is especially true today with the thousands of troops deploying and returning from the War on Terrorism. If a veteran goes to a post for help and is turned away or treated with indifference, The American Legion, not the post, is seen as not caring about veterans, regardless of what the Legion has done or is currently doing for veterans at the state and national levels. This is why it is so important that every post have a Post Service Officer (PSO) truly interested in helping fellow veterans.

The PSO is often the initial contact between The American Legion and the veteran. The PSO, in most instances, is not a professional service officer, nor is he or she an "accredited" representative of The American Legion (the exception would be when a professional service officer, county, state or Legion, also serves as the PSO for his or her post). It isn't necessary for the PSO to be an expert in veterans' law or benefits. What is important is for the PSO to have a strong desire to assist veterans. The purpose of the PSO is to be an initial point of contact regarding veteran issues by providing veterans in the community where the post is located with basic information and assistance, including referral as directed by the Department Service Officer. Given the complexity and broad range of rules that govern

VA benefits, it is critically important for the PSO to work with the professional American Legion DSO and ensure any paperwork submitted by the veteran is forwarded to the DSO in a timely manner, to ensure proper service.

The PSO should be familiar with VA laws and regulations pertaining to the filing of claims, as well as the policies and guidelines established by the National VA&R Commission as outlined in the VA&R “Code of Procedure.” (See Disability Claims section.) However, it can not be stressed enough, that given both the volume of regulations and the technical nature of the benefits process, the PSO should coordinate his/her efforts to assist a veteran or dependent with an accredited American Legion service officer, according to the customs of his or her department.

DEPARTMENT SERVICE OFFICER

The term “Department Service Officer” (DSO) includes all American Legion professional service officer employees of a Department or a State Veterans agency. The DSO is normally located at the VA regional office (RO). In some states there is more than one RO and there will be one or more DSOs.

DSOs have specialized training and experience that contribute to a thorough knowledge of VA regulations and instructions, and they are familiar with the broad spectrum of VA programs and operations. The DSO is also an accredited representative, responsible for providing assistance and representation in any claim for VA benefits.

NATIONAL VETERANS AFFAIRS & REHABILITATION COMMISSION

The main purpose of the National VA&R Commission is to coordinate VA&R program activities at the national level to carry out the mandates of the National Executive Committee and National Convention.

The Commission also provides direct service to veterans, their dependents and survivors, as well as advice and assistance to service officers. Staff members of the Commission are located at the Washington, D.C. Headquarters of The American Legion and include units at the Board of Veterans’ Appeals, Washington Regional Office/Appeals Management Center and the Military Discharge and Corrections Boards. The National Field Service monitors and evaluates the services of VA health care facilities and the Gulf War Task Force provides expertise in matters pertaining to Gulf War veterans’ illnesses, Agent Orange, environmental hazards and deployment health issues. There are also personnel in St. Paul, Minnesota, at the Debt Management Center and in Philadelphia, Pennsylvania, at the VA Regional Office and Insurance Center (VAROIC).

Division staff members maintain a working relationship with VA program officials and participate in VA advisory councils and committees. Staff also provides testimony to Congressional committees and oversight hearings. VA&R staff also participates in national and Department outreach and training efforts.

The Commission holds an annual Mid-Winter Conference in Washington, D.C. Officials from the Department of Veterans Affairs, other federal agencies and Congress are invited to discuss issues and problems of mutual interest and concern. This conference is open to all interested individuals.

The Department of Veterans Affairs Voluntary Service Program

BACKGROUND

The American Legion has been a staunch supporter and active participant in the Veterans Affairs Voluntary Service (VAVS) program since its inception. Today, as the largest centralized volunteer program in the federal government, VAVS is tremendously successful. It has developed an exciting and challenging concept of volunteer service within the VA health care system. Significant volunteer contributions in terms of donated hours of service, and gifts and donations, assist direct patient care programs and support activities and services that may not be fiscal priorities from year to year.

The success of the VAVS program is due to the enthusiastic efforts on the part of many organizations such as The American Legion, and especially through the efforts of individuals displaying determination and dedication to help veterans using VA services.

VOLUNTEER ACTIVITY

Volunteers assist veteran patients by augmenting staff in such diverse settings as VA medical centers, nursing homes, hospice programs, foster care, community based volunteer programs and veterans outreach centers. Opportunities also exist within the National Cemetery Administration and the State Home Program. Today, through the expanded volunteer services that follow the veteran back into the community, every American Legion Post, no matter how remote, can participate and make a valuable contribution to this humanitarian service. For example, as outpatient clinics have been established to bring services closer to veterans, and home services have been developed to allow veterans to be monitored or treated at home, volunteers are needed to support these efforts. By design, these outpatient clinics and home-based programs are geographically dispersed, encompassing areas well beyond the traditional campuses of the VA medical centers. Similarly, as veterans gain access to health care information and their health care records via computers, volunteers are needed to teach veterans the requisite computer skills.

Services that offer ideal opportunities for post participation include planning and conducting group social and recreational activities, special events and projects, assisting veterans to find employment and providing transportation, as needed. Posts also can participate by offering their facilities and their manpower to the VAVS program, sponsoring youth volunteers, or partnering with local businesses and agencies to provide services to veterans.

Volunteers bring companionship, renewed hope, and comfort to veteran patients, serve as a bond to the outside world, and help disabled veterans learn new vocations to overcome their disabilities.

For information concerning individual or Post participation contact the VAVS Program Manager at your nearest VA medical center, your local VAVS Representative or Department Service Officer, or write to: The American Legion, National Veterans Affairs and Rehabilitation Commission, 1608 K Street, N.W., Washington, D.C. 20006. Information is also available on the internet at www1.va.gov/volunteer.

THE VOLUNTEEN PROGRAM

NOTE: "VolunTeen" is both an American Legion Auxiliary and American Legion term. It was coined by the Auxiliary in 1960.

Teenagers have demonstrated that with appropriate orientation and supervision they can adapt quickly and easily to the medical center setting and provide valuable assistance in various programs that is comparable to and sometimes surpasses that of adult volunteers. Teenage volunteers, in addition to providing valuable service in the care and treatment program, bring to the hospital atmosphere sparkling enthusiasm, radiant cheerfulness, and dynamic energy and vigor which contribute greatly to the patient's morale and well-being. Young people have much to give and gain through serving as volunteers. They have the opportunity to explore the possibility of careers in medical and allied health fields and to develop an understanding and awareness of the problems of the sick and disabled, as well as a greater sense of responsibility as citizens in giving service to others.

There is no better source, for attracting well-qualified teenage volunteers, than within Legion circles. The VAVS program provides the local Post, Auxiliary Unit, and Squadron with an excellent program through which to encourage the participation of the junior Auxiliary member, the Sons of the American Legion, as well as youth involved in Legion Family-sponsored programs in a most worthwhile endeavor.

AMERICAN LEGION AUXILIARY

The American Legion Auxiliary is one of the more energetic and valuable resources available to the Post Service Officer. Service to hospitalized veterans is an Auxiliary priority. Members volunteer for a number of tasks that help the staff of VA Medical Centers continue the programs already in place for our veterans. Included in the many activities the Auxiliary performs in VA Medical Centers are The National Salute to Hospitalized Veterans and Christmas Gift Shops.

The Auxiliary supports The Creative Arts Festival, a program that offers veterans being treated in VA facilities the opportunity to develop new skills and attain progress and recovery through therapy in creative arts such as art, dance, drama and music. Winners of local competitions advance to a national level and are highlighted in a Festival event.

Post Service Officers may inquire if a Fisher House is available in their area. The Auxiliary members volunteer in and financially support these special homes that house family members of patients receiving treatment at a military or VA Medical Center.

Volunteering to assist with veterans outreach centers and VA outpatient clinics is another area of interest for Auxiliary members.

Volunteering in any other facility where a veteran is located (except their own homes) is the Auxiliary Field Service program. Non-referral nursing homes, Veterans Homes, geriatric day care centers, foster homes, halfway houses, hospices, and cemeteries where veterans are buried in the communities are part of this program. Assisting homeless veterans is an important part of the Veterans Affairs and Rehabilitation program

Auxiliary Home Service includes time spent by the volunteer in her own home sewing, knitting, cooking, shopping for materials and supplies for veterans.

Recruitment and retention of volunteers is vital in replacing aging volunteers. The American Legion Auxiliary continually educates its members about the importance of the VAVS program and offers suggestions about how to proceed in successfully motivating members to recruit and retain volunteers.

Department of Veterans Affairs

ORGANIZATION

It is useful for the Post Service Officer to have a basic understanding of how the Department of Veterans Affairs (VA) is structured, where its offices are located and what benefits and services are available. The following information is an organizational breakdown of VA.

The three major departments of VA are the Veterans Health Administration, the Veterans Benefits Administration and the National Cemetery Administration. VA Central Office (VACO), located in Washington, DC, houses the Secretary of Veterans Affairs, Deputy Secretary, General Counsel, Under Secretary for Health, Under Secretary for Benefits and the Under Secretary for the National Cemetery Administration. The Secretary of Veterans Affairs is responsible to the President for establishing policy for the operation of the Department's programs.

VETERANS HEALTH ADMINISTRATION

The Veterans Health Administration (VHA) is responsible for all VA-related health care matters. This includes developing and implementing policy, and overseeing the operations of the health care delivery system. VA has 160 hospitals, 875 ambulatory care and community-based outpatient clinics, 136 nursing homes, 43 domiciliary residential treatment programs, and 209 Readjustment Counseling Centers. VHA also supports patients in 116 state veterans homes in 48 states and Puerto Rico. Currently, VHA field operations are managed within 21 health care networks or VISNs (Veterans Integrated Service Networks). Post Service Officers should be familiar with their local VA health care system.

VETERANS BENEFITS ADMINISTRATION

The Veterans Benefits Administration (VBA) directs the processing of veterans benefit claims. This includes service-connected disability compensation, Dependency and Indemnity Compensation (DIC), disability and death pension, vocational

rehabilitation for veterans with a service-connected disability, and education assistance for veterans and their dependents, programs of government life insurance, home loan guaranty, a special adapted housing grant and special adapted automobile allowance for severely disabled service-connected veterans, burial benefits and flags. VBA also administers the "Soldiers' and Sailors' Civil Relief Act" which provides certain rights and protection to individuals called to active duty in the Armed Forces, including members of the Reserves and National Guard.

REGIONAL OFFICES AND THE INSURANCE CENTER

Post Service Officers should be familiar with the VA regional office(s) (VAROs) serving the veterans of their state, and the name and phone number of the Legion Department Service Officer (DSO) working there. There are 58 VAROs, with a regional office located in each of the 50 states as well as Puerto Rico, the Philippines and Washington, D.C. There is also an insurance center in Philadelphia that provides underwriting and death claims service to veterans under the various programs of government life insurance.

BOARD OF VETERANS APPEALS

The Board of Veterans' Appeals (BVA), located in Washington, D.C., is responsible for reviewing decisions by a regional office that are appealed by a claimant. National American Legion Appeals Representatives located at the BVA provide written argument for appellants who have designated The American Legion as their power of attorney (POA), or represent appellants at BVA hearings.

NATIONAL CEMETERY ADMINISTRATION

The National Cemetery Administration (NCA) provides burial services to veterans and eligible dependents in national, state veterans and private cemeteries. VA maintains 122 national cemeteries in 39 states and Puerto Rico, and 33 soldier's lots and monuments sites.

Veterans Benefits

INTRODUCTION

All laws relating to veterans benefits administered by VA have been codified in Title 38, United States Code (USC), "Veterans Benefits." Related regulations issued by the Secretary of Veterans Affairs are contained in Title 38, Code of Federal Regulations (CFR), "Pensions, Bonuses and Veterans Relief." Specific entitlement and eligibility criteria for the various benefits programs are set forth in these volumes.

Monetary benefits to veterans and their dependents are tax-exempt and may be classified into three general categories: Compensation; Dependency and Indemnity Compensation (DIC); and Pension. Additionally, there are other programs, which will be dealt with in the appropriate sections of this guide.

ELIGIBILITY

Eligibility depends upon individual circumstances.

Eligibility for most VA benefits is based upon discharge from active military service under other than dishonorable conditions. General and under honorable conditions discharges qualify a veteran for most VA benefits (excepting educational). An honorable discharge qualifies a veteran for any and all benefits he would otherwise be entitled to including educational benefits. Dishonorable, bad conduct and other than honorable discharges may be a bar to VA benefits (especially dishonorable), and a determination as to eligibility must be made individually by the VA Regional Office concerned.

Active service means full-time service as a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or as a commissioned officer of the Public Health Service, the Environmental Services Administration or the National Oceanic and Atmospheric Administration.

Prior to September 8, 1980 a veteran, who was enlisted, must have served one day or more to be eligible to receive VA health care, excluding for training purposes only. Officers must have served prior to October 17, 1981. After these dates, a veteran must have served

24 consecutive months of active duty to be eligible for this care. A veteran would also be eligible if he:

- Were a reservist called to active duty and completed the term for which he was called, and granted an other than dishonorable discharge, or
- Were a National Guard member called to active duty by federal executive order, and completed the term for which he was called and granted an other than dishonorable discharge, or
- Were discharged for a hardship, "early out," or for a service-connected disability.

Some individuals who have not served in the U.S. Armed Forces have been granted benefit eligibility because of their roles in past US conflicts, notably World War II. To qualify, an individual must be a member of certain groups, civilian or military, have served during the conflict and been issued a discharge by the U.S. Secretary of Defense. Among those eligible are certain World War II Filipino veterans, including the Old Philippine Scouts. Other Filipino veterans, including veterans of guerrilla groups, may be eligible for certain benefits. Members of the U.S. Merchant Marine during World War II and other civilian participants in that conflict may also be eligible. Their surviving family members may also qualify for certain benefits. (Service in groups that is certified as active military service for benefits purposes is listed under "Special Groups" on pages 2-4 of VA booklet, "Federal Benefits for Veterans and Dependents," or the VA website at www.va.gov.)

Those seeking a VA benefit for the first time must submit a copy of their service discharge form (usually DD-214 or DD-215, or for WWII veterans, a WD form). NA Form 13038 may be used by many older veterans whose records were destroyed in the 1973 Records Center fire.

WAR PERIODS

Eligibility for certain veterans benefits may be contingent upon active service in the U.S. Armed Forces during one or more periods of war. Veterans serving in more than one period of war may combine their active duty days to make the 90 days required for certain VA benefits.

PERIODS OF WARTIME SERVICE	
WWI	April 6, 1917 to November 11, 1918
WWII	December 7, 1941 to December 31, 1946
Korean Conflict	June 27, 1950 to January 31, 1955
Vietnam Era	August 5, 1964 (Feb. 28, 1961, for veterans who served "in country" before Aug. 4, 1964) to May 7, 1975
Gulf War	August 2, 1990 – TBA

PEACETIME SERVICE

Service during peacetime includes all periods of active duty other than wartime service. Certain VA, other federal and state benefits are available to peacetime veterans.

NOTE – LEGION MEMBERSHIP

Veterans who served honorably with at least one day on active duty during any of these war periods are eligible for membership in The American Legion. Veterans who served in military operations in Lebanon, Grenada or Panama are also eligible for Legion membership, but, for VA purposes, they do not meet the definition of a "wartime" veteran. Individuals on active duty are eligible for membership in The American Legion, if they served honorably for at least one day during any of the above periods.

DEFINITIONS

Veteran

A person who served in the active military, naval, or air service of the Armed Forces of the United States and who was released or discharged under conditions other than dishonorable.

Veterans Benefits

Applies to programs of benefits and services administered by the Department of Veterans Affairs, in accordance with criteria authorized by Congress and set forth in Title 38, United States Code (38 USC), "Veterans Benefits." Specific entitlement and eligibility requirements are set forth in Title 38, Code of Federal Regulations (38 CFR), "Pensions, Bonuses, and Veterans Relief."

Types of benefits include: service-connected disability compensation and Dependency and Indemnity Compensation; nonservice-connected disability and death pension benefits; burial; medical care; education assistance, including vocational rehabilitation; guaranteed home loans; and government life insurance. In addition, individuals called to active duty in the Armed Forces have certain rights and protection under the "Soldiers' and Sailors' Civil Relief Act."

Period of War

Those periods which the President and the Congress have declared to be wartime service.

Veteran of Any War

Any veteran who served on active duty in the Armed Forces during a period of war.

Armed Forces

The United States Army, Navy, Marine Corps, Air Force and Coast Guard, including the reserve components.

Compensation

The monthly payment made to a veteran because of a service-connected disability or disease.

Dependency and Indemnity Compensation (DIC)

A monthly payment made to a surviving spouse, children, or parent(s): (a) because of a service-connected death occurring after December 31, 1956, or (b) pursuant to the election of a widow, child or parent, in the case of the death occurring before January 1, 1957.

Nonservice-connected Disability

The disability or death was not incurred or aggravated in line of duty during active military service.

Pension

A monthly payment - based on financial need - to a veteran, widow, or children for nonservice-connected disability or death.

Spouse

Includes the husband of a female veteran and "widow" includes the widower of a female veteran. For the purpose of this definition, a husband or widower is in the same status as a wife or widow of a male veteran and is eligible to receive the same benefits, if otherwise entitled, in a claim for pension, compensation, Dependency and Indemnity Compensation, or survivors education assistance.

Surviving Spouse

A person of the opposite sex who was the spouse of a veteran at the time of the veteran's death and who lived with the veteran continuously from the date of marriage to the date of the veteran's death, where there was no separation due to the fault of the spouse and who has not remarried since the death of the veteran. For DIC purposes, benefits may be reinstated if the surviving spouse remarries after the age of 57.

Child

A person who is unmarried and:

- a. who is under the age of 18 years and who is, a legitimate child, a legally adopted child, a stepchild who is a member of the veteran's household or was a member at the time of his death, or an illegitimate child but only if acknowledged by the veteran in writing or if he has been decreed father of the child, or is otherwise shown by evidence satisfactory

to the Secretary of Veterans Affairs to be the father of the child; or

- b. who, before attaining the age of 18 years, became permanently incapable of self-support; or
- c. who, after attaining the age of 18 years and until completion of education or training (but not after attaining the age of 23), is pursuing a course of instruction in an approved educational institution.

Parent

A natural father or a mother, or father or mother through adoption, or an individual who for a period of at least one year stood in the relationship of parent to a veteran at any time prior to his or her entry into active service.

State Veterans Home

A facility established by a state (other than a possession) for veterans disabled by age, disease, or otherwise, who by reason of such disability are incapable of earning a living. It may provide nursing home care for veterans.

Retirement

Benefits are provided for officers and enlisted personnel of the Armed Forces, based on the length of service, disability, or age.

CLASSIFICATION OF SERVICE

The following duty classifications qualify for benefit purposes:

Active Duty

1. Full-time duty in the Armed Forces, other than active duty for training.
2. Full-time duty as a commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration (formerly the Coast and Geodetic Survey and Environmental Science Services Administration).
3. Service as a cadet at the United States Military, Air Force or Coast Guard Academies, or as a midshipman at the United States Naval Academy.

4. Authorized travel to and from the above duty or service.
 5. Full-time duty as a member of a recognized group that has been held to have rendered active military service.
 6. Period immediately following date of release from active duty as required to proceed to home of record by the most direct route, or in any case until midnight of the day of release.
2. Served satisfactorily as a crew member during the period of armed conflict, December 7, 1941, to August 15, 1945, aboard:
 - a. Merchant vessels in “oceangoing,” i.e., foreign, inter-coastal, or coastal or coastwise service (46 USC 10301 & 10501) and further, to include “near foreign” voyages between the United States and Canada, Mexico, or the West Indies via ocean routes; or
 - b. Public vessels in oceangoing service or foreign waters.

Active Duty for Training (ACTDUTRA)

1. Full-time duty performed by reserves for training purposes.
2. Full-time duty of commissioned officers of the Reserve Corps of the Public Health Service for training purposes.
3. Full-time duty performed by members of the National Guard or Air National Guard of any state, other than federal duty.
4. Service for a period of 14 days or more in the Reserve Officers Training Corps (ROTC) for annual training duty.

MERCHANT MARINE

Pursuant to PL 95-202, on January 7, 1988, the Secretary of Defense declared certain Merchant Marine services as qualifying for Department of Veterans Affairs benefits. To receive recognition, each member of the “American Merchant Marine in Oceangoing Service during the Period of Armed Conflict December 7, 1941, to August 15, 1945,” must meet the following eligibility criteria:

1. Was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the U.S. Coast Guard or Department of Commerce (Merchant Mariner’s Document/Certificate of Service), or as a civil servant employed by U.S. Army Transport Service (later redesignated U.S. Army Transportation Corps, Water Division) or the Naval Transportation Service; and

A “Certificate of Release or Discharge from Active Duty,” **DD Form 214**, plus a discharge certificate, or, an Honorable Service Certificate/Report of Casualty shall be provided each qualifying member of the Merchant Marine, the U.S. Army Transport Service and the U.S. Naval Transportation Service upon receipt of application from the member and upon verification of credible service in accordance with service directives. Total active duty service shall be the summation of each foreign, near foreign, coastal and inter-coastal voyage within the period of armed conflict of World War II. Inclusive dates of each creditable voyage shall be reflected on the **DD Form 214**. For qualifying members taken prisoner of war while on active duty, credible service shall extend to date of repatriation or date of death while a prisoner of war.

The form “Application for Discharge of Member or Survivor of Member of Group Certified to Have Performed Active Duty With the Armed Forces of the United States,” **DD Form 2168**, available through any VA regional office or by visiting www.va.gov, is to be used by applicants seeking a discharge certificate.

Note: Merchant Mariners are now eligible for American Legion membership. If any questions as to individual qualifications for membership exist, the application and substantiating documentation (**DD-214**), or copies thereof, should be forwarded to the National Judge Advocate in Indianapolis.

Health Care Benefits

HEALTH CARE ENROLLMENT

To receive health care, veterans generally must be enrolled. Veterans do not have to be enrolled if they: (1) have a service-connected (SC) disability of 50 percent or more; or (2) need care for a compensable disability.

A veteran may apply for enrollment at any VA health care facility or veterans benefits office at any time. There is no time limit. A form, "Application for Health Benefits," **VA Form 10-10EZ**, must be completed and can be submitted in person or by mail. Make sure the application form is signed, otherwise, it can not be processed for enrollment. Application forms can be obtained by visiting, calling or writing any VA health care facility or veterans benefits office, or by calling toll-free 1-877-222-VETS (8387). Application via the Internet is also available at www.va.gov/forms. For information on VA's comprehensive health benefits, eligibility and enrollment you can access VA at www.va.gov/healtheligibility.

For a new VA patient, not already enrolled, the application for enrollment will be generated automatically as part of the patient registration process at the first visit to a VA health care facility. After the veteran has enrolled, VA will send a letter from the VA Health Eligibility Center notifying the veteran of his/her priority group. However, this letter is not necessary to initially receive treatment. Check with the local VA health care facility if there is uncertainty about a veteran's enrollment status.

Once enrolled, most veterans will remain enrolled without further action on their part. However, certain veterans are required to provide income information to determine their priority level. These veterans will be mailed VA Form 10-10EZ for completion on an annual basis for re-enrollment. Failure to update this information could adversely affect a veteran's enrollment status.

SPECIAL ACCESS TO CARE

Operation Iraqi Freedom/Enduring Freedom Veterans

VA provides two years of free health care for veterans who served in combat locations, beginning with their separation from active duty. This benefit covers all illnesses and injuries except those clearly unrelated to active military service. For further information call 1-877-222-8387.

ENROLLMENT LEVELS

Priority groups were established to help ensure that VA resources are allocated to veterans with the highest priority of care. Enrollment levels are set according to the following eight priority groups established by Congress:

1. Veterans with service-connected conditions rated 50 percent or more disabling.
2. Veterans with service-connected conditions rated 30 or 40 percent disabling.
3. Veterans who are former POWs, veterans with disabilities rated 10 and 20 percent and veterans awarded special eligibility for disabilities incurred in treatment.
4. Veterans receiving Aid and Attendance or housebound benefits and veterans determined by VA to be catastrophically disabled. Some veterans in this group may be responsible for copayments.
5. Veterans receiving VA pension benefits or eligible for Medicaid programs, and non-service-connected veterans and noncompensable zero percent service-connected veterans, whose annual income and net worth are below the established VA means test thresholds.

6. Veterans of the Mexican border period or World War I; veterans seeking care solely for certain conditions associated with exposure to radiation, for any illness associated with combat service in a war after the Gulf War or during a period of hostility after Nov. 11, 1998, for any illness associated with participation in tests conducted by the Defense Department as part of Project 112/Project SHAD; and veterans with zero percent service-connected disabilities who are receiving disability compensation benefits.
7. Nonservice-connected veterans and noncompensable zero percent service-connected veterans with income above VA's national means test threshold and below VA's geographic means test threshold, or with income below both the VA national threshold and the VA geographically based threshold, but whose net worth exceeds VA's ceiling (currently \$80,000) who agree to pay copayments.
8. All other nonservice-connected veterans and zero percent noncompensable service-connected veterans who agree to pay copayments. (Note: Effective Jan. 17, 2003, VA no longer enrolls new veterans in priority group 8).

FINANCIAL ASSESSMENT

Nonservice-connected veterans and those rated 0% noncompensable service-connected are subject to the VA "means test" provisions of the enrollment application. The "means test" eligibility assessment includes information about Social Security, U.S. Civil Service retirement, U.S. Railroad Retirement, military retirement, unemployment insurance, any other retirement income, total wages from all employers, interest and dividends, workers' compensation, black lung benefits and any other gross income for the calendar year prior to application for care. Also considered are assets such as the market value of stocks, bonds, notes, individual retirement accounts, bank deposits, savings accounts and cash. In making the assessment, the income of the patient's spouse and dependent children also are considered.

"Means test" thresholds are adjusted annually and announced in January. Veterans below the means test threshold are enrolled in Priority Group 5. Veterans above the VA threshold but below the HUD geographic index threshold are enrolled in Priority Group 7 and must agree to make specified copayments for their treatment. As of January 17, 2003 veterans whose income and net worth are above the HUD index **may not enroll** (unless they can qualify under categories 1 to 7).

COPAYMENTS

Nonservice-connected veterans with income and net worth above either of the two “means tests” thresholds and who were “grandfathered in” at the time of the January 17, 2003 veteran exclusion, as well as those zero percent service-connected noncompensable veterans needing care for any nonservice-connected disability are subject to copayments.

PRESCRIPTIONS

Veterans receiving medication for nonservice-connected conditions are responsible for a prescription copayment. The fee is \$8.00 for each 30-day supply or less of medication received. There is an annual cap on total prescription copayments of \$840.

Veterans rated service-connected 50% or more are exempt from prescription copayments. Other veterans may be exempt based on their income if it is below the maximum annual “Rate of Pension.”

INSURANCE COMPANY BILLING

When applying for medical care, all veterans will be asked to provide information pertaining to health insurance coverage, including policies held by spouses. VA is authorized to submit claims to insurance carriers for the recovery of costs for medical care provided to nonservice-connected veterans and service-connected veterans for nonservice-connected conditions. Veterans will not be held responsible for the deductible requirements and copayments established by their insurance carriers. They also will not be responsible for portions of an insurance claim not covered by the policy. Veterans above certain income levels, however, are responsible for VA copayments as required by federal law.

Veterans with a billing problem should contact the Medical Care Cost Funds (MCCF) office at the treating VA medical center.

THE UNIFORM BENEFITS PACKAGE

Public Law 104-262, the “Veterans’ Health Care Eligibility Reform Act of 1996,” simplified the process to receive services and paved the way for a standard health benefits plan, VA’s “Uniform Benefits Package,” which emphasizes preventive and primary care and offers a full range of outpatient and inpatient services that include:

- Preventive services, including immunizations, screening tests and health education and training classes
- Primary health care
- Diagnosis and treatment
- Surgery, including outpatient surgery
- Mental health and substance abuse treatment
- Home health care
- Respite, hospice and palliative care
- Urgent and limited emergency care services in VA facilities
- Drugs and pharmaceuticals
- Nursing home care

Nursing Home Care

Nursing care in VA or private nursing homes may be provided for veterans who are not acutely ill and not in need of hospital care. VA will provide needed nursing home care to any veteran whose service-connected (SC) disability medically requires such care. Veterans with a combined SC disability rating of 70 percent or more are not required to pay for nursing home care whereas veterans with service connected disability ratings of 60% or less have copayments decided by information collected on the 10-10EC (Extended Care Form; differing from the 10-10EZ Health Care Form). Veterans with a SC disability are given first priority for nursing home care. Additionally, applicants who may be provided access to nursing home care are veterans who were exposed to and require nursing home care for a disorder associated with exposure to a toxic substance or radiation, for a disorder associated with service in the Southwest Asia theater of operations during the Gulf War, or for any illness associated with service in combat in a war after the Gulf War or during a period of hostility after November 11, 1998, as provided and limited in 38 USC 1710(e).

PL 106-117, the “Veterans Millennium Healthcare and Benefits Act,” created additional provisions to the “Uniform Benefits Package” that went into effect on May 29, 2000. A restricted emergency care benefit provides a safety net for some enrolled veterans who have no other means of paying a private facility emergency bill. VA will be the “payor of last resort” for emergency services rendered for nonservice-connected conditions at non-VA facilities for qualifying veterans. Specified criteria must be met, such as, but not limited to:

- Veterans must be enrolled and have been provided care by a VA provider within the last 24 months.
- The emergency must be life threatening as determined by a prudent lay person.
- There is no other form of health care or legal recourse to cover the expenses.

- VA or other federal facilities were not reasonably available at the time of the emergency event.

Veterans should contact their local facility or a DSO to verify their eligibility for this benefit.

Restrictions Apply to Hearing Aids and Eyeglasses

Hearing aids and eyeglasses usually require a service-connected disability rating of 10% or more. They are usually not provided to nonservice-connected veterans for generally-occurring hearing or vision loss. Veterans should contact the nearest health care facility to determine their entitlement.

Services Not a Part of the “Uniform Benefits Package”

An enrolled veteran may be eligible for some services that are not part of the “Uniform Benefits Package.” These services were not changed by the Eligibility Reform legislation and a veteran must still qualify for them on a case-by-case basis and specific restrictions apply to each. The services include:

- Limited nursing home care
- Limited domiciliary care
- Limited non-VA hospitalization or health care services for veterans with special eligibility
- Limited dental care
- Readjustment counseling
- Adult day health care
- Homeless programs
- Sexual trauma counseling

In addition, VA has comprehensive specialized programs for blind rehabilitation and the treatment of veterans with spinal cord injury.

GULF WAR, AGENT ORANGE AND IONIZING RADIATION

Registry Programs

VA has developed databases called “registries” to help analyze the type of health conditions being reported by veterans who may have experienced unique environmental exposures. These veterans are provided with free, comprehensive medical examinations, including laboratory and other diagnostic tests deemed necessary, by an examining physician to determine health status. VA currently has registry programs for veterans of the Gulf War, which includes those who have served in the theater from August 2, 1990 to the present; those who served in Vietnam during the war (January 9, 1962, to May 7, 1975) and claim exposure to Agent Orange; those who may have been exposed to Agent Orange. Veterans eligible to participate in the Agent Orange registry program are those who were stationed along the demilitarized zone between North and South Korea in 1968 and 1969; and other veterans who may have been exposed to dioxin and other toxic substances in a herbicide or defoliant during the conduct of, or as a result of testing, transporting or spraying of herbicides for military purposes. VA also has a registry program for veterans who claim exposure to ionizing radiation while participating in onsite atmospheric testing; while participating in the occupation of Hiroshima or Nagasaki; while prisoners-of-war in Japan during World War II, having been treated with nasopharyngeal (NP) radium during military service; while participating in other “radiation-risk” activities at underground nuclear tests at Amchitka Island, AK (before January 1, 1974), at Department of Energy gaseous diffusion plants at Paducah, KY, Portsmouth, OH, and at Area K25 in Oak Ridge, TN.

Eligible veterans do not have to be enrolled in VA health care to participate in registry examinations. Examination results, along with reviews of the veteran’s military service and exposure histories, are entered into the registries. Registry participants are advised of the results of their examinations in personal consultations and by letters. Veterans wishing to participate should contact the nearest VA health care facility for an examination.

Treatment

Health care services are available for medical conditions VA recognizes as related to an atomic veteran’s exposure to ionizing radiation. Atomic veterans are defined as those who participated in atmospheric nuclear tests (conducted from 1945 to 1962), those who were prisoners of war in Japan during the war, and those who participated in the occupation of Hiroshima and Nagasaki. These veterans are eligible for treatment without co-payment because they are eligible for Priority 6 enrollment, they are eligible for treatment without co-payment. Veterans in this category are eligible for presumptive and non-presumptive compensation.

Veterans who were participants in other “radiation-risk” activities-- underground nuclear tests at Amchitka Island, AK (before January 1, 1974), at Department of Energy gaseous diffusion plants at Paducah, KY, Portsmouth, OH, and at Area K25 in Oak Ridge, TN --are not classified as atomic veterans and **are not** eligible Priority 6 enrollment for their exposure to ionizing radiation, nor are they eligible for treatment for cancer of the head and neck without co-payment. Veterans in this category diagnosed with radiation “presumptive disabilities” are eligible for presumptive compensation for such disabilities.

Veterans who were treated with nasopharyngeal (NP) radium during military service are not eligible for Priority 6 enrollment for their exposure to ionizing radiation, but **are eligible** for treatment for cancer of the head and neck without co-payment. Veterans in this category are not eligible for compensation based on the radiation presumptions.

Under a regulation enacted in March 2002, cancers of the bone, brain, lung, colon and ovary were added to the list of conditions presumed related to exposure to ionizing radiation.

WOMEN VETERANS

Women are a vital part of the armed forces and the community of veterans. VA's commitment to the needs of women veterans has been long-standing, but has been particularly noteworthy since the early 1980s with the establishment of the VA Advisory Committee on Women Veterans. Although the number of women veterans is relatively small compared to that of their male counterparts, the population of women veterans has been growing and is projected to grow further, as well as become older. These demographic facts, coupled with the special needs of women veterans, particularly with respect to health care, drive the need to consider how many women veterans use VA benefits and the characteristics which might be related to the need for and use of benefits such as health status, race, education, income, employment and marital status.

Women veterans are eligible for the same VA benefits as male veterans. Services and benefits for women veterans are gender-specific and include breast and pelvic examinations and other general reproductive health care services. Preventive health care provided includes counseling, psychosocial rehabilitation programs, contraceptive services, menopause management, Pap smears and mammography. Referrals are made for services that VA is unable to provide.

VA health care professionals provide counseling and treatment to help women overcome psychological trauma resulting from sexual harassment, post-traumatic stress disorder, and domestic violence or other personal and sexual assault during military service. Care also is provided for any injury, illness or psychological condition resulting from such trauma.

To ensure privacy for women veterans, VA medical centers have made structural changes. Women Veterans Coordinators are available at all VA facilities to assist women veterans seeking treatment and benefits.

In 1994, Congress passed legislation authorizing VA to establish a Center for Women Veterans. The center collaborates with other federal departments on issues related to women veterans, develops materials on VA benefits programs and health care services, and conducts outreach to make women veterans aware of these services. Their web site, www.va.gov/womenvet, (phone: 202-273-6193) offers women veterans direct access to the Center for Women Veterans where they can express concerns, ask questions and provide feedback about VA benefits and services.

HOMELESS VETERANS

A number of VA benefits assist veterans "at risk" of becoming homeless, including disability compensation, pension and educational benefits. VA also provides health and rehabilitation programs for homeless veterans (HCHV). VA's Homeless Chronically Mentally Ill (HCMI) Program provides health exams, treatment, referrals and ongoing case management to homeless veterans with mental health problems. The Domiciliary Care for Homeless Veterans (DCHV) Program provides biopsychosocial treatment and rehabilitation. VA has a growing number of Compensated Work Therapy/Therapeutic Residence group homes, special day treatment centers and Comprehensive Homeless Centers. "Stand-Downs" are conducted for up to 3 days to provide general assistance, food, shelter, clothing, and offer information about VA health care and benefits.

VA's Homeless Providers Grant and Per Diem Program assist nonprofit and local government agencies to establish housing or service centers for homeless veterans. Grants are awarded for the construction, acquisition or renovation of facilities. VA also has joined with the Department of Housing and Urban Development (HUD), the Social Security Administration, veterans service organizations and community nonprofit groups to assist homeless veterans. For information on benefits for homeless veterans, contact the nearest VA facility. For information regarding Legion Homeless Veteran Initiatives, contact our Economics Commission or the Department Homeless Chairman (**See Appendix**).

Each VA VISN has a dedicated Network Homeless Coordinator that is tasked to assist homeless veterans within all VA campus and non-campus facilities. These critical staff members need The American Legions help. **(HCHV Coordinators See Appendix)**

THE AMERICAN LEGION HOMELESS VETERANS TASK FORCE

The American Legion coordinates a Homeless Veterans Task Force (HVTF) amongst its 55 departments. Our goal is to augment existing homeless veteran providers, the VA Network Homeless Coordinators, and the Department of Labor's Homeless Veterans Reintegration Program (HVRP), Veterans Workforce Investment Program (VWIP), Disabled Veterans' Outreach Personnel (DVOPs) and Local Veterans' Employment Representative (LVERs). In addition to augmentation, we then attempt to fill in the gaps where there is no coverage. Each of The American Legion's Departments contains an HVTF chairman and an employment chairman. These two individuals coordinate activities with The American Legion's local posts within their state. The three-tiered coordination of these two chairmen and numerous local posts attempt to symbiotically assist homeless veterans and prevent future homelessness.

The American Legion has conducted training with the assistance of the National Coalition for Homeless Veterans (NCHV), DOL-VETS, Project Homeless Connect, and VA on how to apply for Federal grants in various assistance programs, most notably the "Stand Down" and Grant and Per Diem programs. It is our goal to assist the Grant and Per Diem program by enabling individual posts and homeless providers to use The American Legion as a force multiplier. We may not have the job-specific expertise in the fields of social work and mental health, but we do have 2.7 million volunteers with an impressive network of resources within their communities.

The American Legion augments homeless veteran providers with transportation, food, clothing, cash and in-kind donations, technical assistance, employment placement, employment referral, claims assis-

tance, veterans' benefits assistance, and in some cases housing for homeless veterans. The American Legion department service officers are accredited representatives that assist homeless veterans with their VA compensation and pension claims, and are fierce advocates for assuring that all VA benefits are afforded to the unfortunate homeless veterans that they may encounter.

READJUSTMENT COUNSELING

Readjustment counseling is provided at Vet Centers to help veterans resolve war-related psychological traumas and to help them achieve a successful post-war readjustment to civilian life. Vet Centers are located in local communities close to the veterans they serve. Assistance typically includes readjustment counseling, spouse/significant other counseling, alcohol/drug abuse counseling and referral, employment assistance, psychological services, benefits counseling referral and homeless veteran assistance. Counseling also is provided to all veterans who have experienced sexual trauma (sexual assault or harassment) while on active duty. In addition to counseling, the Vet Centers provide extensive community outreach and brokering of services for veterans. Eligible for counseling are veterans who served on active duty in a combat theater during WWII, the Korean Conflict, the Vietnam Era, the Gulf War, or the campaigns in Lebanon, Grenada, Panama, Somalia, Bosnia, Kosovo, Afghanistan, Iraq and the global War on Terrorism. Vietnam Era veterans not in the war zone: August 5, 1964 - May 7, 1975, are eligible as long as they accessed care at a Vet Center prior to January 1, 2004. Most recently, the Vet Centers were authorized to provide bereavement counseling services to the families of those service members killed on active duty.

One common readjustment problem is post-traumatic stress disorder, or PTSD. This refers to such symptoms as nightmares, intrusive recollections or memories, flashbacks, anxiety or sudden reactions after exposure to traumatic conditions. Readjustment difficulties may affect functioning in school, family or work. In areas distant from Vet Centers or VA medical facilities, combat veterans may obtain readjustment counseling from private sector professionals

who are on contract with VA. To locate a contract provider, contact the nearest Vet Center. Vet Centers are listed in the white pages, blue pages and on the web at www.va.gov/rcs.

MEDICAL CARE FOR DEPENDENTS AND SURVIVORS

CHAMPVA, the Civilian Health and Medical Program of the Department of Veterans Affairs, provides reimbursement for most medical expenses – inpatient, outpatient, mental health, prescription medication, skilled nursing care and durable medical equipment (DME). To be eligible for CHAMPVA, you cannot be eligible for TRICARE (formerly called CHAMPUS) and you must be in one of these categories:

- The spouse or child of a veteran who has been rated 100% permanently and totally disabled for a service-connected disability by a VA regional office; or
- The surviving spouse or child of a veteran who died from a VA-rated service-connected disability, or who, at the time of death, was rated 100% permanently and totally disabled; or
- The surviving spouse or child of a military member who died in the line of duty, not due to misconduct (though in most of these cases, these family members are eligible for TRICARE, not CHAMPVA).
- An eligible CHAMPVA sponsor may be entitled to receive medical care through the VA health care system based on his or her own veteran status. Additionally, as the result of a recent policy change, if the eligible CHAMPVA sponsor is the spouse of another eligible CHAMPVA sponsor, both may now be eligible for CHAMPVA benefits. In each instance where the eligible spouse requires medical attention, he or she may choose the VA health care system or coverage under CHAMPVA for his/her health care needs.

To be eligible for CHAMPVA benefits over age 65, you must also meet the following conditions (adjusted margin):

- If you turned 65 before June 5, 2001, and only have Medicare Part A, you will be eligible for CHAMPVA without having to have Medicare Part B coverage.
- If you turned 65 before June 5, 2001, and have Medicare Parts A and B, you must keep both Parts to be eligible.
- If you turn age 65 on or after June 5, 2001, you must be enrolled in Medicare Parts A and B to be eligible.

To apply for benefits, contact the VA Health Administration Center (HAC), P.O. Box 65023, Denver, CO 80206 or call 1-800-733-8387 or check the HAC's web site at www.va.gov/hac.

Many VA medical centers provide services to CHAMPVA beneficiaries under the “CHAMPVA In-house Treatment Initiative” (CITI) program. Services provided under this program are space-available after the needs of veterans are met. Services may be episodic, that is, they may not be available at all times, nor may the same services be available from day to day. CHAMPVA beneficiaries who use a CITI facility have no cost-share for the services they receive.

OVERSEAS MEDICAL BENEFITS - THE FOREIGN MEDICAL PROGRAM

The Foreign Medical Program (FMP) is a program for VA-rated service-connected veterans who live or travel overseas. Under the FMP, Veterans Affairs will pay 100% of the charges for any health care the veteran needs that is associated with a service-connected disability.

Services in most foreign countries must be authorized by the Foreign Medical Program Office, P.O. Box 65021, Denver, CO 80206-9021, U.S.A. The phone number is: 303-331-7590. Services in Canada must be authorized by the VA Medical Center in White River Junction, VT 05009-0001, U.S.A.

The phone number is: 802-296-6379. The VA office in Pasay City must authorize services in the Philippines. The phone number is: 011-632-833-4566.

ALLIED VETERANS

VA is authorized to provide medical care to veterans of nations allied or associated with the United States during World War I or World War II. Such treatment is available at any VA medical facility if authorized and reimbursed by the foreign government. VA also is authorized to provide hospitalization, outpatient and domiciliary care to former members of the armed forces of Czechoslovakia or Poland, who participated during World Wars I and II in armed conflict against an enemy of the United States, if they have been citizens of the United States for at least 10 years.

BENEFICIARY TRAVEL

Veterans may be eligible for payment or reimbursement for travel costs to receive VA medical care. Mileage reimbursement is paid at \$.11 per mile and is subject to a deductible of \$3 for each one-way and an \$18 per month maximum cap. Two exceptions to the deductible are travel for a compensation or pension examination and travel by special modes of transportation, such as an ambulance or a specially equipped van. Beneficiary travel payments may be made to the following:

- a. Veterans whose service-connected disabilities are rated at 30 percent or more
- b. Veterans traveling for treatment of a service-connected condition
- c. Veterans who receive a VA pension
- d. Veterans traveling for scheduled compensation or pension examinations
- e. Veterans whose income does not exceed the maximum VA pension rate
- f. Veterans whose medical condition requires use of a special mode of transportation, if the veteran is unable to defray the costs and travel is pre-authorized. If the medical condition is a medical emergency, travel need not be pre-authorized when a delay to obtain authorization would be hazardous. Consult your local VA Medical Facility.

For special mode transportation purposes, VA regulation 38 CFR 17.143(e) defines “unable to defray the cost of travel” as follows:

A veteran or other person shall be considered unable to defray the expenses of travel if,

- a. Annual income for the year immediately preceding the application for benefits does not exceed the maximum annual rate of pension which would be payable if the person were eligible for pension; or
- b. The person is able to demonstrate that due to circumstances such as loss of employment, or incidence of a disability, income in the year of application will not exceed the maximum annual rate of pension which would be payable if the person were eligible for pension; or
- c. The person has a service-connected disability rated at least 30 percent; or
- d. The person is traveling in connection with treatment of a service-connected disability.

Disability Claims

ROLE OF THE POST SERVICE OFFICER

The role of the volunteer Post Service Officer may vary somewhat from Department to Department. Therefore, it is extremely important that the Post Service Officer discuss with the Department Service Officer the Department's policy regarding their assistance to veterans and their dependents.

In general, the PSO primary responsibility is to help the DSO protect a claimant's interests. This means doing nothing that could have an adverse effect on his/her claim, including providing information or advice that may not be accurate or proper.

The Post Service Officer should work with and through The American Legion Department Service Officer and the staff of Legion-accredited representatives located at the VA regional office in the filing of any claim or evidence in support of a claim or appeal. Similarly, the PSO should strongly advise claimants that it is to their advantage to cooperate with and work through the DSO. Only the DSOs and their staff have direct access to a claimant's VA claims folder ("C-file") and can take official action on the claimant's behalf.

CODE OF PROCEDURE

The VA&R Commission has established certain formal policies and procedures that Post Service Officers and Department Service Officers should follow in any claim for VA benefits. This "Code of Procedure" (Revised August 2005) safeguards the interests of the National Organization, the Departments and Posts in carrying out The American Legion's program of service to veterans and their families.

The following are essential elements of the Code:

POWER OF ATTORNEY (VA FORM 21-22)

This form, "Appointment of Veterans Service Organization as Claimant's Representative" or "POA," notifies the Department of Veterans Affairs (VA) what organization is officially authorized to represent a particular claimant. VA recognizes one organization at a time as a claimant's representative.

With certain exceptions, a POA may be accepted from:

- a. the veteran or, if incompetent, the veteran's legal guardian, wife, parent, near relative, or manager of an institution in which the veteran is maintained;
- b. a deceased veteran's dependents or designated beneficiaries, or, if incompetent, the fiduciary;
- c. persons entitled to reimbursement for expenses incurred in connection with the veteran's last illness and burial.

LIMITATIONS OF REPRESENTATION

There are certain limitations that may affect The American Legion's efforts to assist a claimant:

- **Character of Discharge:** Almost always, an "Honorable" or "General under Honorable Conditions" is required to be eligible for most VA benefits. The DSO should be consulted about less than honorable discharges.
- **Representation and Power of Attorney:** American Legion "representation" can only be provided by a professional service officer who has been "accredited" by the VA General Counsel. To obtain Legion representation and all related services requires the filing of VA Form 21-22, "Appointment of Veterans Service Organization as Claimant's Representative." Once the form is a part of the VA record, VA will provide the DSO with a copy of all correspondence sent to the claimant. Once filed, the POA remains valid unless withdrawn by the claimant or the representative.

Note: It is contrary to the policy of The American Legion to accept POA from any person whose interests are detrimental or adverse to those of the veteran regardless of the fact The American Legion does not hold the veteran's POA.

It is also contrary to the policy of The American Legion to participate in a "contested claim," that is, one in which there are two persons seeking or claiming the same benefit, such as two former spouses.

PROHIBITION ON THE SOLICITATION OF A FEE FOR SERVICE

Any American Legion service officer who directly or indirectly solicits, contracts for, or receives any fee or compensation, or wrongfully withholds from any claimant or beneficiary any part of a benefit due, shall by law be fined or imprisoned for not more than one year or both.

CONFIDENTIAL NATURE OF VA RECORDS

Under the Privacy Act, any information or records in a VA claim may not be disclosed by any American Legion service officer without the claimant's expressed authorization.

CLAIM FORMS, DOCUMENTATION AND CORRESPONDENCE

Post Service Officers should not hold such material. To avoid delays and potentially lost benefits, all claims or correspondence submitted to the PSO should be **immediately** directed to the DSO at the VA regional office having jurisdiction over the geographic area where the claimant lives.

It is also important that no material or evidence ever be submitted directly to VA. Should a benefit claim be denied, the PSO should advise claimants to contact the DSO right away, before initiating an appeal or taking further action on their claim.

DISABILITY CLAIMS PROCEDURE

Service-connected Disability

VA pays compensation ("comp") for a current condition or disability that is related to the veteran's period of active military service. Sufficient evidence must be submitted to show that the claimed disability was incurred during (i.e., acquired) or aggravated (made worse) during military service. The disability does not have to be related to combat. Income or assets do not affect the payment of compensation benefits.

There are five ways that service connection can be awarded:

1. There is a current condition which can be directly linked to a recorded injury that happened or a disease suffered from while the veteran was in service; or
2. There is a current condition whose symptoms began shortly after discharge, usually within one year of separation. VA can consider that the condition began during service; or
3. There is a current condition that existed before entry into service and which became worse or was aggravated while in service; or
4. There is a current condition that was caused or aggravated by a service-connected condition; or
5. There is a current condition that began years after discharge from service but was caused by something that happened during service, such as cancer related to exposure to radiation, asbestos, or Agent Orange.

VA may also recognize a current condition as if it were service-connected when:

- a. The condition resulted from an injury or aggravation as the result of negligent VA medical care or involvement in a VA vocational rehabilitation program.
- b. The loss, or loss of use, of one of a pair of organs (such as a kidney, lung, eye, or ear) or an extremity (hand or foot) is service-connected and the other paired organ or extremity becomes disabled as the result of a nonservice-connected cause.

Evidence Needed to Establish a Claim for Service Connection

The Post Service Officer can help the veteran assist the Department Service Officer in developing the necessary background information and supporting evidence.

It may be to the veteran's advantage to know what information is contained in his or her service medical records (SMRs) or in the VA C-file, if one exists. The veteran is entitled to a copy of any of these records. Service medical records can be requested by submitting Standard Form 180, "Request Pertaining to Military Records," or a letter with identifying information to the National Personnel Records Center (NPRC), 9700 Page Ave., St. Louis, MO 63132-5100. The Department Service Officer can provide this form. The veteran can also request a copy of the C-file by sending a letter to the VA regional office that says: "I am exercising my rights under the Freedom of Information Act to obtain a free copy of all my VA records."

The basic requirements for a claim for service connection are:

- a. **There must be a currently diagnosed chronic medical or psychiatric condition or disability.**
- b. **There is information or records that "something" happened in service – an injury or disease was incurred or aggravated – or shortly after separation.**
- c. **There is medical opinion linking the current diagnosis with what happened in service.**

FILING A CLAIM FOR SERVICE CONNECTION

In filing an initial claim for service connection, the veteran is required to submit **VA Form 21-526**, "Application for Compensation or Pension." The Post Service Officer can assist the veteran in completing this form and compiling the additional supporting documentation that should be submitted to the Department Service Officer for review before it is formally filed with VA.

The following is a list of some of the important documents and information that will be helpful in preparing a "formal claim":

- A copy of the **DD-214**, "Certificate of Release or Discharge from Active Duty"

- Copies of any service medical records or other service records
- Copies of any private medical records
- Information on all dependents, including Social Security numbers and copy of marriage certificate(s), divorce decree(s) and children's birth certificates
- A statement describing in detail what happened in service, history of symptoms and in-service and post-service treatment, if any, as well as names of individuals with knowledge of this and how this is related to the claimed current disability
- A statement, if possible, from people (family, friends, co-workers) who observed the symptoms since service
- Information on any application for non-VA disability benefits (Social Security, Workmen's Compensation, etc.); and
- A full account of family income and assets - this is needed to help the Department Service Officer determine if a claim for nonservice-connected disability pension should also be pursued, as possibly a greater benefit.

It may take some time for the veteran to fully complete the VA Form 21-526 and obtain the additional needed evidence. To protect the veteran's interest and establish the earliest possible date of claim for future benefit payment purposes, the Post Service Officer should advise the veteran to file an "informal claim" through the Department Service Officer. An informal claim can be a simple letter that basically says:

"I am applying for service connection for and any other benefits to which I may be entitled. Additional evidence to be submitted at a later date. Signed..."

The veteran then has one year within which to file a formal application (VA Form 21-526) along with the necessary evidence.

COMPUTING COMPENSATION BENEFITS

Once VA recognizes that a current condition is service-connected, a determination must be made as to the severity of the current disability and an appropriate percentage rating from zero to one hundred percent assigned. The amount of compensation payable is based on the disability percentage for ratings of ten through one hundred. Veterans rated 30% or more are entitled to an additional dependent's allowance.

A zero percent evaluation is non-compensable, since the condition is considered non-disabling. However, it is still valuable, because the veteran is entitled to free VA inpatient and outpatient medical treatment for that condition. It also entitles the veteran to other advantages.

CLAIMING AN INCREASE IN A SERVICE-CONNECTED DISABILITY

Once VA has determined that a disability is service-connected, the veteran can file a claim for an Increased evaluation at any time If he or she believes the disability has worsened or Is more severe.

CAUTION: The Post Service Officer should advise the veteran that, as a result of the request for re-evaluation, VA may determine the current level is now more severe as claimed, is essentially unchanged, or that it has improved and can reduce the veteran's rating and compensation benefits.

The DSO should be consulted before the veteran takes any action to reopen his or her claim.

WHAT IF A CLAIM FOR SERVICE CONNECTION OR AN INCREASED RATING IS DENIED

If a claim has been denied, the Post Service Officer should contact the Department Service Officer for information and guidance, before advising the veteran to take any action. There are several possible options: file an appeal (see Chapter VIII, "**The Appeals Procedure**"), request a personal hearing at the regional office, or try to get additional evidence to reopen the claim.

A personal hearing before a VA Decision Review Officer at the regional office can be requested to hear testimony from the veteran on his or her claim. Additional evidence can also be submitted at that time. The Department Service Officer will provide representation at this hearing. The Post Service Officer should advise the veteran to contact the Department Service Officer to discuss the personal hearing option. If the veteran does not file a Notice of Disagreement (for more on the Notice of Disagreement see Chapter VIII, "**The Appeals Procedure**") or request a personal hearing within one year of the denial notice, the denial decision becomes final.

REOPENING A PREVIOUSLY DENIED CLAIM

In order for VA to "reopen" a finally denied claim, i.e., take another look at the case, the veteran must submit "new and material evidence." "New" means additional medical evidence or other records, which have not been previously considered and "material" means that it directly relates to the issue in the claim. If the VA regional office determines this evidence is both new and material, the entire claim will be reviewed and re-adjudicated. If benefits are granted, they would be paid based on the new effective date of the reopened claim. If reopening is denied, this can be appealed. The veteran should be advised to consult with the Department Service Officer before initiating an appeal.

NONSERVICE-CONNECTED DISABILITY PENSION

VA nonservice-connected disability pension is an income support program available to those veterans who:

- a. Served 90 or more continuous days of active duty, one of which was during wartime; and
- b. Have established financial need; and
- c. Are age 65 or permanently and totally disabled.

VA will evaluate all of the veteran's disabilities in determining whether he or she is totally disabled, including if the veteran is able to perform substantial work and whether the total disability is permanent or not.

Evidence Needed to Support a Claim for Nonservice-connected Disability Pension

The Post Service Officer can help the Department Service Officer in developing the following supporting information and documentation in support of the claim for pension:

- A copy of the "Certificate of Release or Discharge from Active Duty" (DD-214)
- A copy of any private medical records, including a written account of all medical expenses that were not covered by insurance for the last 12 months and an estimate of those medical expenses which would not be covered by insurance in the next 12 months
- A statement of income from all sources and assets (net worth), excluding residence
- A list of all dependents, including spouse and minor children or children in college, along with Social Security numbers, marriage certificate(s) and divorce decree(s)
- If available, a copy of the decision from Social Security finding the veteran permanently and totally disabled; and
- A statement by the veteran indicating the reasons why he or she is permanently and totally disabled and when this occurred.

If VA denies entitlement to pension, the veteran has the right to appeal. However, before any action is taken to initiate an appeal, the Post Service Officer should consult the Department Service Officer for guidance.

Survivors Benefits

DEPENDENCY AND INDEMNITY COMPENSATION

Dependency and Indemnity Compensation (DIC) payments may be available for surviving spouses, unmarried children under 18, helpless children, those between 18 and 23 if attending a VA-approved school and low-income parents of servicemembers or veterans who died from:

- a. a service-connected disability.
- b. a disease or injury incurred or aggravated while on active duty or active duty for training; or
- c. an injury incurred or aggravated in line of duty while on inactive duty training; or a heart attack or stroke while traveling to or from inactive duty for training.

DIC payments also may be authorized for survivors of veterans who were totally service-connected disabled at time of death but whose deaths were not the result of their service-connected disability. Payments under this provision are subject to offset by the amount received from judicial proceedings brought against VA on account of the veteran's death. The survivor qualifies if:

- a. the veteran was receiving compensation for a disability continuously rated totally disabling for a period of 10 or more years immediately preceding death (or would have been receiving such compensation except for clear and unmistakable error in a VA or BVA decision). **NOTE: clear and unmistakable error has a special legal meaning, please consult your DSO; or**
- b. the veteran was receiving compensation for a disability continuously rated totally disabling for a period of not less than five years from the date of discharge from military service (or would have been receiving such compensation except for clear and unmistakable error in a VA or BVA decision); or

- c. the veteran was a former prisoner-of-war who died after September 30, 1999, and who was receiving compensation for a disability rated totally disabling for at least one year immediately preceding death (or would have been receiving such compensation except for clear and unmistakable error in a VA or BVA decision).

DIC payments based on death resulting from VA medical treatment are subject to offset by the amount received from judicial proceedings brought against VA on account of the veteran's death.

For DIC eligibility, death cannot be the result of willful misconduct. Also, the veteran's discharge must have been under conditions other than dishonorable. If a spouse remarries after age 57 benefits will continue. If under age 57, eligibility is terminated for DIC benefits and may be restored if the remarriage is terminated later by death or divorce.

DIC PAYMENTS TO SURVIVING SPOUSE

Surviving spouses of veterans who died on or after Jan. 1, 1993, receive \$1,091 a month for 2008. For a spouse entitled to DIC based on the veteran's death prior to Jan. 1, 1993, the amount paid is \$1,091 a month or the amount based on the veteran's pay grade, whichever is higher.

DIC PAYMENTS TO PARENTS AND CHILDREN

The monthly payment for parents of deceased veterans depends upon their income. There are additional DIC payments for dependent children. Where there is no surviving spouse, an unmarried child under age 18, or between the ages of 18 and 23 and attending school, may be eligible.

SPECIAL PROVISIONS RELATING TO MARRIAGE

Whenever a widow/widower of a veteran files for gratuitous death benefits under laws administered by VA, it must be established that she/he, without knowledge of any legal impediment, entered into a marriage with the veteran which, but for a legal impediment, would have been valid. It must also be shown that the widow/widower cohabited with the veteran one or more years immediately before his or her death, or for any period of time if a child was born of the purported marriage or was born to them before such marriage. The purported marriage shall be deemed to be a valid marriage, but only if no claim has been filed by a legal widow of such veteran who is found to be entitled to such benefits. No duplicate payments shall be made.

Where a widow has been legally married to a veteran more than once, the date of original marriage will be used in determining whether the statutory requirement as to the date of marriage has been met. Validity of a marriage for the purpose of all laws administered by VA will be considered according to the law of the place where the parties resided at the time of the marriage, or the law of the place where the parties resided when the right to benefits accrued.

The marriage of a child of a veteran shall bar recognition of such child as the dependent child of the veteran for benefits purposes.

SPINA BIFIDA ALLOWANCE

Individuals with Spina Bifida who are children of Vietnam veterans are eligible for vocational training, health care and a monthly allowance. Contact a VA regional office to apply for medical treatment or benefit payments. The monthly allowance is set at three levels based on the degree of disability suffered by the child. The three levels are based on neurological manifestations that define the severity of disability: impairment of the functioning of the extremities, impairment of bowel or bladder function and impairment of intellectual functioning.

SPECIAL ALLOWANCES

Surviving spouses and parents receiving DIC may be granted a special allowance to pay for Aid and Attendance by another person if they are patients in a nursing home or require the regular assistance of another person. Surviving spouses receiving DIC may be granted a housebound special allowance if they are permanently housebound.

RESTORED ENTITLEMENT PROGRAM FOR SURVIVORS

Survivors of veterans who died of service-connected causes incurred or aggravated prior to Aug. 13, 1981, may be eligible for special benefits. This benefit is similar to the benefits for students and surviving spouses with children between ages 16 and 18 that were eliminated from Social Security benefits. The benefits are payable in addition to any other benefits to which the family may be entitled. The amount of benefit is based on information provided by the Social Security Administration.

DEATH PENSION

Surviving spouses and unmarried children of deceased veterans with wartime service may be eligible for a pension based on need. Spouses must not have remarried and children must be under age 18, or under age 23 if attending a VA-approved school. Pension is not payable to those with estates large enough to provide maintenance. The veteran must have been discharged under conditions other than dishonorable and must have had 90 days or more of active military service, at least one day of which was during a period of war, or a service-connected disability justifying discharge for disability. If the veteran died in service but not in line of duty, benefits may be payable if the veteran had completed at least two years of honorable service. Children who became incapable of self-support because of a disability before age 18 may be eligible for a pension as long as the condition exists, unless the child marries or the child's income exceeds the applicable limit. A surviving spouse who is a patient in a nursing home, is in need of the regular Aid and Attendance by another person or is permanently housebound may be entitled to higher income limitations or additional benefits.

The "Improved Pension" program provides a monthly payment to bring an eligible person's income to a support level established by law. The payment is reduced by the annual income from other sources such as Social Security paid to either the surviving spouse or dependent children. Medical expenses may be deducted from countable income. Pension is not payable to those who have assets that can be used to provide adequate maintenance.

DEPENDENTS EDUCATION

Educational assistance benefits are available to spouses who have not remarried or for those who have remarried and that marriage was terminated and children of:

1. Veterans who died or are permanently and totally disabled as the result of a disability arising from active service in the Armed Forces
2. Veterans who died from any cause while rated permanently and totally disabled from service-connected disability
3. Servicemembers listed for more than 90 days as currently missing in action or captured in line of duty by a hostile force
4. Servicemembers listed for more than 90 days as currently detained or interned by a foreign government or power

Benefits may be awarded for pursuit of associate, bachelor or graduate degrees at colleges and universities - including independent study, cooperative training and study abroad programs. Courses leading to a certificate or diploma from business, technical or vocational schools also may be taken. Benefits may be awarded for apprenticeships, on-job training programs and farm cooperative courses. Benefits for correspondence courses under certain conditions are available to spouses only. Secondary-school programs may be pursued if the individual is not a high-school graduate. An individual with a deficiency in a subject may receive tutorial assistance benefits if enrolled half-time or more. Deficiency, refresher and other training also may be available. Payments are made monthly. A person may receive educational assistance for full-time training for up to 45 months or the equivalent in part-time training. Children generally must be between 18 and 26 to receive education benefits, though extensions may be granted.

EDUCATIONAL LOANS

Loans may be available to spouses who qualify for educational assistance. For information contact a VA Education Regional Processing Office at 1-888-GI-Bill 1 (888-442-4551).

HOME LOAN GUARANTY

A VA loan guaranty to acquire a home may be available to an unremarried spouse or a spouse who has remarried but that marriage was terminated to a veteran or servicemember who died as a result of service-connected disabilities, or to a spouse of a servicemember who has been officially listed as missing in action or as a prisoner of war for more than 90 days. Spouses of those listed as prisoners of war or missing in action are limited to one loan.

[NOTE: A surviving spouse who remarries on or after attaining age 57, and on or after December 16, 2003, may be eligible for the home loan benefit. However, a surviving spouse who remarried before December 16, 2003, and on or after attaining age 57, must have applied no later than December 15, 2004, to establish home loan eligibility. VA must deny applications from surviving spouses who remarried before December 16, 2003 that are received after December 15, 2004.]

MONTGOMERY GI BILL (ACTIVE DUTY) DEATH BENEFIT

VA will pay a special Montgomery GI Bill death benefit to a designated survivor in the event of the service-connected death of an individual while on active duty or within one year after discharge or release. The deceased must either have been entitled to educational assistance under the Montgomery GI Bill program or a participant in the program who would have been so entitled but for the high school diploma or length-of-service requirement. The amount paid will be equal to the participant's actual military pay reduction less any education benefits paid.

The Appeals Procedure

The Board of Veterans Appeals and The U.S. Court of Appeals for Veterans Claims

BACKGROUND

Any decision by VA can be appealed! As with any other type of claims action, it is important that the claimant and the Post Service Officer work with and through the Department Service Officer. Examples of unfavorable action that can be appealed are:

- denial of service connection for a veteran's disability or death
- initial rating assigned for a veteran's service-connected disability
- denial of an increased rating for a service-connected disability
- the effective date VA benefits are paid
- denial of pension benefits due to excess net worth
- denial of medical care or payment of medical care at VA expense

APPEAL TO THE BOARD OF VETERANS' APPEALS

An appeal is initiated by filing a Notice of Disagreement (NOD) with the regional office which simply states, "This is a Notice of Disagreement with VA decision(s) dated (specify date) which denied the claim for (list specific issues to be appealed)." There is no specific VA form for this purpose. The NOD is the first step in an appeal. It must be postmarked within one year of the date of the VA regional office's letter notifying the claimant of its decision, otherwise, that decision becomes final. If the filing deadline is missed, the claimant's only option is to try to reopen the claim with new and material evidence that has not been previously considered by VA.

The second step in an appeal is for the regional office to issue to the claimant a Statement of the Case (SOC). This should describe in some detail the evidence considered, the laws that apply to the claim and the reason(s) why the claim was denied.

If additional evidence is submitted, a Supplemental Statement of the Case (SSOC) will be issued.

The third step in the appeals process involves VA Form 9, "Appeal to the Board of Veterans' Appeals." This form is included with the Statement of the Case. The claimant has 60 days from the date stamped on the cover letter of the SOC or one year from the date of the regional office decision, whichever is later, to file a Form 9. In some cases, where additional evidence is submitted after the time limits expire, a 60-day extension to file a Form 9 may be allowed. The rules are complicated, so it is very important for the claimant to work with an accredited veteran's service officer toward submitting his or her Form 9 on time.

On the Form 9 it is not necessary for the claimant to make any statements about what specifically is wrong with the regional office's decision. Many appeals have been lost due to an inappropriate or irrelevant argument on the Form 9. The claimant should simply restate the issues on appeal along with a short explanation of why he or she believes they deserve the benefits sought. Form 9 has a box in which to indicate whether or not a personal hearing is requested at the Board of Veterans' Appeals (BVA) in Washington, D.C., before a Traveling Section of the Board at the regional office or a video conference hearing at the RO with a Board member in Washington, D.C. Travel to any such hearing is at the claimant's expense.

The fourth step in the appeal is a review by The American Legion's Appeals Unit (This applies only to appeals in which The American Legion has been designated as the power of attorney). After the case is received at the BVA in Washington, D.C. from the regional office, it is referred to the Legion appeals staff for a thorough review for error, omission, lack of development, etc., and preparation of a written appeals brief.

The final step in the appeal is a decision by the BVA.

A written decision is issued which discusses the evidence considered, the applicable law and regulations and the reasons and bases for the Board's decision.

There are four possible outcomes:

- the appeal is granted
- the appeal is denied
- the appeal is remanded to the VA regional office or the Appeals Management Center in Washington, D.C. for further development and re-adjudication
- the appeal can be dismissed, due to the claimant's death or, rarely, an inadequate VA Form 9

A BVA denial is not the end of the process. The veteran/claimant still has options:

- A Motion for Reconsideration may be filed with the Chairman of the Board of Veterans' Appeals. There is no time limit. When there is a reasonable possibility that the Board made an error in applying the law to the facts of a case, the Chairman may appoint either a single or panel of Boardmember(s) to reconsider the appeal. Specific allegations of legal error must be made in the Motion; simply expressing disagreement with the Board's decision is not enough to win reconsideration. See your DSO for assistance.
- A Motion for Revision based upon clear and unmistakable error (CUE) may be filed with the Chairman of the Board of Veterans' Appeals. There is no time limit. CUE is defined where either the correct facts, as they were known at the time, were not before the adjudicator, or the statutory or regulatory provisions extant at the time were incorrectly applied. Specific allegations must be made in the motion. See your DSO for assistance.
- The previously denied claim may be reopened with new and material evidence; however, the effective date will be the date of the claim to reopen.
- The veteran may appeal to the U.S. Court of Appeals for Veterans Claims (CAVC or Court).

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

- Unfavorable decisions of the Board of Veterans' Appeals may be appealed to the U.S. CAVC. This is a federal level Court independent of the Department of Veterans Affairs. Only claimants may seek a review by the Court: VA may not appeal BVA decisions by CAVC. Either party may appeal a CAVC decision to the U.S. Court of Appeals for the Federal Circuit and to the U.S. Supreme Court.
- The Notice of Appeal must be filed within 120 days of the date on the BVA decision and legal representation, including *pro se* (when a veteran represents himself), must be declared within 30 days from the issuance of a docket number. The American Legion does not represent claimants at the Court, but does support the *Veteran's Pro-Bono Consortium* (<http://www.vetsprobono.org>). This is a small group of attorneys who donate their time to represent a limited number of veterans who cannot afford to hire a lawyer. The Consortium will automatically screen the cases of appellants who have filed a Declaration of Financial Hardship along with their Notice of Appeal to the Court. Claimants who do not wish to go to the Court *pro se* should consult their DSO for information about representation at the Court. Also, the Court's website (<http://www.vetapp.uscourts.gov>) has a listing of both attorney and non-attorney authorized practitioners.
- The Court's decisions are published in West's "Veterans Appeals Reporter" and in the WESTLAW and LEXIS on-line services. Decisions may also be found at the Court's informative website (above), which among other things, explains the appeals process and enables the user to search case dockets, to read the Rules of Practice and Procedure and to download various forms.
- The Court's address is: U.S. Court of Appeals for Veterans Claims, 625 Indiana Ave., NW, Suite 900, Washington, D.C. 2004-2950.

Education & Training

Additional information about education benefits can be found on VA's Education Service Web page (<http://www.gibill.va.gov>) or by calling 1-888-GI-BILL-1 (1-888-442-4551). Education laws are complex. This information is only a summary, and is not all inclusive.

MONTGOMERY GI BILL (MGIB) (ACTIVE DUTY)

The Montgomery GI Bill (Active Duty) may be used while on active duty or after separation from active duty. For simplification, the eligibility requirements are grouped into four categories. Individuals must establish eligibility under one of these four categories.

Eligibility Requirements Common to all Categories

Individuals must meet the following two requirements, no matter which category of eligibility they fall under: (1) Their discharge from service must be fully honorable for the period of service on which eligibility is based. Discharges "under honorable conditions" and "general" discharges don't establish eligibility. (2) They must have a high school diploma or equivalency certificate before applying for benefits. Completing 12 hours toward a college degree before applying for benefits also meets this requirement.

Category 1

To be eligible under Category 1, an individual must: (1) have entered active duty for the first time after June 30, 1985; and (2) not declined MGIB in writing upon initial entry into active duty.

Individuals are not eligible under Category 1 if they: (1) Graduated from a service academy and received a commission; (2) Completed an ROTC scholarship program and received a commission—unless one of the following exceptions applies: they received a commission after becoming eligible for MGIB benefits, they completed ROTC without benefit of the ROTC scholarship even though they were under the scholarship for part of their education, or they received a commission after Sept. 30, 1996, and received less than \$3,400 during any one year while under ROTC scholarship; (3) Used 3 years of their initial military

service to establish eligibility to the military's education loan repayment benefit. (Individuals who use less than 3 years of military service toward loan repayment will have the number of months of military training used for loan repayment subtracted from their MGIB benefit entitlement.)

Servicemembers can use the MGIB benefit after completing two continuous years of service. Veterans obligated for three years or more can use the MGIB benefit after completing three continuous years of active duty. There are exceptions to the three-year requirement for certain early discharges as discussed below in the paragraph "Early Separation." Veterans obligated for less than three years can use the MGIB after two years of active duty. Again, there are exceptions for certain early discharges as discussed below in the paragraph "Early Separation." Veterans may also establish eligibility by serving two years of active duty followed by a Selected Reserve obligation of four years or more.

Note: *More than one period of active duty can be used to meet eligibility requirements, but generally, periods of active duty cannot be combined.*

Early Separation

Veterans who did not complete the required period of service may still be eligible under Category 1 if discharged for one of the following reasons: (1) convenience of the government—with more than 30 months of service for an obligation of three or more years, or 20 months of service for an obligation of less than three years; (2) service-connected disability; (3) hardship; (4) a medical condition diagnosed prior to joining the service; (5) a condition that interfered with performance of duty; (6) a reduction in force.

Category 2

To be eligible under Category 2, veterans must meet all of the following requirements: (1) have had remaining entitlement under the Vietnam Era GI Bill as of December 31, 1989; (2) have served on active duty for any number of days during the period Oct. 19, 1984, to June 30, 1985, and served on active duty for three continuous years beginning on July 1, 1985, or served two years active duty

beginning after June 30, 1985, plus four years in the Selected Reserve. Alternatively, if the veteran was not on active duty on October 19, 1984, eligibility may be extended to veterans who served three continuous years on active duty at any time beginning on or after July 1, 1985, or two continuous years of active duty at any time followed by four continuous years in the Selected Reserve.

Veterans generally are not eligible if they received a commission after December 31, 1976, upon graduation from a service academy or upon completion of an ROTC scholarship program. This general prohibition doesn't apply to veterans who became eligible before they were commissioned.

Service members may be eligible under category 2.

Category 3

Veterans may be eligible under Category 3 if separation from active duty meets one of the following requirements: (1) The veteran elected MGIB before being involuntarily separated; or (2) The veteran was voluntarily separated under the Voluntary Separation Incentive or the Special Separation Benefit program, elected MGIB benefits before being separated, and had military pay reduced by \$1200 before discharge. Servicemembers are not eligible under Category 3.

Category 4

Eligibility under Category Chapter 4 may be extended to individuals who participated in the Veterans Educational Assistance Program (VEAP) and elected MGIB during the 1996 to 1997 election window or during the 2000 to 2001 election window, or who were one of a small group of National Guard members on full-time active duty under title 32, U.S. Code who were given a 9-month opportunity to enroll in 1996 and 1997.

As a VEAP participant, individuals may be eligible if they: (1) were on active duty on October 9, 1996; served on active duty on Oct. 9, 1996; (2) had an active VEAP account on October 9, 1996, were a VEAP participant on Oct. 9, 1996; (3) elected chapter 30 by Oct. 9, 1997, and paid \$1,200 at some time. Individuals who participated in VEAP on or before October 9, 1996,

may also be eligible even if they didn't have money in a VEAP account on October 9, 1996 if they served continuously on active duty from Oct. 9, 1996, through April 1, 2000, elected the MGIB between November 1, 2000 and October 31, 2001, and contributed \$2,700 to MGIB within 18 months of their election.

Certain National Guard service is also qualifying under Category 4. Individuals may be eligible if they: (1) first served on full-time active duty in the National Guard under title 32, U.S.C., between June 30, 1985, and Nov. 29, 1989; (2) elected to have this National Guard service count toward establishing eligibility for MGIB during the nine month window ending on July 9, 1997; (3) and paid \$1,200.

Period of Eligibility

Eligibility generally expires 10 years after discharge or release from a qualifying period of active duty. However, the period of eligibility may be extended for disability, additional active duty, and for upgraded discharges.

Training Available

The following types of training are available under the Montgomery GI Bill: (1) courses at colleges and universities leading to associate, bachelor or graduate degrees (including courses taken via accredited independent study, provided those courses lead to a standard college degree or a certificate that reflects educational attainment offered by an institution of higher learning); (2) courses leading to a certificate or diploma from colleges or universities or from business, technical or vocational schools; (3) apprenticeship or on-the-job training programs for individuals not on active duty; (4) correspondence courses, under certain conditions; (5) flight training, if the individual holds a private pilot license and meets the medical requirements upon beginning the training program; (6) state-approved teacher certification programs; (8) preparatory courses necessary for admission to a college or graduate school; (9) licensing and certification tests approved for veterans; (10) Non degree and non credit Entrepreneurship Courses offered by the Small Business Development Center or National Veterans Business Development Corporation designed to assist the veteran in establishing or enhancing a small

business; (11) Reimbursement of the cost of college admissions and credit exams such as the SAT, GRE, CLEP, LSAT, GMAT, AP, etc..

Additional MGIB Benefits

(1) Accelerated Payment – additional chapter 30 benefits are available to those enrolled in certain high-cost, high-tech programs that lead to employment in a high tech occupation in a high tech industry. (2) Transferability – allows members of the armed forces to transfer their entitlement to dependents under very limited circumstances if individual's service department chooses to use transferability as a retention tool. Although this program is still available to all branches, only the AF participated for a brief time. The AF no longer offers this option to service members. (3) Tuition Assistance Top-Up – payment to an individual on active duty for all or any portion of the difference between the Tuition Assistance amount paid by the military component and the total cost of tuition and related charges.

Work-Study

Veterans may be eligible for an additional allowance under a work-study program in which they work for VA and receive an hourly wage. The veteran must train at the three-quarter or full-time rate. The types of work allowed include: (1) outreach services under the supervision of a VA employee or, in certain cases, a State Approving Agency employee; (2) preparing paperwork at VA regional offices or educational institutions; (3) providing any service at VA medical facilities, including state veterans homes under contract to VA; (4) any other activity of the Department; (5) work at a national cemetery or a state veterans' cemetery.

Tutorial Assistance

A veteran may receive an allowance for individual tutoring if training is conducted at one-half time or more and the veteran has a weakness in a subject necessitating tutoring. The maximum tutorial benefit is \$1,200 (\$100 per month).

Counseling

VA counseling is available to help veterans understand educational and vocational strengths and weaknesses. Counseling is also available to help plan education or employment goals and a job search. To qualify, veterans must meet one of the following requirements: (1) be eligible for VA education assistance; (2) be on active duty and within 180 days of discharge; (3) be separated from active duty with a discharge that isn't dishonorable and be within one-year from the date of discharge.

Payments

The educational assistance allowance payable under REAP is a percentage of the Montgomery GI Bill-Active Duty rate based on the number of continuous days served on active duty. If a member serves 90 days but less than one year, they will receive 40% of the full time rate. If a member serves one year but less than 2 years, they will receive 60% of the full time rate, and if they serve two or more continuous years they will receive 80% of the full time rate. Persons released before 90 days for a disability receive the 40% rate. The government may make additional contributions, or "kickers," on behalf of individuals in critical military fields, as determined by DoD, and deemed necessary to encourage enlistment.

MONTGOMERY GI BILL (SELECTED RESERVE)

Eligibility

The Montgomery GI Bill (Selected Reserve) provides education benefits to members of the reserve elements of the Army, Navy, Air Force, Marine Corps and Coast Guard, and to members of the Army National Guard and the Air National Guard. To be eligible for this program, a reservist must: (1) have a six-year obligation to serve in the Selected Reserve signed after June 30, 1985, or, if an officer, agree to serve six years in addition to the original obligation; (2) complete Initial Active Duty for Training (IADT); (3) have a high school diploma or equivalency certificate before applying for benefits; and (4) remain in good standing in a Selected Reserve unit.

The Reserve components determine eligibility for the benefit. VA does not make decisions about eligibility and cannot make payments until the Reserve component has determined eligibility and notified VA.

Period of Eligibility

If an individual separates from the Selected Reserve, benefits generally end the day of separation. There are exceptions for persons separated for disability and for certain involuntary separations. If an individual stays in the Selected Reserve, benefits generally end 14 years from the date the reservist first became eligible for the program. Under special circumstances, eligibility may be extended beyond 14 years, including an extension if the Reservist is called to active duty.

Training Available

The following types of training are available under the Montgomery GI Bill (Selected Reserve): (1) courses at colleges and universities leading to associate, bachelor or graduate degrees, (including courses taken via accredited independent study, provided those courses lead to a standard college degree or a certificate that reflects educational attainment offered by an institution of higher learning); (2) courses leading to a certificate or diploma from colleges or universities or from business, technical or vocational schools; (3) apprenticeship or on-the-job

training programs for individuals not on active duty; (4) correspondence courses, under certain conditions; (5) flight training, if the individual holds a private pilot license and meets the medical requirements upon beginning the training program; (6) state-approved teacher certification programs; (8) preparatory courses necessary for admission to a college or graduate school; (9) Tuition Assistance - see above; (10) Entrepreneurship Courses -see above.

Work-Study

Eligibility for the Work-Study program under the Selected Reserve GI Bill is the same as for the Montgomery GI Bill discussed earlier except that the work may be performed at DoD, Coast Guard, or National Guard facilities.

Tutorial Assistance

A reservist may receive an allowance for individual tutoring if training is conducted at one-half time or more and the veteran has a weakness in a subject necessitating tutoring. The maximum tutorial benefit is \$1,200 (\$100 per month).

Counseling

Eligibility for VA counseling under the Selected Reserve GI Bill is the same as for the Montgomery GI Bill discussed earlier.

Payments

The full-time rate is \$297 a month for 36 months, for full time training. The government may make additional contributions, or “kickers,” on behalf of individuals in critical military fields, as determined by DoD, and deemed necessary to encourage enlistment.

RESERVE EDUCATIONAL ASSISTANCE PROGRAM (REAP) (CHAPTER 1607)

Eligibility

The Department of Defense (DoD) or Department of Homeland Security (DHS) determines eligibility as appropriate. Generally, a member of a reserve component who serves on active duty on or after September 11, 2001 under title 10, U.S.C. for at least 90 consecutive days under a contingency operation is eligible for REAP. National Guard members are eligible if their active service extends for 90 consecutive days or more and their service is: (1) authorized under section 502(f), title 32, U.S.C.; (2) authorized by the President or Secretary of Defense for a national emergency, and supported by federal funds.

Period of Eligibility

If an individual separates from the Selected Reserve, benefits end the day of separation. There are exceptions for persons separated for disability and for certain involuntary separations. If an individual stays in the Selected Reserve, benefits generally end 14 years from the date the reservist first became eligible for the program. Under special circumstances, eligibility may be extended beyond 14 years, including an extension if the Reservist is called to active duty.

Veterans can receive up to 36 months of REAP benefits that are calculated based on the amount of time the service member was called to active duty. The current rates are based on the percentage of the full time MGIB rate, \$1101 as of October 1, 2007.

Payments

The educational assistance allowance payable under REAP is a percentage of the Montgomery GI Bill-Active Duty rate based on the number of continuous days served on active duty. If a member serves 90 days but less than one year, they will receive 40% of the full time rate. If a member serves one year but less than 2 years, they will receive 60% of the full time rate, and if they serve two or more continuous years they will receive 80% of the full time rate. Persons released before 90 days for a disability receive the 40% rate. The government may make additional

contributions, or “kickers,” on behalf of individuals in critical military fields, as determined by DoD, and deemed necessary to encourage enlistment.

Training Available

The following types of training are available under REAP: (1) courses at colleges and universities leading to associate, bachelor or graduate degrees, (including courses taken via accredited independent study, provided those courses lead to a standard college degree or a certificate that reflects educational attainment offered by an institution of higher learning); (2) courses leading to a certificate or diploma from colleges or universities or from business, technical or vocational schools; (3) apprenticeship or on-the-job training programs for individuals not on active duty; (4) correspondence courses, under certain conditions; (5) flight training, if the individual holds a private pilot license and meets the medical requirements upon beginning the training program; (6) state-approved teacher certification programs; (8) preparatory courses necessary for admission to a college or graduate school; (9) Tuition Assistance - see above; (10) Entrepreneurship Courses –see above.

Work-Study

Eligibility for the Work-Study program under REAP is the same as for the Montgomery GI Bill discussed earlier except that the work may be performed at DoD, Coast Guard, or National Guard facilities.

Tutorial Assistance

A reservist may receive an allowance for individual tutoring if training is conducted at one-half time or more and the veteran has a weakness in a subject necessitating tutoring. The maximum tutorial benefit is \$1,200 (\$100 per month).

Counseling

Eligibility for VA counseling under REAP is the same as for the Montgomery GI Bill discussed earlier.

VETERANS' EDUCATIONAL ASSISTANCE PROGRAM (VEAP)

Eligibility

Service members who entered active duty for the first time after Dec. 31, 1976, and before July 1, 1985, were eligible to enroll in the Veterans Educational Assistance Program (VEAP). A service member could contribute a maximum of \$2,700.00; for each \$1.00 contributed by the service member, the government contributed \$2.00. Some contributions to VEAP must have been made prior to April 1, 1987. While on active duty, participants may make a lump-sum contribution to the training fund. There was also a Section 903 pilot program where the service member did not make contributions; instead the government contributed all the funds.

Servicemembers are eligible to use VEAP while on active duty.

Veterans must receive a discharge under conditions other than dishonorable to use VEAP.

Period of Eligibility

Eligibility generally expires 10 years from the date of last discharge or release from active duty. Under special circumstances, the 10-year period may be extended.

Training Available

The following types of training are available under VEAP: (1) courses at colleges and universities leading to associate, bachelor or graduate degrees (including courses taken via accredited independent study, provided those courses lead to a standard college degree or a certificate that reflects educational attainment offered by an institution of higher learning); (2) courses leading to a certificate or diploma from colleges or universities or from business, technical or vocational schools; (3) apprenticeship or on-the-job training programs for individuals not on active duty; (4) correspondence courses, under certain conditions; (5) flight training, if the individual holds a private pilot license and meets the medical requirements upon beginning the training program; (6) state-approved teacher certification programs; (7) preparatory courses necessary for admission to a college or graduate school; (8) licensing and certification tests approved for veterans; (9) Entrepreneurship Courses – see above

Work-Study

Eligibility for the Work-Study program under VEAP is the same as for the Montgomery GI Bill discussed earlier.

Tutorial Assistance

A veteran may receive an allowance for individual tutoring if training is conducted at one-half time or more and the veteran has a weakness in a subject necessitating tutoring. The maximum tutorial benefit is \$1,200 (\$100 per month).

Counseling

Eligibility for VA counseling under the VEAP is the same as for the Montgomery GI Bill discussed earlier.

Payments

As with other educational benefit programs, the government may make additional contributions, or “kickers,” on behalf of individuals as determined by DoD, as deemed necessary. The amount of money participants receive each month depends on the amount the participant has paid into the program, the type of training and training time.

VOCATIONAL REHABILITATION AND EMPLOYMENT (VR&E) PROGRAM

Vocational Rehabilitation and Employment is a program whose primary function is to help veterans with service-connected disabilities become suitably employed, maintain employment, or achieve independence in daily living. The program offers a number of services to help eligible and entitled veterans reach their rehabilitation goal. These services may include vocational and personal counseling, education and training, job assistance, and if needed, medical and dental treatment. Benefits may last up to 48 months, but can be extended in certain instances.

Eligibility

A veteran must have a VA established service-connected disability rated at 10 percent disabling with a serious employment handicap, or at least a 20 percent service-connected disability with an employment handicap. In either instance, a veteran must be discharged or released from military service under other than dishonorable conditions. A service member pending medical separation from active duty may apply, but the disability when rated must be at least 20 percent or greater. Additional information is available on the Internet at <http://www.vba.va.gov>.

Eligible veterans are evaluated by an assigned VA counselor to determine if they qualify for and need vocational rehabilitation services to help overcome barriers to employment. Service-connected disabled veterans should not presume that they are entitled to vocational rehabilitation benefits until such a finding has been confirmed by a VA counselor. Once entitlement to vocational rehabilitation has been established, the veteran and the VA or contract counselor will work together to develop a Rehabilitation Plan. They will also work together to decide upon the best way to reach the veteran's employment goal by selecting one of the 5 Tracks to Employment:

- Reemployment (Returning to work in the job prior to entering active duty)
- Rapid Access to Employment (Immediate employment)

- Self-Employment: (Developing a business plan toward self-employment)
- Employment Through Long-Term Services (Services to include training and/or education sufficient to obtain suitable employment)
- Independent Living (Services to aid in increased independence in daily living)

Additional information about the 5 Tracks to Employment can be found at <http://www.vetsuccess.gov>.

VR&E Services

Depending on an individual's needs, services provided through VR&E may include:

- An evaluation of the individual's talents, skills, and interests;
- Employment services such as job seeking skills, resume development, and other work readiness assistance;
- Assistance getting and keeping suitable employment;
- Vocational counseling and planning;
- Training, such as on-the-job and work experience programs;
- Training, such as certificate, two or four-year college or technical programs.

PERIOD OF A REHABILITATION PROGRAM

Veterans must complete a vocational rehabilitation program within 12 years from their separation from military service or within 12 years from the date VA notifies them that they have a compensable service-connected disability. Depending on the length of program needed, veterans may be provided up to 48 months of full-time services or the part-time equivalent. These conditions and limitations may be extended under certain circumstances with individual vocational rehabilitation program participants.

Educational and Vocational Counseling is also available from VR&E for eligible service members, veterans, and veterans' dependents. The purpose of this counseling is to provide assistance in selecting an educational or vocational goal, and obtaining guidance in the selection of a school or training facility where the selected goal may be pursued.

PROGRAM FOR UNEMPLOYABLE VETERANS

Veterans awarded 100 percent disability compensation based upon unemployability may still request an evaluation and, if found eligible, may participate in a vocational rehabilitation and employment program. A veteran who secures employment under this special program will continue to receive 100 percent disability compensation until the veteran has worked continuously for at least 12 months.

JOB-FINDING ASSISTANCE

State Workforce Agency (SWA) offices, including "One-Stops," help veterans find jobs by providing free job counseling, testing, referral and placement services. Veterans are given priority when these offices refer applicants to job openings and training opportunities. Disabled veterans receive the highest priority in referrals. Labor exchange offices also assist veterans by providing information about unemployment compensation, job markets and on-job and apprenticeship training opportunities. Veterans should present a copy of their DD Form 214 at the nearest Workforce Agency exchange office.

WORKFORCE INVESTMENT ACT

Veterans seeking services under the Workforce Investment Act (WIA) can expect to obtain various services that are designed to "increase employment, retention, and earnings..." The determination of services is by the request of the veteran or a result of the outcomes of a "One-Stop" employee who has conducted an interview, evaluation, or assessment. These various types of services are available under WIA:

Core Services:

- Determinations of whether the individuals are eligible to receive assistance under this title
- Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system
- Initial assessment of skill levels, aptitudes, abilities, and supportive service needs
- Job search and placement assistance, and where appropriate, career counseling
- Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including job vacancy listings in such labor market areas, information on job skills necessary to obtain the jobs described, and information relating to local occupations in demand and the earnings and skill requirements for such occupations
- Provision of performance information and program cost information on eligible providers of training services
- Provision of information regarding how the local area is performing on the local performance measures and any additional performance information with respect to the one-stop delivery system in the local area
- Provision of accurate information relating to the availability of supportive services, including child care and transportation, available in the local area, and referral to such services, as appropriate
- Provision of information regarding filing claims for unemployment compensation
- Assistance in establishing eligibility for welfare-to-work activities and programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area
- Follow-up services, including counseling regarding the workplace, for participants in workforce investment activities authorized under this subtitle who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate.

Intensive Services:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include diagnostic testing and use of other assessment tools; and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals
- Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals
- Group counseling
- Individual counseling and career planning
- Case management for participants seeking training services
- Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training.

Training Services:

- Occupational skills training, including training for nontraditional employment
- On-the-job training
- Programs that combine workplace training with related instruction, which may include cooperative education programs
- Training programs operated by the private sector
- Skill upgrading and retraining
- Entrepreneurial training
- Job readiness training
- Adult education and literacy activities
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

**DISABLED VETERANS
OUTREACH PROGRAM (DVOP)**

State labor exchange offices assist disabled veterans gain employment. These offices do not guarantee a job but can assist in providing resources and training. Outreach staff members are usually disabled veterans themselves. Most staff members are located in SWA offices but some may be stationed in VA regional offices and readjustment counseling centers (Vet Centers). To quickly locate the nearest DVOP please use the following website: <http://networker.nvti.cudenver.edu/>

**LOCAL VETERANS'
EMPLOYMENT REPRESENTATIVES**

Local Veterans' Employment Representatives conduct outreach to employers and engage in advocacy efforts with hiring executives to increase employment opportunities for veterans, encourage the hiring of disabled veterans, and generally assist veterans to gain and retain employment. LVER staff conduct seminars for employers and job search workshops for veterans seeking employment, and facilitate priority of service in regard to employment, training, and placement services furnished to veterans by all staff of the employment service delivery system.

To meet the specific needs of veterans, particularly veterans with barriers to employment, DVOP specialists and LVER staff are thoroughly familiar with the full range of job development services and training programs available at the State Workforce Agency One-Stop Career Centers and Department of Veterans' Affairs Vocational Rehabilitation and Employment Program locations. To quickly locate the nearest LVER please use the following website: <http://networker.nvti.cudenver.edu/>

REEMPLOYMENT RIGHTS

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) provides reemployment and other rights for those persons who perform active duty service, initial active duty for training, active duty for training, inactive duty for training, or must report for an examination for the purpose of determining fitness for such duty, regardless of whether on a voluntary or involuntary basis. USERRA protects civilian job rights and benefits for veterans and members of the Reserve Components.

The law allows up to five years cumulative length of time that an individual may perform military duty and retain reemployment rights. There are some important exceptions to the five year limit. Exceptions include initial enlistments lasting more than five years, periodic training duty, and involuntary active duty extensions and recalls due to a war or national emergency. USERRA clearly establishes that reemployment protection does not depend on the timing, frequency, duration, or nature of an individual's service so long as the law's basic eligibility criteria for protection are met.

USERRA also provides for enhanced protection for disabled veterans, such as the requirement that employers make reasonable efforts to accommodate the disability. Servicemembers convalescing from injuries received during service or training may have up to two years to return to their jobs.

USERRA provides that returning servicemembers be reemployed in the job that they would have attained had they not been absent for military service (the long-standing 'escalator' principle), with the same seniority, status and pay, as well as other rights and benefits determined by seniority.

However, USERRA also requires that reasonable efforts be made (such as training or retraining) that would enable returning servicemembers to refresh or upgrade their skills so that they might qualify for reemployment. USERRA clearly provides alternative reemployment positions if the servicemember cannot qualify for the 'escalator' position.

USERRA clarifies that while an individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights accorded other individuals on nonmilitary leaves of absence.

Health and pension plan coverage for servicemembers is clarified under USERRA. Individuals performing military duty of more than 30 days may elect to continue employer-sponsored health care for up to 18 months; however, they may be required to pay up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the servicemembers had never left.

The application period after military service is based on time spent on military duty not on the category of service performed. For service of less than 31 days, the servicemember must report at the beginning of the first full regularly scheduled work period on the first full calendar day after release from service, taking into account safe travel home plus an eight hour rest period. For service of more than 30 days but less than 181 days, the servicemember must submit an application for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service.

USERRA also requires that servicemembers provide advance written or verbal notice to their employers for all military duty. Additionally, servicemembers will be able (but can not be required) to use accrued vacation or annual leave while performing military duty.

The Department of Labor, through the Veterans' Employment and Training Service (VETS) investigates claims filed by individuals under USERRA, including federal executive and Postal Service employees. If resolution is unsuccessful following an investigation, the servicemember with a claim against a state/local government or against a private sector employer may have their claim referred to the Department of Justice for consideration of representation in the appropriate District Court, at no cost to the claimant. If violations under USERRA are shown to be willful, the court may award liqui-

dated damages. federal executive and Postal Service employees may have their claims referred to the Office of Special Counsel for representation consideration before the Merit Systems Protection Board (MSPB). Individuals who pursue their own claims in court or before the MSPB may be awarded reasonable attorney and expert witness fees if they prevail.

Persons seeking assistance or information should contact the Department of Labor's Veterans' Employment and Training Service (VETS) in their state. Contact numbers are listed in your local telephone directories and are available at Transition Assistance Program sites on military bases, National Guard and Reserve unit legal offices, and through Employer Support of the Guard and Reserve representatives.

Information is also available through VETS' USERRA Advisor Expert System website: www.dol.gov/elaws/vets/userra/default.asp. A hot button provides easy access to the expert system. This system is designed as an interactive guided program of questions and answers about USERRA.

UNEMPLOYMENT COMPENSATION

Weekly unemployment compensation may be paid to discharged servicemembers for a limited period of time. State laws govern the amount and duration of payments. To apply, veterans should immediately contact their nearest state employment office after leaving military service and present a copy of their military discharge, Form DD-214.

Reservists and National Guard members are strongly encouraged to inquire about unemployment compensation upon their return to the private sector following their deployments. State agencies can provide assistance to returning veterans instead of service members expunging their savings earned from their prior mobilization.

FEDERAL CONTRACTOR AFFIRMATIVE ACTION

Federal legislation prohibits employers with federal contracts from discriminating in employment against eligible qualified veterans. Federal legislation requires these contractors to take affirmative action to employ and advance in employment veterans, disabled veterans, other veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized and recently separated veterans. It also requires these contractors to list jobs with offices of the state employment service, including full-time employment, temporary employment and part-time employment. Complaints may be filed with the Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), or at a local state employment office.

FEDERAL JOBS FOR VETERANS

Preference in Employment and Retention

Veteran's Preference in Hiring. *Five-point* preference is given to those honorably separated veterans (this means an honorable or general discharge) who served on active duty (not active duty for training) in the Armed Forces: (a) during any war (this means a war declared by Congress, the last of which was World War II); (b) during the period April 28, 1952, through July 1, 1955; (c) for more than 180 consecutive days, any part of which occurred after January 31, 1955, and before October 15, 1976; (d) during the Gulf War period beginning August 2, 1990 during the Gulf War period beginning August 2, 1990, and ending January 2, 1992; or for more than 180 consecutive days, any part of which occurred during the period beginning September 11, 2001, and ending on the date prescribed by Presidential proclamation or by law as the last day of Operation Iraqi Freedom; (e) in a campaign or expedition for which a campaign medal has been authorized, such as El Salvador, Lebanon, Granada, Panama, Southwest Asia, Somalia, and Haiti.

Campaign Medal holders and Gulf War veterans who originally enlisted after September 7, 1980, or

began on active duty on or after October 14, 1982, without having previously completed 24 months of continuous active duty, must have served continuously for 24 months or the full period called or ordered to active duty.

Military retirees at or above the rank of major or lieutenant commander are not entitled to preference unless they qualify as disabled veterans.

Ten-point preference is given to those honorably separated veterans who: (1) qualify as disabled veterans because they have served on active duty in the Armed Forces at any time and have a present service-connected disability or are receiving compensation, disability retirement benefits, or pension from the military or the Department of Veterans Affairs; (2) are Purple Heart recipients; (3) are the spouse of a veteran unable to work because of a service-connected disability; (4) are the unmarried widow of certain deceased veterans; and (5) are the mother of a veteran who died in service or who is permanently and totally disabled.

When applying for federal jobs, eligible veterans should claim preference on their application or resume. Applicants claiming ten-point preference must complete form SF-15, Application for ten-point Veteran Preference. Veterans who are still in the service may be granted five-point tentative preference on the basis of information contained in their applications, but they must produce a DD Form 214 prior to appointment to document entitlement to preference.

Note: Reservists who are retired from the Reserves but are not receiving retired pay are not considered “retired military” for purposes of veterans’ preference.

The Department of Labor’s Office of the Assistant Secretary for Policy and Veterans’ Employment and Training Service developed an “expert system” to help veterans receive the preferences to which they are entitled. Two versions of this system are currently available, both of which help the veterans determine the type of preference to which they are entitled, the benefits associated with the preference and the steps necessary to file a complaint due

to the failure of a federal agency to provide those benefits. To find out whether you qualify for veterans’ preference, visit America’s Job Bank, operated by the Department of Labor (DoL). The Internet address for the veterans’ preference program is www.dol.gov/elaws/vetspref.htm.

The Veterans Employment Opportunities Act of 1998 gives veterans access to federal job opportunities that might otherwise be closed to them. The law requires that: (1) agencies allow eligible veterans to compete for vacancies advertised under the agency’s merit promotion procedures *when the agency is seeking applications from individuals outside its own workforce*; (2) all merit promotion announcements open to applicants outside an agency’s workforce include a statement that these eligible veterans may apply; and (3) veterans who are selected be given career conditional appointments.

There is a redress system for preference eligibles and the law makes it a prohibited personnel practice for an agency to knowingly take or fail to take a personnel action if that action or failure to act would violate a statutory or regulatory veterans’ preference requirement.

Preference in Retention During Layoffs

In Government reduction in force programs brought about by the economy or other factors, Congress has given employees with veterans’ preference (except for certain retired military personnel—see “Employment of Retired Military Personnel” following) in the federal service job priority rights over certain non-veterans.

Career civil service preference-eligible veterans have job retention rights over all other federal workers in the same occupational series and grade at their place of employment.

Preference-eligible veterans with career-conditional tenure do not have job retention rights over non-veterans who have career civil service tenure. However, they do have retention rights over non-veteran workers with the same tenure. Preference-eligible veterans with Temporary Appointment Pending

Establishment of a Register (TAPER) appointment have retention rights over non-veteran TAPERs.

Thus, between two persons who are doing similar work in identical positions and serving under the same tenure, the preference-eligible veteran is retained over the non-veteran. Preference-eligible veterans who are subject to an involuntarily reduction-in-force also have a wider range of retention rights than non-veterans.

Veterans' Preference Complaints and Redress

Veterans who believe that they have not been properly accorded their rights have several different avenues for complaints, depending upon the nature of the complaint and the individual's veteran status.

The Veterans Employment Opportunities Act of 1998 allows preference eligibles to complain to the Department of Labor's Veterans' Employment and Training Service (VETS) when the person believes an agency has violated his or her rights under any statute or regulation relating to veterans' preference.

Under a separate Memorandum of Understanding (MOU) between OPM and the Department of Labor, eligible veterans seeking employment who believe that an agency has not properly accorded them their veterans' preference, failed to list jobs with state employment service offices as required by law, or failed to provide special placement consideration noted above, may file a complaint with the local Department of Labor VETS representative.

In order to file a complaint under the MOU, a veteran must: (1) have served on active duty for more than 180 days and have other than a dishonorable discharge; (2) have a service-connected disability; or (3) if a member of a Reserve component, have been ordered to active duty under sections 12301 (a), (d), or (g) of Title 10, United States Code, or served on active duty during a period of war, or received a campaign badge or expeditionary medal (e.g., the Southwest Asia Service Medal).

Veterans' Recruitment Appointment (VRA)

The VRA is a special authority by which agencies can appoint an eligible veteran without competition. The VRA is an excepted appointment to a position that is otherwise in the competitive service. After two years of satisfactory service, the veteran is converted to a career-conditional appointment in the competitive service. Note: A veteran may be given a noncompetitive temporary or term appointment based on VRA eligibility. These appointments do not lead to career jobs.

Eligibility. To be eligible for a VRA appointment, a veteran must have served on active duty in the Armed Forces for more than 180 days and been separated under conditions other than dishonorable. The 180-day requirement does not apply to veterans released from active duty because of a service-connected disability, or to members of a Reserve Component ordered to active duty during a period of war or in a campaign or expedition for which a campaign or expeditionary medal is authorized.

Public Law 107-288 changed the eligibility to include all qualified covered veterans. The term "covered veterans" means any of the following veterans: (1) disabled veterans; (2) veterans who served on active duty in the Armed Forces during a war or in a campaign or expedition for which a campaign badge has been authorized (For VRA eligibility, the term "period of war" includes the Vietnam era and the Persian Gulf War beginning August 2, 1990 and ending November 30, 1995, but does not include other operations such as Panama and Somalia); (3) veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces Service Medal was awarded pursuant to Executive order 12985; and (4) recently separated veterans. It also removed the ten-year limit for covered veterans.

Terms and conditions of employment. VRA eligibles may be appointed to any position for which qualified up to GS-11 or equivalent (the promotion potential of the position is not a factor). The veteran must meet the qualification requirements for the position. (Any military service is considered qualifying for GS-3 or equiv-

alent.) After two years of substantial continuous service in a permanent position under a VRA, the appointment will be converted to a career or career conditional appointment in the competitive service, providing performance has been satisfactory. Once hired, VRAs are treated like any other competitive service employee and may be promoted, reassigned, or transferred. VRA appointees with less than 15 years of education must complete a training program established by the agency.

Hiring agencies can easily use the Veteran Recruitment Authority (VRA) to hire veterans. OPM regulations state that this can be applied to:

- Veterans who served on active duty in the Armed Forces during a war declared by Congress, or in a campaign or expedition for which a campaign badge has been authorized;
- Veterans who, while serving on active duty in the Armed Forces, participated in a military operation for which the Armed Forces Service Medal was awarded; and
- Veterans separated from active duty within 3 years

Hundreds of thousands of recently discharged veterans have been awarded medals for their service to defend our country that make them eligible to receive a VRA appointment. Executive Order 13289 established the Global War on Terrorism Service Medal and the Global War on Terrorism Expeditionary Medal that is awarded for anti-terrorism operations around the world. (Federal Register Vol. 68, No. 50 Friday, March 14, 2003) The Department of Defense can provide more detailed information about the requirements of such awards and the number of veterans receiving these awards.

The following website provides current, in depth information regarding veterans' employment within the federal government:

<http://www.opm.gov/veterans/>

The following website contains the most current nationwide federal job listings:

<http://www.usajobs.gov/>

TRANSITION ASSISTANCE PROGRAM

The Transition Assistance Program (TAP) assists servicemembers who are scheduled for separation or retirement from active duty. The program, a joint effort by the Departments of Defense, Labor, Transportation, and Veterans Affairs, provides employment and training information to servicemembers within one year of separation or two years of retirement. Three-day workshops to help veterans make the adjustment from military to civilian employment are conducted at military installations across the country. Additional counseling is available to disabled servicemembers. For information, contact the nearest state employment office or on-base Transition office.

Reservists and national guard members are urged to continue their transitional training and education of their benefits.

www.transitionassistanceprogram.com/register.tpp

OPERATION TRANSITION

The Department of Defense has implemented an extensive array of services and benefits designed to equip separating servicemembers with the basic job-hunting skills, tools, and self-confidence necessary to secure successful employment in the civilian workforce. The programs described below were developed through the efforts of the Office of the Secretary of Defense, the military services, the Department of Labor and the Department of Veterans Affairs. Separating servicemembers are counseled on and advised of the availability of these programs at their last duty assignment prior to leaving the military. Some of the major elements of the program are:

Pre-separation Counseling. The military services are required to make pre-separation counseling available not later than 90 days prior to each servicemember's discharge or release from active duty. Retirees should begin pre-separation counseling as early as 24 months prior to retirement. All other eligible separatees should begin pre-separation counseling as early as 12 months prior to separation.

Pre-separation counseling will include, as a minimum, information on:

- Development of an individual transition plan
- Positive and negative effects of a career change
- Employment assistance
- Relocation assistance
- Education/training
- Health and life insurance
- Finances
- Reserve affiliation
- Disabled veterans benefits
- VA benefits

Verification of Military Experience and Training Document (VMET). The VMET, DD Form 2586, is available to all eligible departing servicemembers online at www.dmdc.osd.mil/vmet. Separating servicemembers are strongly encouraged to download

their VMET as soon as they make the decision that they plan on leaving the service. The document assists servicemembers to verify previous military experience and training to potential employers, write resumes, interview for jobs, negotiate credits at schools and obtain licenses and certificates

Transition Bulletin Board. The Transition Bulletin Board (TBB) allows employers to post short-term or long-term job ads electronically. In addition, the TBB contains business opportunities, a calendar of transition seminars/workshops, job fairs, information on military and veterans associations, transition products and services, training and educational opportunities as well as other announcements pertaining to transitioning personnel. Separating servicemembers can access the TBB at www.dmdc.osd.mil/ot.

Public and Community Service Registry. All separating servicemembers are encouraged to consider public and community service jobs upon leaving the service. There is a Public and Community Service (PACS) organizational registry included in a section of the Transition Bulletin Board. Separating Servicemembers can check the registry to see what public and community service job opportunities are listed.

Department of Defense Transportal. The DoD Transportal website www.dodtransportal.org was designed specifically to assist servicemembers leaving active duty and their spouses. While DoD Transportal contains valuable information and resources, it should be used as part of a comprehensive program of transition and employment assistance.

Employment Assistance. Information will be provided concerning resume writing, job search, job placement, job interviews, job fairs, job training, compensation negotiation, and individual skill assessment. Servicemembers are exposed to a myriad of online job data banks with thousands of employment opportunities in various career fields.

The Homeless Veterans' Reintegration Program (HVRP) focuses on the provision of employment and training services to homeless veterans to enable their successful reintegration into the workforce. HVRP also stimulates the development of effective service delivery systems that address the complex problems facing homeless veterans. Organizations that receive HVRP grant funding provide job search, counseling, job placement assistance, remedial education, classroom and on-the-job training, and referral to support services. HVRP is designed to allow flexibility so that grantees may address any particular local or regional barriers that prevent homeless veterans from participating in the local workforce.

Incarcerated Veterans Program (IVTP). The Department of Labor and the Department of Veterans Affairs are partnering to develop, support, and operate projects designed to provide career counseling, employment training, job search assistance, and life skills support services to incarcerated veterans at risk of homelessness. IVTP grants are funded under the authority of the Homeless Veterans' Reintegration (HVRP) Program. For information on applying for these grants, contact the HVRP office at DOL in Washington, DC, at 202-693-4756.

e-VETS. e-VETS has a website which serves as an Internet gateway for hundreds of web sites dedicated to veteran type issues, programs, and benefits. The purpose of e-VETS is to help veterans and their family members sort through vast amounts of information on the Internet and is updated every 90 days to ensure the websites remain current and viable. Search menus will link to sites providing information on: Career Assessment Tools, Job Search Skills & Techniques, Resume Preparation Tips, Entrepreneurship, Financial Assistance, Job Opportunities, Veterans Benefits, Cost of Living Indexes, Relocation, and many others. The e-VETS website is www.dol.gov/elaws/evets.htm. Questions can be addressed to the Director of Veterans' Employment and Training (DVET) located in each state. Their telephone numbers are located in the blue pages of the local telephone directory under United States Government, Labor Department,

Veterans' Employment and Training Service or through the VETS' website: www.dol.gov/vets.

Job Fairs with RecruitMilitary and Military.Com
The American Legion has formal Memorandum of Understanding (MOU) with RecruitMilitary and Military.com that will allow The American Legion to have a presence in all of their job fairs around the country. The main purpose of these job fairs is to provide veterans more outlets for employment AND promote The American Legion. This is an extremely important opportunity that has incredible positive impact for veterans and our organization.

The National Economic Commission encourages your department to urge members to volunteer for upcoming events in your respective departments. We ask that your volunteer staff include Service officers, Employment and Homeless Chairmen or designee, Children and Youth representatives or designee, as well as members of The American Legion Auxiliary and Sons of The American Legion.

MILITARY.COM

http://military.nationalcareerfaairs.com/index.php?p=career_fair_details&id=23

RECRUITMILITARY

http://www.recruitmilitary.com/employers/hiring_solution3b.asp

Life Insurance

INTRODUCTION

Two regular and two disabled insurance programs are currently open for new policyholders. Servicemembers' Group Life Insurance (SGLI) is open to active duty members and reservists of the uniformed services. Veterans' Group Life Insurance is available to individuals released from active duty after August 1, 1974, and to separated reservists. Service-Disabled Veterans' Insurance is available for veterans with service-connected disabilities. Veterans' Mortgage Life Insurance provides mortgage life insurance for veterans granted specially adapted housing grants.

SERVICEMEMBERS' GROUP LIFE INSURANCE

The following are automatically insured for \$400,000 effective September 1, 2005 under Servicemembers' Group Life Insurance (SGLI): active duty members of the Army, Navy, Air Force, Marine Corps, Coast Guard; commissioned members of the National Oceanic and Atmospheric Administration and the Public Health Service; cadets or midshipmen of the service academies; members, cadets and midshipmen of the military service academies; members, cadets and midshipmen of the ROTC while engaged in authorized training; members of the Ready Reserves and those in the Individual Ready Reserve (IRR) who have volunteered for assignment to a mobilization category. IRR personnel will be notified by their military service departments as to sign-up procedures and premium payment provisions. Individuals may elect to be covered for a lesser amount or not to be covered at all. Part-time coverage may be provided to members of the reserves who do not qualify for full-time coverage. Premiums are deducted automatically from an individual's pay or are collected by the individual's service department.

Effective November 1, 2001, Servicemembers' Group Life Insurance has also added a provision for automatic spousal and dependent child coverage. Spouses are covered for a maximum of \$100,000 on a paid premium basis and dependent children are covered for a maximum of \$10,000 free. Spousal

coverage can be decreased or declined by request of the insured servicemember. Spousal and dependent coverage cannot at present be carried over into the Veterans' Group Life Insurance program; however, spouses have the option of converting their coverage to a private life insurance policy with a participating company within 120 days of the servicemember leaving active duty or if the servicemember drops the primary SGLI coverage. Those SGLI policyholders who were already in the 120 day period immediately following service at the time this change became effective were not included in this provision.

Effective December 1, 2005 a special coverage was added to the SGLI program to provide protection against certain traumatic injuries. Called Traumatic Injury SGLI, this coverage provides for one sum payments ranging from \$25,000 to \$100,000 for certain severe physical traumas, such as loss of limbs, sensory organs, severe paralysis, etc., as defined by the Office of Servicemembers Group Life Insurance (OSGLI) and the Department of Defense (DOD). Coverage is automatic with award recipients identified by DOD and certified by it to the OSGLI center in Newark, NJ for payment action. This coverage pertains only to primary SGLI group members and does not pertain to dependent coverage or to Veterans Group Life Insurance.

VETERANS' GROUP LIFE INSURANCE

SGLI may be converted to Veterans' Group Life Insurance (VGLI), which is renewable five-year term coverage. This program is administered by the Office of Servicemembers' Group Life Insurance (OSGLI), 80 Livingston Avenue, Roseland, NJ 07068-1733. VGLI is available to: (a) individuals with full-time SGLI coverage upon release from active duty or the reserves; (b) individuals with part-time SGLI coverage who incur a disability or aggravate a pre-existing disability during a reserve period which renders them uninsurable at standard premium rates and (c) members of the individual Ready Reserve and inactive National Guard.

Individuals entitled to SGLI coverage can convert to VGLI by submitting the premium within 120 days

of separating from active duty or the reserves. After 121 days, the individual may be granted VGLI provided initial premium and evidence of insurability are submitted within one year after termination of the veteran's SGLI coverage. Individuals with full-time SGLI coverage who are totally disabled at the time of separation and whose service makes them eligible for VGLI may now be granted VGLI coverage free of premiums for two years following separation. Application for VGLI must, however, be made as usual, with supporting evidence of total disability, to the OSGLI center. The amount of VGLI carried cannot exceed the amount of SGLI previously held.

SERVICE-DISABLED VETERANS' INSURANCE (RH OR SDVI)

A veteran who has a service-connected disability but is otherwise in good health may apply to VA for up to \$10,000 in life insurance coverage at standard insurance rates within two years from the date of being notified of an original service-connected status (increases of pre-existing ratings alone do not qualify). This insurance is limited to veterans who left service after April 24, 1951. Veterans who are totally disabled and thereby not able to follow substantially gainful employment may apply for a waiver of premiums if the disability began before age 65. For those veterans who are eligible for this waiver and who are under age 65, additional coverage of up to \$20,000 may be available upon application. Premiums cannot be waived on this additional insurance.

VETERANS' MORTGAGE LIFE INSURANCE (VMLI)

The maximum amount of mortgage life insurance available for those granted a specially adapted housing grant is \$90,000. Protection is automatic, unless the veteran declines. Premiums are automatically deducted from VA benefit payments or paid direct, if the veteran does not draw compensation and will continue until the mortgage has been liquidated, the home is sold. If a mortgage is disposed of, VMLI may be obtained on the mortgage of another home. Payment is to the current mortgage lender.

Effective August 3, 1998, the Veterans' Mortgage Life Insurance program moved from VA Regional Office Insurance Center (VAROIC), St. Paul to the VA Insurance Center in Philadelphia, PA. All future activity and claims concerning VMLI should now be addressed to VAROIC, Philadelphia.

Claims and inquiries that include representation by The American Legion should be addressed to:

The American Legion
Office of Insurance Activities
 c/o Department of Veterans Affairs Center
 P.O. Box 42938
 Philadelphia, PA 19101-2938
 Phone: 215-381-3022
 Fax: 215-381-3183

All VA directly-administered life insurance is in Philadelphia.

ASSISTANCE WITH INSURANCE

For information about government life insurance, call the VA Insurance Center in Philadelphia toll-free, 1-800-669-8477 or visit www.insurance.va.gov. Specialists are available between the hours of 8:30 a.m. and 6 p.m., Eastern Time, to discuss premium payments, insurance dividends, changes of address, policy loans, naming beneficiaries and reporting the death of the insured. After hours, a caller may leave a recorded message, to be answered on the next workday. If the policy number is unknown, send the veteran's VA file number, date of birth, Social Security number, military serial number or military service branch and dates of service to:

Department of Veterans Affairs
 Regional Office and Insurance Center
 Box 13399
 Philadelphia, PA 19101

INSURANCE DIVIDENDS

Those insurance programs that pay dividends pay on the policy anniversary date. The Internal Revenue Service has announced that interest on insurance dividends left on deposit with VA is not taxable. For details on this ruling contact the IRS.

INCREASING INSURANCE

Policyholders with National Service Life Insurance, Veterans' Special Life Insurance and Veterans' Reopened Insurance can use their dividends to purchase additional paid-up coverage.

REINSTATING LAPSED INSURANCE

Lapsed term policies may be reinstated within five years from the date of lapse. Contact the Insurance Center for details. A five-year term policy that is not lapsed at the end of the term period is automatically renewed for an additional five-year period. Lapsed permanent plan policies may also be reinstated. Reinstatements may include health requirements and payment of past due premiums. Contact the VA Insurance Center for details.

CONVERTING TERM POLICIES

A term policy that is in force may be converted to a permanent plan. Upon reaching renewal at age 70 or older, National Service Life term policies on total disability premium waivers are automatically converted to permanent insurance, which provides cash, loan value and higher dividends.

MODIFIED LIFE POLICY

A "modified life at age 65" plan is available to National Service Life policyholders. The premium rates for this plan remain the same throughout the premium paying period, while the face value reduces by 50 percent at age 65. The reduced amount may be replaced with a "special ordinary life." A "modified life at age 70" plan also is available.

DISABILITY PROVISIONS

National Service Life policyholders who become totally disabled should consult VA about premium waivers.

BORROWING ON POLICIES

Policyholders with permanent plan policies may borrow up to 94 percent of the cash surrender value of their insurance and continue the insurance in force under premium paying conditions and by making repayments on loan interest and principal as needed to prevent policy default. Interest on policy loans is compounded annually. The current interest rate may be obtained at any VA office, or by calling toll-free, 1-800-669-8477.

Burial Benefits

BURIAL IN NATIONAL CEMETERIES

Burial benefits include a gravesite in any of VA's national cemeteries within available space, the opening and closing of the grave, a Government headstone or marker, a burial flag and a Presidential Memorial Certificate, at no cost to the family. The Veterans Benefits Administration pays a burial and plot allowance to those veterans eligible by law. Many national cemeteries have columbaria or special gravesites for cremated remains. To contact a cemetery, please call the Department of Veterans Affairs at 1-800-827-1000 or visit the National Cemetery Administration at www.cem.va.gov.

Burial in a national cemetery is open to all members of the Armed Forces and veterans having met minimum active service duty requirements and having been discharged under conditions other than dishonorable. Their spouse, unremarried widow/widower, minor children and, under certain conditions, unmarried adult children, are also eligible for burial. Eligible spouses may be buried, even if they predecease the veteran. Members of the reserve components of the Armed Forces who die while on active duty or while performing training duty, or who have 20 years of service in reserve components credible for retired pay, may also be eligible for burial. A U.S. citizen who served in the Armed Forces of a government allied with the U.S. in a war also may be eligible. A 1997 law bars persons convicted of federal or state capital crime from being buried or memorialized in one of the VA national cemeteries or in Arlington National Cemetery. Public Law 105-368 extends eligibility for burial in national cemeteries and funeral benefits to veterans of the Merchant Marines who served from 8-16-45 to 12-31-46. Prior law only extended eligibility from 12-7-41 to 8-15-45.

Spouses and minor children of eligible veterans and of servicemembers also may be buried in a national cemetery. Adult children incapable of self-support due to physical or mental disability are eligible for burial. If a surviving spouse of an eligible veteran marries a non-veteran and remarriage was terminated by death or divorce, the spouse is eligible for burial in a national cemetery.

The next of kin or the family's funeral director of choice may make arrangements directly with a national cemetery. Before burial can take place, cemetery staff must verify the veteran's eligibility. To do this, the next of kin or funeral director must provide the cemetery staff with a copy of the veteran's properly signed discharge papers, or the veteran's service, Social Security and VA claim numbers to use for verification of service and character of discharge.

Gravesites in national cemeteries cannot be reserved. Funeral directors or others making burial arrangements must apply at the time of death. Reservations made under previous programs are honored.

The National Cemetery Administration normally does not conduct burials on weekends. A weekend caller, however, will be directed to one of three VA cemetery offices that remain open during weekends to schedule burials at the cemetery of the caller's choice during the following week.

MILITARY FUNERAL HONORS

VA and the National Cemetery Administration are not responsible for the provision of military honors. Based upon Section 578 of the "National Defense Authorization Act for FY 2000," Public Law 105-261, the Department of Defense (DoD) will provide for military honors at the funeral of any eligible veteran whose family requests them as of January 1, 2000. VA will facilitate the provision of honors with DoD, local military units or veterans groups for burials at national cemeteries.

The law includes the following provisions:

- The military funeral honors ceremony will consist of the folding and presentation of the flag and the playing of "Taps." Because of the number of funeral honors being requested, versus the number of buglers available, DoD has developed a "ceremonial bugle" consisting of a real bugle with an insert that plays "Taps" when switched on. More information is to be found at www.ceremonialbugle.com.

- A detail to perform honors shall consist of two or more uniformed members of the Armed Forces, including Reserve Component members, with at least one member from the service in which the deceased member served.
- Authority is granted in the law to reimburse members of veterans service organizations (VSOs) and other authorized organizations for expenses when they participate with the military in the delivery of military funeral honors. These individuals are covered for purposes of liability and workers compensation.
- Pays Reserve Component members an allowance of \$50 a day and provides retirement points, which are allowed to accrue above the annual 75 point cap, for performing honor details. Covers Reserve Component members for liability and authorizes reimbursement for their travel over 50 miles.

It should be noted that the military services may provide additional elements during funeral honors in keeping with their military traditions.

The Department of Defense, in conjunction with the Department of Veterans Affairs, Veterans Service Organizations and funeral directors associations, has developed a kit to assist funeral directors and others in requesting military honors. The kit includes: a military service directory for every state and county; a military funeral honors brochure; a list of frequently asked questions; an instructional brochure on how to fold the flag and a compact disc of "Taps." The kit will be provided to all licensed funeral directors, VSO headquarters, VA national cemeteries and state veterans cemeteries. DoD maintains a toll free number (1-877-MIL-HONR) for use by funeral directors only to request honors. VA can help arrange honors at VA national cemeteries. For more information, visit: <http://www.militaryfuneralhonors.osd.mil>.

ARLINGTON NATIONAL CEMETERY

The Department of the Army administers Arlington National Cemetery. Eligibility is more restrictive than at VA national cemeteries.

For information, call (703) 607-8000, write Superintendent, Arlington National Cemetery, Arlington, VA 22211, or visit: <http://www.arlington-cemetery.org/>.

HEADSTONES AND MARKERS

National Cemetery Administration provides headstones and markers:

- For all burials in national or state veterans cemeteries.
- For the grave of an eligible veteran or eligible reservist who is buried in a private cemetery anywhere in the world regardless of whether the grave is already marked by a headstone or marker purchased at private expense. The veteran's death must have occurred on or after September 11, 2001 for double marking. For eligible veterans who died before September 11, 2001, a government headstone or marker may only be furnished if the grave is unmarked.
- For eligible dependents of veterans buried in national, post or state veterans cemeteries. On existing veterans headstones, names of dependents, dates, etc., are reverse inscribed on the back of the stone.
- In a variety of styles: flat bronze, flat granite, flat marble and upright granite
- For niches to mark columbaria used for the interment of cremated remains

Headstones and markers are inscribed with the name of the deceased, the years of birth, death and branch of service. Optional items that may be inscribed are: military grade, rank or rate; war service such as WWII; month and day of births and deaths; an emblem reflecting religion and text indicating valor awards. New VA rules allow for custom inscriptions up to the space available on headstones. Belief symbols such as Christian Crosses,

Stars of David, Islamic Crescents, etc., are also available; however, VA has severely limited other graphics such as logos, VSO shields and fraternal organization marks. Effective February 17, 1997, the National Cemetery Administration will not place The American Legion emblem on government gravemarkers; however, the words “The American Legion” can be used in lieu of the emblem and will be placed underneath date of birth and date of death.

When burial is in a national, state veterans, or military post cemetery, the headstone or marker is ordered by the cemetery. Information on style, inscription and shipping can be obtained through the cemetery. The headstone or marker will be placed on the grave by cemetery officials.

When burial occurs in a private cemetery, the headstone or marker must be applied for from VA, usually by the mortuary or funeral director. It is shipped at government expense. It takes from 60-90 days for the application to be processed and the stone or marker to be shipped once all required documentation has been received. In 2006, NCA shipped nearly 95% of all new headstone and markers within 60 days of ordering. VA does not pay the cost of placing the headstone or marker on the grave. To apply, complete VA Form 40-1330 “Application for Standard Government Headstone or Marker for Installation in a Private or State Veterans Cemetery” and forward to Memorial Programs Service (403 A), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420-0001. This form can be downloaded from VA’s website, www.va.gov or can be obtained from a VA regional office, where help is also available in filling it out.

For information regarding the status of an application concerning government headstones or markers in private cemeteries, write to the Director, Office of Memorial Programs (403 A) or call 1-800-697-6947. For the status of requests for monuments to be placed in national or state veterans cemeteries, contact the superintendent of that site.

VA cannot issue a headstone or marker for a spouse or child buried in a private cemetery.

HEADSTONES OR MARKERS FOR MEMORIAL PLOTS

To memorialize an eligible veteran whose remains are not available for burial, VA will provide a memorial headstone or marker. The headstone or marker is the same as that used to identify a grave except that the phrase “In Memory of” precedes the inscription. The memorial marker may be provided for placement in a cemetery other than a national cemetery. In such a case, VA supplies the marker and pays the cost of shipping, but does not pay for the plot or placement of the marker. Bronze memorial plaques must be installed in cemeteries and may not be held as mementos. A stone or marker may not be pre-ordered from VA.

PRESIDENTIAL MEMORIAL CERTIFICATES

A Presidential Memorial Certificate expresses the nation’s recognition of a veteran’s service. It is inscribed with the veteran’s name and bears the President’s signature to honor the memory of honorably discharged, deceased veterans. The veteran may have died at any time in the past.

Eligible recipients include the next of kin and loved ones. The award of a certificate to one eligible recipient does not preclude certificates to other eligible recipients. Requests for a certificate must be accompanied by a copy of a document such as a discharge in order to establish honorable service. VA regional offices and Department Service Officers can assist in applying for certificates. The certificate may be replaced on written request if lost, damaged, destroyed or stolen.

BURIAL FLAGS

VA provides a United States flag to drape over the veteran's casket. After the funeral service, the flag may be given to the next of kin or close associate of the deceased. The next of kin may keep or donate the flag to a national cemetery for the Avenue of Flags program. Flags are issued at VA regional offices, post offices and national cemeteries. The flag is issued once only for burial purposes and will not be replaced if lost, stolen, damaged or destroyed. The standard issue burial flag is made of cotton and will not withstand continuous outdoor display.

REIMBURSEMENT OF BURIAL EXPENSES

VA will pay a burial allowance up to \$2,000 if the veteran's death is service-connected. In some instances, VA will also pay the cost of transporting the remains of a service-disabled veteran to the national cemetery. In such cases, the person who bore the veteran's burial expenses may claim reimbursement from VA.

VA will pay a \$300 burial and funeral expense allowance for veterans who, at the time of death, were entitled to receive pension or compensation or would have been entitled to compensation but for receipt of military retirement pay. Eligibility may also be established when death occurs in a VA facility, a nursing home under VA contract or a state nursing home. Additional costs of transportation of the remains may be paid. There is no time limit for filing reimbursement claims of service-connected deaths. In nonservice-connected deaths, claims must be filed within two (2) years after permanent burial or cremation.

VA will pay a \$300 plot allowance when a veteran is not buried in a cemetery that is under U.S. government jurisdiction under the following circumstances:

- The veteran was discharged from active duty because of disability incurred or aggravated in line of duty.
- The veteran was in receipt of compensation or pension or would have been in receipt of compensation but for receipt of military retired pay; or
- The veteran died while hospitalized by VA.

The \$300 plot allowance may be paid to the state if a veteran is buried without charge for the cost of a plot or interment in a state-owned cemetery reserved solely for veteran burials. Burial expenses paid by the deceased's employer or a state agency will not be reimbursed. For information on monetary benefits call 1-800-827-1000.

PASSPORTS TO VISIT OVERSEAS CEMETERIES

"No-fee" passports are available for family members visiting overseas gravesites and memorial sites of WWI and WWII dead. For additional information, write to the American Battle Monuments Commission, Courthouse Plaza II, Suite 500, 2300 Clarendon Blvd., Arlington, VA 22201 or call 703-696-6900 or visit www.abmc.gov.

Home Loan Guaranty

INTRODUCTION

VA housing loan program is available to servicemembers, veterans, reservists and unmarried surviving spouses for the purchase of homes, condominiums and manufactured homes and for refinancing loans. VA guarantees part of the total loan, permitting the purchaser to obtain a mortgage with a competitive interest rate, even without a down payment if the lender agrees. VA requires that a down payment be made for the purchase of a manufactured home. VA also requires a down payment for a home or a condominium if the purchase price exceeds the reasonable value of the property or the loan has a graduated payment feature. With a VA guaranty, the lender is protected against loss up to the amount of the guaranty if the borrower fails to repay the loan.

A VA loan guaranty can be used to:

- Buy a home
- Buy a residential condominium
- Build a home
- Repair, alter or improve a home
- Refinance an existing home loan
- Buy a manufactured home with or without a lot
- Buy and improve a manufactured home lot
- Install a solar heating or cooling system or other weatherization improvements
- Purchase and improve a home simultaneously with energy efficient improvements
- Refinance an existing VA loan to reduce the interest rate and make energy efficient improvements
- Refinance a manufactured home loan to acquire a lot

ELIGIBILITY

Applicants must have a good credit rating, have an income sufficient to support mortgage payments and agree to live in the property. To obtain a VA Certificate of Eligibility, complete **VA Form 26-1880**, "Request for A Certificate Of Eligibility." This form can be obtained from any VA office or by downloading it at www.vba.va.gov/pubs/forms1.htm. Once completed it should be submitted along with proof of military service, to one of the two VA eligibility centers. In general, veterans living in the western half of the country should mail their applications to Los Angeles Eligibility Center, P.O. Box 240097, Los Angeles, CA 90024. Those in the eastern half of the country should mail the 26-1880 to VA Loan Eligibility Center, P.O. Box 20729, Winston-Salem, NC 27120. For more information visit www.homeloan.va.gov.

It's also possible to obtain a Certificate of Eligibility from your lender. Most lenders have access to the ACE (Automated Certificate of Eligibility) system. This Internet-based application can establish eligibility and issue an online Certificate of Eligibility in a matter of seconds. Not all cases can be processed through ACE - only those for which VA has sufficient data in its records. However, veterans are encouraged to ask their lenders about this method of obtaining a certificate.

WORLD WAR II ELIGIBILITY

- a. active duty service after September 15, 1940, and prior to July 26, 1947;
- b. discharge under other than dishonorable conditions; and
- c. at least 90 days service unless discharged early for service-connected disability.

POST-WORLD WAR II ELIGIBILITY

- a. active duty service after July 25, 1947, and prior to June 27, 1950;
- b. discharge under other than dishonorable conditions; and
- c. 181 days continuous active duty unless discharged early for service-connected disability.

KOREAN CONFLICT ELIGIBILITY

- a. active duty after June 26, 1950, and prior to February 1, 1955;
- b. discharge under other than dishonorable conditions; and
- c. at least 90 days total service unless discharged early for service-connected disability.

POST-KOREAN CONFLICT ELIGIBILITY

- a. active duty between January 31, 1955, and August 5, 1964;
- b. discharge under conditions other than dishonorable; and
- c. 181 days continuous service unless discharged early for service-connected disability.

VIETNAM ELIGIBILITY

- a. active duty after August 4, 1964, and prior to May 8, 1975;
- b. discharge under conditions other than dishonorable; and
- c. 90 days total service, unless discharged early for service-connected disability. For veterans who served in the Republic of Vietnam, the beginning date is February 28, 1961.

POST-VIETNAM ELIGIBILITY

For veterans whose enlisted service began before September 8, 1980, or whose service as an officer began before October 17, 1981:

- a. active duty for 181 continuous days, all of which occurred after May 7, 1975, and discharge under conditions other than dishonorable; or
- b. early discharge for service-connected disability.

For veterans separated from enlisted service between Sept. 8, 1980, and Aug. 1, 1990, or service as an officer between October 17, 1981, and August 1, 1990:

- a. completion of 24 months of continuous active duty or the full period - at least 181 days - for which the person was called or ordered to active duty and discharged under conditions other than dishonorable; or
- b. completion of at least 181 days of active duty with a hardship discharge or discharge for the convenience of the government, reduction in force or certain medical conditions; or
- c. early discharge for service-connected disability.

GULF WAR ELIGIBILITY

(Beginning August 2, 1990):

- a. completion of 24 months of continuous active duty or the full period and at least 90 days for which the person was called to active duty and discharge from active duty under conditions other than dishonorable; or
- b. discharge after at least 90 days with a hardship discharge, discharged at the convenience of the government, reduction in force or certain medical conditions, or discharge for service-connected disability. Members of the Reserve and/or Guard may be found eligible if they were activated after August 1, 1990, and completed the full period for which they were called or ordered to active duty (at least 90 days). Service must have been honorable.

ACTIVE DUTY PERSONNEL

Until the Gulf Era is ended by law or Presidential Proclamation, persons on active duty are eligible after serving on continuous active duty for 90 days. Six-month enlistees who serve for six months on active duty for training only are not eligible, but they may be eligible for FHA Home Mortgage Insurance for veterans.

MEMBERS OF THE SELECTED RESERVE

Individuals are eligible if they have completed at least six years in the Reserves or National Guard or were discharged because of a service-connected disability. There is no expiration date for eligibility of members of the Selected Reserves. Public Law 108-183, the Veterans Benefits Act of 2003, made eligibility permanent.

OTHERS

Others eligible include unmarried spouses of veterans or reservists who died on active duty or as a result of service-connected causes; spouses of active-duty servicemembers who have been missing in action or a prisoner of war for at least 90 days; U.S. citizens who served in the Armed Forces of a U.S. ally in World War II; and members of organizations with recognized contributions to the U.S. World War II effort.

GUARANTY AMOUNT

The amount of the VA guaranty available to an eligible veteran is called the “entitlement,” and may be considered the equivalent of a down payment by lenders. Up to \$104,250 (25% of the Freddie Mac conforming loan limit for a single family residence) entitlement may be available to veterans purchasing or constructing homes to be financed with a loan of more than \$144,000 and to veterans who obtain an Interest Rate Reduction Refinancing Loan of more than \$144,000. Lenders typically will lend to qualified veterans up to 4 times the maximum entitlement without requiring a down payment. This means qualified veterans could obtain a no down payment loan of up to \$417,000. This amount could be higher in Alaska, Hawaii, Guam and the Virgin Islands. The amount of entitlement varies with the loan amount.

VA does not establish a maximum loan amount. No loan for the acquisition of a home, however, may exceed the reasonable value of the property. A loan for the purpose of refinancing existing mortgage loans or other liens secured on a dwelling is generally limited to 90 percent of the appraised value of the dwelling. A loan to reduce the interest rate on an existing VA-guaranteed loan, however, can be made

for an amount equal to the outstanding balance on the old loan plus closing costs, reasonable discount points and energy efficient improvements. A loan for the purchase of a manufactured home or lot is limited to 95 percent of the amount that would be subject to finance charges. In addition to these limits, the VA funding fee and up to \$6,000 in energy-efficient improvements may be included.

A veteran who previously obtained a VA loan can use the remaining entitlement for a second purchase. The amount of remaining entitlement is the difference between \$36,000, or \$104,250 for special loans and the amount of entitlement used on prior loans. Veterans refinancing an existing VA loan with a new VA loan at a lower interest rate need not have any entitlement available for use.

REQUIRED OCCUPANCY

Veterans must certify that they intend to live in the home they are buying or building with a VA guaranty. A veteran who wishes to refinance or improve a home with a VA guaranty also must certify to being in occupancy at the time of application. A spouse may certify occupancy if the buyer is on active duty. In refinancing a VA-guaranteed loan solely to reduce the interest rate veterans need only certify to prior occupancy.

CLOSING COSTS

Payment in cash is required on all home loan closing costs, including title search and recording, hazard insurance premiums, prepaid taxes and a 1 percent origination fee which may be required by lenders in lieu of certain other costs. In the case of refinancing loans, all such costs may be included in the loan, as long as the total loan does not exceed 90 percent of the reasonable value for the property. Interest rate reduction refinancing loans may include closing costs and a maximum of 2 discount points. Loans, including refinancing loans, are charged a funding fee by VA, except for loans made to disabled veterans and unremarried surviving spouses of veterans who died as a result of service. The VA funding fee is based on the loan amount and at the discretion of the veteran and the lender may be included in the loan.

FINANCING, INTEREST RATES AND TERMS

Veterans obtain VA-guaranteed loans through the usual lending institutions, including banks, savings and loan associations, building and loan associations and mortgage loan companies. Veterans may obtain a loan with a fixed interest rate, which may be negotiated with the lender. VA is also authorized to guarantee Hybrid Adjustable-rate Mortgage (ARM) loans. Under the hybrid ARM program, the initial interest rate must remain fixed for at least 3 years. After that, the rate can be adjusted; however, it can't increase more than 1% a year and cannot increase more than 5% over the life of the loan. For hybrid ARM loans where the initial rate remains fixed for at least 5 years, the initial rate adjustment can be up to 2 percent. The interest rate over the life of the loan cannot increase more than 6 percentage points. VA is also authorized to guarantee traditional one year ARM loans, where the rate is adjusted yearly no more than 1%. The interest rate cannot increase more than 5 percentage points over the life of the loan. If the lender charges discount points on a loan, the veteran may negotiate with the seller as to who will pay points or if they will be split between buyer and seller. Points paid by the veteran may not be included in the loan, except that a maximum of 2 points may be included in interest rate reduction refinancing loans. The loan may be for as long as 30 years and 32 days.

VA does not require that a down payment be made, except in the following instances:

- a. a manufactured home or lot loan
- b. a loan with graduated payment features
- c. to prevent the amount of a loan from exceeding VA's determination of the property's reasonable value. If the sale price exceeds the reasonable value, the veteran must certify that the difference is being paid in cash without supplementary borrowing. A cash down payment of 5 percent of the purchase price is required for manufactured home or lot loans.

RELEASE OF LIABILITY

When a veteran sells a home financed through a VA guaranty to a purchaser who assumes the loan, the veteran may request release from liability to the federal government provided the loan is current, the purchaser has been obligated by contract to purchase the property and assume all of the veteran's liabilities and VA is satisfied that the purchaser is a good risk. A release of liability does not mean that a veteran's guaranty entitlement is restored. If the new veteran-buyer agrees to substitute entitlement for that of the original veteran-buyer, entitlement may be restored to the original veteran-buyer.

For loans made on or after March 1, 1988, a release from liability determination must be made in most cases involving the assumption of a VA-guaranteed loan. This will involve a determination of the good credit of the buyer assuming the loan by the holder of the loan or VA. A VA loan for which a commitment was made on or after March 1, 1988, is not assumable without approval of VA or its authorized agent. The person who assumes a VA loan, for which a commitment was made on or after March 1, 1988, must pay a fee to VA equal to one half of one percent of the balance of the loan being assumed. If a person disposes of the property securing a VA-guaranteed loan for which a commitment was made after March 1, 1988, without first notifying the holder of the loan, the holder may demand immediate and full payment of the loan.

LOANS FOR NATIVE AMERICANS

VA direct home loans are available to eligible Native American veterans who wish to purchase, construct or improve a home on Native American trust land. These loans may be used to simultaneously purchase and improve a home. Direct loans also are available to reduce the interest rate on existing loans obtained under this program. VA direct loans may be limited to the cost of the home or \$80,000, whichever is less. A funding fee must be paid to VA. The fee is 1.25 percent for loans to purchase, construct or improve a home. For loans to refinance an existing loan, the fee is 0.5 percent of the loan amount. Veterans receiving compensation for service-connected disability are not required to pay the funding fee. The funding fee may be paid in cash or included in the loan.

The following may not be included in the loan: VA appraisal, credit report, loan processing fee, title search, title insurance, recording fees, transfer taxes, survey charges and hazard insurance.

REPOSSESSED HOUSES

VA sells homes that have been acquired after foreclosure of a VA-guaranteed loan. These homes are available to both veterans and non-veterans. Contact local real estate agents for available listings.

SAFEGUARDS FOR VETERANS

1. Homes completed less than a year before purchase with VA financing and inspected during construction by either VA or HUD must meet VA requirements.
2. VA may suspend from the loan program those who take unfair advantage of veteran borrowers or decline to sell a new home or make a loan to an eligible veteran of good credit because of race, color, religion, sex, disability, family status or national origin.
3. The builder of a new home is required to give the purchasing veteran a one-year warranty that the home has been constructed to VA-approved plans and specifications. A similar warranty must be given for new manufactured homes.
4. In cases of new construction completed under VA or HUD inspection, VA may pay or otherwise compensate the veteran borrower for correction of structural defects seriously affecting livability if assistance is requested within four years of a home-loan guaranty.
5. The borrower obtaining a loan may only be charged the fees and other charges prescribed by VA as allowable.
6. The borrower can prepay without penalty the entire loan or any part not less than the amount of one installment or \$100.
7. VA encourages holders to extend forbearance if a borrower becomes temporarily unable to meet the terms of the loan.

LOANS FOR FARMS AND HOMES

Loans and guaranties may be provided by the U.S. Department of Agriculture to buy, improve or operate farms. Loans and guaranties are available for housing in towns generally up to 20,000 in population. Applications from veterans have preference. For further information contact Farm Service Agency or Rural Economic and Community Development, U.S. Department of Agriculture, Washington, D.C. 20250, or apply at local Department of Agriculture offices, usually located in county seats.

FHA HOME MORTGAGE INSURANCE

The Federal Housing Administration is responsible for the Home Mortgage Insurance Program for Veterans. These home loans require less down-payment than other FHA programs. Veterans on active duty are eligible if they enlisted before September 8, 1980, or entered on active duty before October 14, 1982, and were discharged under other than dishonorable conditions with at least 90 days service. Veterans with enlisted service after September 7, 1980, or who entered on active duty after October 16, 1981, must have served at least 24 months unless discharged for hardship or disability. Active duty for training is qualifying service.

IMPORTANT VA WEBSITES

The main VA Home Loan Guaranty website is:
<http://www.homeloans.va.gov/>

For specific VA forms visit:
<http://www.va.gov/vaforms/>

For the VA portal (registration required):
<https://vip.vba.va.gov>

Five Easy Steps To A VA Loan

1. Apply for a Certificate of Eligibility (COE).

More information about how to apply, where to send the request and how to use the COE is available at: <http://www.homeloans.va.gov>.

2. Decide on a home and sign a purchase agreement.
3. Order an appraisal from VA. (this is done by the lender.) Ordering an appraisal can be done via the Internet using TAS (The Appraisal System) at <http://vip.vba.va.gov>. This is a centralized system that allows lenders easy and quick access to order an appraisal.
4. Apply to a mortgage lender for the loan.

While the appraisal is being done, the lender can be gathering credit and income information. If the lender is authorized by VA to process loans on the automatic basis (and approx. 99% of all VA loans are processed this way) the loan can be approved and closed upon receipt of the appraised value determination without waiting for a VA review of the credit application. For loans that must be approved by VA, lenders send the credit package to VA. VA staff will then review it and notify the lender of the decision.

5. Close the loan and move in

Since the home loan program was enacted as part of the original Servicemen's Readjustment Act of 1944 (the GI Bill), VA has guaranteed more than 18 million home loans totaling nearly \$914 billion for veterans to purchase or construct a home, or refinance another home loan on more favorable terms.

In the last five years (2001-2006), VA has assisted more than 1.4 million veterans in obtaining home loan financing totaling almost \$197 billion. About half of these loans, just over 730,000, were to assist veterans to obtain a lower interest rate on an existing VA guaranteed home loan through VA's Interest Rate Reduction Refinancing Loan Program.

A veteran's basic loan guaranty entitlement is \$36,000, or 25 percent for loans over \$144,000 up to a maximum guaranty amount of \$104,250.

- For no down payment loans, lenders will generally lend up to four times a veteran's available entitlement, provided the veteran qualifies based on income and credit and the property appraises for the asking price.

While there is no maximum VA loan amount set by law, most lenders presently limit these loans to \$417,000. This limit is set by the secondary mortgage market, which purchases most VA loans once they are made. Effective with enactment of PL 108-454 in December 2004, the maximum VA guaranty was indexed to the conventional conforming loan limitations as adjusted each January by the Federal Home Loan Mortgage Corporation (Freddie Mac).

- In practical terms, this means that the maximum VA no-down payment loan amount will always be the same as the Freddie Mac conventional conforming loan limit.
- This amount has been set at \$417,000 for calendar year 2007. For loans up to this amount, it is usually possible for qualified veterans to obtain no-down payment financing.

FORECLOSURE OF A HOME THROUGH THE VA HOME LOAN PROGRAM

VA offers financial counseling and may intervene directly with the lender on behalf of the veteran to negotiate a repayment plan. In limited circumstances, the VA will buy the loan from the holder and allow the veteran to make payments directly to VA at a reduced interest rate.

In the event of foreclosure, VA usually acquires the property from the mortgage loan holder and the property is then transferred to a private contractor to be sold on VA's behalf.

A "successful intervention" occurs when VA's intervention with the lender results in the veteran's loan payments being brought current.

AVOIDING FORECLOSURE OF A VA HOME LOAN

Assistance provided by the VA

The VA Home Loan Guaranty service provides 100% supplemental servicing as they act as an advocate for the veteran with the lender and assist people to prevent foreclosures. A national staff of 335 is distributed amongst 9 regional centers and they handle all national loans so each staff member has an equal load. Ex. Those in Cleveland may be working on loans from Florida

If a veteran anticipates getting behind on your mortgage payments, or are behind, VA may be able to help.

When a loan goes into default, the veterans' servicer/holder is responsible for contacting the veteran, the mortgagor, to determine the reason for the default and attempt to make arrangements to cure the delinquency. If the problem can not be resolved by the time three payments past due, the servicer/holder is required to notify VA that the loan is in default. After this notice is received, VA will attempt to contact the veteran to discuss the current situation and help determine the best course of action. The VA can also help veterans communicate with the servicer.

The following are methods of avoiding foreclosure

1. Pay the Delinquency
2. Forbearance and Repayment
3. Payment Assistance
4. Reamortization
5. Private Sale
6. Deed in Lieu of Foreclosure
7. Refunding

Pay the Delinquency

Under most circumstances, lenders are required to accept payment of the full delinquency and reinstate the loan. The delinquency may include certain legal costs if you are already in foreclosure. Many lenders require certified funds for reinstatement.

Forbearance and Repayment

The most common way of resolving a loan default is to work out a plan which will let the veteran repay part of the delinquency each month, along with a regular monthly installment. If a veteran is temporarily unable to meet the monthly mortgage obligation, the holder may extend forbearance by agreeing to suspend payments for a limited period of time until the veteran will be able to begin a repayment schedule. VA cannot require the holder to extend forbearance or to agree to a specific repayment schedule; however, holders will usually cooperate so long as the veteran can show that they will be able to resume payments on a specific date in the near future.

Payment Assistance

Many state and local governments, as well as private charitable organizations have programs which will pay all or part of the veterans mortgage obligation for a fixed period of time. VA can provide information on these programs; however, the VA does not have a program that would enable VA to give direct payment assistance.

Reamortization

If a veteran's loan is reamortized, the delinquency is added to the loan balance in order to bring your payments up to date. This increases the loan amount and will also increase the monthly payments. The amount of the payment increase will not be as great if the life of the loan is extended at the same time. The loan holder is allowed to extend and/or reamortize the loan by VA regulations; however, VA cannot require the holder to do so.

Private Sale

If a veteran does not believe that they will be able to reinstate the loan and cure the default, a private sale of the property will enable the veteran to meet obligations and receive any equity that may have built up. Most private sales are for more than the amount owing on the loan. A veteran may sell the property to a buyer who gets his or her own financing and pays off the VA Home Loan or to a buyer who will assume the veterans responsibility for the loan. If the buyer is assuming your loan, the veteran should contact VA and obtain a release of liability before the sale is closed. If the property cannot be sold for an amount that is greater than or equal to what the veteran owes on the loan, VA may pay a “compromise claim” for the difference in order to help the veteran go through with the sale. The veteran must contact VA to discuss the situation and get prior approval for a sale with a compromise claim payment.

Deed in Lieu of Foreclosure

Σ If a veteran is unable to cure the default, and a private sale does not appear realistic, VA will consider accepting a deed in lieu of foreclosure. If there are no liens on the property, and VA agrees to accept a deed, the veteran will have to sign legal papers making VA the owner of the property. Normally, VA will have to pay the loan holder a claim for the difference between the value of the property and the amount the veteran owes on the loan. If a deed is accepted, a veteran may be released from all further liability, or may be asked to agree to repay the Government for all or part of the claim paid.

Refunding

VA has the discretionary authority to buy a loan from the holder and take over the service. This is called “refunding”. The VA considers this alternative for every loan before foreclosure is completed. If the veteran has the ability to make mortgage payments, or will have the ability to in the future, but the loan holder has decided it cannot extend further forbearance or a repayment plan, a veteran may qualify for refunding.

OVERSEAS MILITARY PERSONNEL

If a service member has a loan through another program other than the VA they can contact one of The National Foundation for Credit Counseling (NFCC) member agencies for assistance. All of the agencies listed the section of DebtAdvice.org provide individual, confidential credit counseling services over the Internet. The National Foundation for Credit Counseling (NFCC), founded in 1951, is the nation's largest and longest serving national nonprofit credit counseling organization. The NFCC's mission is to promote the national agenda for financially responsible behavior and build capacity for its members to deliver the highest quality financial education and counseling services. NFCC members annually help more than two million consumers through nearly 1,000 community-based offices nationwide.

The NFCC represents the largest and most experienced network of more than 1,200 certified housing counselors in the US. Housing counseling services include: foreclosure prevention and loss mitigation counseling; individual pre-purchase housing counseling; homebuyer education programs and seminars; down payment assistance programs; individual post-closing counseling; homeless counseling; post-closing education programs; predatory lending education; homeownership voucher counseling (Section 8); and reverse mortgage counseling.

<http://www.nfcc.org/>

Small Business Administration (SBA)

Veterans have always received assistance from the U.S. SMALL BUSINESS ADMINISTRATION since its creation in 1953. In 1974, The American Legion was instrumental in amending the Small Business Act to require SBA provide “special consideration” to veterans. Veterans receive targeted outreach and priority processing of business loans, and special assistance in SBAs 1,500 Small Business Center counseling and training programs. Prior to Special Consideration at the SBA, the American Legion was the central factor in the creation of the original 1944 GI Bill. This government effort provided more than 300,000 small business and farm loans to returning veterans through 1974.

The American Legion was again instrumental in the development of PL 106-50, the Veterans Entrepreneurship and Small Business Development Act of 1999, creating the most significant federal entrepreneurial efforts for veterans since the GI Bill of World War II.

This law initiated many new efforts, including creating the SBA Office of Veterans Business Development: www.sba.gov/vets as the source of policy and program recommendations and initiatives for veterans from the Administration. This Office funds special Veterans Business Outreach Centers, special SBA District Office Outreach, improves federal procurement opportunity for veterans and service-disabled veterans, and many other initiatives. Additionally, SBA stations Veterans Business Development Officers (VBDO) at every SBA District Office to serve as your local starting point for accessing the full range of assistance available to veterans.

SBA created special efforts for Reserve and National Guard members (www.sba.gov/reservists) including business planning, outreach and the Military Reservist Economic Injury Disaster Loan, designed to assist if a reservist small business owner or essential employee is activated.

For more information on SBA’s services for veterans, contact the VBDO at your nearest SBA office, or contact the Office of Veterans’ Business Development, at SBA HQ, 409 3rd Street SW, Washington, DC 20416, Ph. 202-205-6773, Fax 202-205-7292.

Armed Forces

MILITARY REVIEW BOARDS, SERVICE RECORDS, MEDALS AND SPECIAL BENEFITS

Each of the service departments (Army, Air Force, Navy / Marine Corps, Coast Guard) maintains Military Discharge Review Boards and Boards for Correction of Military Records. While their authority, composition and procedures differ, the basic intent of both boards is to correct errors or injustices found in military personnel records.

In addition to these standing boards each of the departments are currently maintaining boards to review eligibility of retired members for Combat Related Special Compensation.

The National Archives and Records Administration (NARA) maintains service records of all former service members most of which are housed at the National Personnel Records Center (NPRC). The records are available on request. The NPRC also screens records for processing of awards, decorations and medals.

As special benefits, membership is available for a limited number of disabled military retirees in the Armed Forces Retirement Homes, as are exchange and commissary store privileges for totally disabled veterans.

MILITARY DISCHARGE REVIEW BOARDS

The Military Discharge Review Boards (MDRBs) have authority to review the discharge or dismissal of any former member, not sentenced by a General court-martial, applying within fifteen (15) years of the date of discharge. More specifically, the boards have authority to amend or upgrade Uncharacterized (Entry Level Separation), General (Under Honorable Conditions), Under Other Than Honorable Conditions and Bad Conduct discharges issued by a Special court-martial. In addition to characterizations of service, the MDRBs can correct or amend all non-medical narrative reasons for discharge. Former members may appeal unfavorable decisions to the Boards for Correction of Military Records.

“Application for the Review of Discharge or Dismissal from the Armed Forces of the United States” (DD Form 293) is used to apply to the MDRBs.

BOARDS FOR CORRECTION OF MILITARY RECORDS

The Boards for Correction of Military Records (BCMRs) have authority to correct any error or injustice in the service record of active duty, reserve or discharged members with the following stipulations: all other administrative remedies, including MDRB review if applicable, have been exhausted and the petition is filed within three (3) years of the discovery date. The boards may waive the three (3) years rule if found in the interest of justice.

“Application for Correction of Military Record Under the Provisions of Title 10 U.S. Code, section 1552” (DD Form 149) is used to petition the BCMRs.

COMBAT RELATED SPECIAL COMPENSATION BOARDS

The Combat Related Special Compensation (CRSC) Boards have authority to determine eligibility for a special benefit program payable to certain military retirees to compensate for some or all of their military retired pay waived to receive VA disability compensation.

A retired member of the uniformed services who meets the following five conditions satisfies the eligibility criteria. 1. Has 20 or more years of service for purposes of computing the amount of retired pay and, for a Reservist, is 60 years of age or older. 2. Is in a retired status. 3. Is entitled to retired pay. 4. Has qualifying disability ratings from VA evaluated at least 10% disabling. 5. Has combat-related injuries incurred as a direct result of armed conflict, while engaged in hazardous service, in the performance of duty under conditions simulating war or through an instrumentality of war.

“Application for Combat-Related Special Compensation (CRSC)” (DD Form 2860) is used to apply.

MILITARY SERVICE RECORDS AND MEDALS

The National Personnel Records Center (NPRC) in St. Louis, MO houses most former service members military records and will replace lost or destroyed Discharge Certificates (WDAGO Form 53-55 or DD Form 214) and, if available, complete service and medical records.

The NPRC screens military records for requests for original and replacement awards, decorations and medals. If reflected in the service record, referral is made to the individual service department for issuance.

The NPRC will also provide medical emergency information from the service records at the following telephone number: 1-866-272-6272

“Request Pertaining to Military Records” (Standard Form 180) is used to request service records and medals.

ARMED FORCES RETIREMENT HOMES

The Armed Forces Retirement Homes is an independent federal agency that provides residential services to a limited number of disabled military retirees that are unemployable due to service incurred injuries. More information about the homes and the full eligibility criteria can be obtained by writing to the Admissions Office (1094) - Armed Forces Retirement Home - D.C., 3700 N. Capitol Street, NW, - Washington, D.C. or calling 1-800-422-9988; or writing to the Admissions Office - Armed Forces Retirement Home - Gulfport, 1800 Beach Drive - Gulfport, MS 39507, or calling 1-800-332-3527. (The Gulfport home is closed. Congress has approved the plans, design and funding for a new Gulfport facility. Construction is to commence January 2008.

COMMISSARY AND EXCHANGE PRIVILEGES

Unlimited exchange and commissary store privileges in the United States are available to honorably discharged veterans with service-connected disability rated at 100%, recipients of the Medal of Honor and their dependents, un-remarried surviving spouses of members or retired members of the Armed Forces, and reservists and their dependents.

“Application for Uniformed Services Identification – DEERS Enrollment” (DD Form 1172-2) is used to apply.

OBTAINING APPLICATION FORMS AND ADDITIONAL ASSISTANCE

Each of the application forms is available at VA regional offices or by calling VA at 1-800-827-1000. The forms may also be downloaded from the below listed web sites.

DD Form 293:

www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0293.pdf

DD Form 149:

www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0149.pdf

DD Form 2860:

http://www.ncoausa.org/capitaloffice1/CRSC_application.pdf

DD Form 1172-2:

<http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd1172-2.pdf>

Standard Form 180:

<http://www.archives.gov/veterans/military-service-records/get-service-records.html>

You should contact your Department Service Officer, listed in the back of this guide, for additional assistance.

Miscellaneous

THE AMERICAN LEGION LIFE INSURANCE PROGRAM

General Information

When considering the plans offered through The American Legion Life Insurance Program, it is important to remember these plans are for supplemental coverage only and are not meant to be the only coverage a member has. In addition, these plans are not meant to replace existing coverage. These plans are not designed to compete with individual/private insurance plans or employer benefit plans.

As with any insurance coverage, members should carefully consider these plans and read and understand all materials received including rates, benefits, features, scheduled premium increase or benefit reductions.

If you have questions from current policyholders call 1-800-542-5547:

MARSH AFFINITY GROUP SERVICES Formerly (SEABURY & SMITH, INC.)

1776 West Lakes Parkway
West Des Moines, IA 50398

LEVEL TERM LIFE PLAN

The American Legion has a Level Term Life Plan to available to members, their spouses and dependents. **This includes Sons of The American Legion members and spouses.** The Administrator for the plans is Seabury & Smith, Inc., located in West Des Moines, Iowa. Eligibility for the plan is members and spouses under age 70. This plan **automatically** terminates at age 75.

MODERN VETERANS PLAN

With new, Improved Benefits for the younger member who is looking for a more economical choice for life insurance, the LegionLife Modern Vets Plan may be the right choice. Also, spouse coverage is now available. Now, all members under age 40 may apply, regardless of service status. And for those members under the age of 30, the maximum benefit has been increased up to \$200,000.

For members under the age of 40, your family may be protected for less than the cost of Veterans Group Life Insurance (VGLI), and you can keep your benefits even if you're called back to active duty. **For more information and a free information kit, contact the program administrator toll free 1-800-542-5547.**

In addition to its low cost, the plan includes a provision that will pay a covered person's full face amount in the event of death caused or contributed to by war or an act of war, declared or undeclared, if the person is serving on active duty. The rates for this plan are very competitive with all associations and lower than many.

The Legion-approved Modern Vets Plan is currently underwritten by ReliaStar Insurance Company. **Plans are not available in all states.** Call Marsh Affinity Group Services for details.

BIRTHDAY LIFE – WHOLE LIFE INSURANCE

The Birthday Life whole life plan is **currently unavailable** for new coverage. Union Fidelity has terminated their agreement with The American Legion effective December 31, 2005. All current policyholders will still receive the service they have become accustomed to from Union Fidelity Life Insurance Company.

The American Legion is currently searching for a replacement carrier and expects to make their selection later this year.

Requests for Birthday Life information for policyholders should be directed to the Administrator, Union Fidelity Life Insurance Co., 500 Virginia Dr., Fort Washington, PA 19034; 1-800-523-5758.

Senior Term Life – The newest Legion benefit is available to members 50-74 (members' spouses 45-74) with coverage amounts of \$10,000 to \$50,000. Call 1-800-542-5547.

Senior Whole Life – Offered to Legion members ages 45-85 (55-85 in MD, 45-75 in MO).

Eligible to apply for up to \$20,000 in affordable coverage with no health questions and no medical exam required.

Call 1-800-715-1239.

HEALTH CARE PLANS

The American Legion has the following health care plans available to American Legion and Sons of The American Legion members and their dependents. **Please Note: The plans are not available in all states. Call 1-877-886-0110 for details.**

- A variety of major medical plans, called “Market Basket”, which allows members (Legion and SAL) to call and request quotes on major medical insurance.
- Small Business Group Insurance - provides quotes on major medical coverage for small employer groups of 2-50 employees. Additional options offered for employees are term life, accidental death, long and short-term disability and dental. Remember, these plans are for employees of the small business group- not the general membership. Posts and Departments with 2 to 50 employees could also use this plan. **For more information, call 1-877-886-0110.**
- Dental Insurance - this is an indemnified insurance plan with a full schedule of benefits, for members and their dependents, including SAL. **For more information, call 1-800-542-5547.**

NEW- SHORT-TERM RECOVERY PLAN

The American Legion National Headquarters is proud to announce a new membership benefit--The Short Term Recovery Plan. This new Plan was approved by the National Executive Committee of The American Legion at their recently concluded October Meetings.

The Short Term Recovery Plan is available to Legion members and their spouses who are age 65 and above, on a GUARANTEED ISSUE basis, no matter what their current health or health history. The Short Term Recovery Plan pays cash benefits if you are admitted to the hospital for as little as

one day. Benefits of as much as \$1,000 a year for In-patient Hospital expenses are available. In addition, the Plan pays up to \$4,000 more a year in cash benefits to you to help pay for home recovery expenses after your hospital stay. This cash can be used to pay for things like physical therapy, speech therapy or home nursing services.

Benefits are paid in addition to any other insurance coverage you have and this Plan is not available to the general public. Premium rates for members age 69 and below are \$24.95 per month (less than one dollar a day).

To request information about the new Short Term Recovery Plan, please contact the Administrator of The American Legion endorsed Insurance plans, Marsh Affinity Group Services at 1-800-542-5547.

THE AMERICAN LEGION TRICARE SUPPLEMENT PROGRAM

The American Legion has approved a National TRICARE Supplement Program for active duty and retired military members and dependents.

The program is designed to meet the needs of active duty and retired military members who may be referred to civilian facilities for care. It includes an active duty and retired version. A combined brochure is available from the Administrator. Information on the plan has previously been distributed to Departments.

This program can also provide an important tool for Posts and Departments that desire to recruit members on or near military bases or retired military personnel.

For additional information, questions, or quantities of brochures, call 1-800-542-5547. The American Legion TRICARE Supplement Program is underwritten by Hartford Life Insurance Company and Administered by Marsh Affinity Group Services, of West Des Moines, Iowa. **Please Note: These plans are not available in all states.**

THE AMERICAN LEGION DISCOUNT PRESCRIPTION PROGRAM

Welcome to The American Legion Prescription Discount Program! This program is not insurance. It is simply a convenient, easy to use program to save on prescription medicine when it is not covered by insurance.

Simply present your American Legion Prescription Discount card along with your prescription(s) at a participating pharmacy. The program offers an average savings of 20 percent off the regular retail price. To find a participating pharmacy is easy—nine out of 10 pharmacies nationwide participate in the program, including all major chains and many independent pharmacies.

You and your family may use your discount card any time your prescription is not covered by insurance. There are no restrictions and no limits on how many times you may use your card.

When you use your new prescription discount card, you will automatically receive a Health Advocate Card in the mail. Your special Health Advocate Card offers you a 20 percent savings off CVS branded products in all CVS/pharmacy® stores nationwide. You will receive this card in the mail approximately two to three weeks after you begin using your prescription discount card. Once you receive your Health Advocate Card, simply present it at the time of purchase to receive this discount.

NEW PROGRAMS ADDED IN 2007

Sears Commercial – The American Legion is proud to announce it's newest affinity partner, Sears Commercial.

Available exclusively through Sears Commercial Sales, members will receive a private selection consultation with a Sears professionally trained specialist and additionally receive Preferred Affiliate Program Pricing, backed by Sears' Matching Plus Policy.

Visit an Appliance Select Center nearest you or contact Bill Gillette at 214-687-8758 or via email at wgill03@searshc.com. Selections and purchases are not available through Sears retail or dealer stores.

Locate an Appliance Select Center:
http://www.contractsales.sears.com/contactus/scs_contact_as_locations.html

When making your purchases use Member Purchase Account # - CU-067849

Military.com – Military.com is proud to offer American Legion members FREE membership and access to all these benefits:

- Buddy Finder with Over 20 Million Records
- Veterans Benefits Updates
- The Largest Online Veteran Job Board
- Veteran Discounts
- Over \$300 Million in Military Scholarships
- Military-friendly Educational Programs
- Montgomery GI Bill Information
- VA Home Loan Information
- Travel and Vacation Advice
- Military News

Go to www.Military.com/Legion to join for FREE

National Economic Commission

Awards Program

The first American Legion National Economic Commission Award was established in 1947, and recognized individuals across the country that had established outstanding records in the employment and retention of workers with disabilities. Since that time, categories were added to the current nine award programs.

The National Economic Commission is striving to award all possible pending awards that are available to The American Legion. We implore all departments to continue to submit award nominations for the awards with the hope that we receive all 400 + possible nominations. We are striving to reach 100% participation in this program.

1. EMPLOYER OF THE YEAR AWARD (SMALL)
2. EMPLOYER OF THE YEAR AWARD (MEDIUM)
3. EMPLOYER OF THE YEAR AWARD (LARGE)
4. EMPLOYMENT SERVICE AWARD (DVOP)
5. EMPLOYMENT SERVICE AWARD (LVER)
6. EMPLOYMENT SERVICE AWARD (LOCAL OFFICE)
7. EMPLOYER OF OLDER WORKERS AWARD
8. ENHANCE THE LIVES OF DISABLED PERSONS AWARD
9. HOMELESS VETERAN OUTREACH AWARD

To be considered for the National Award, the deadline for submittals to the National Economic Commission in Washington, DC is **January 15, of the following year**. Example: To be nominated for the 2007 awards the nomination must be in by January 15, 2008.

It is important that the department winners are submitted by this time to ensure that they are considered for the national award to be delivered at the annual National Convention. **Each of the national winners receives a stipend to help defray the cost of their representative's travel to the convention city to accept the award.**

We ask that you submit written correspondence, or fax, or send an electronic scanned copy in the form of an e-mail to our national headquarters office. Please title your letter '[Title] Awards- [Department name]'.

All entries must be accompanied by an official nomination form and must not be longer than two pages of narrative. Supporting documents, which may also be submitted with the nomination, must not exceed ten pages.

Nominations from Posts, or sources outside The American Legion, must be sent to Department Headquarters. The Department then selects one nominee as its winner and send the nomination form for the winning employer to the National Economic Commission. That nomination form must be signed by either the Department Adjutant or Department Employment Chairman.

Selection of the national winners will be made by the National Economic Commission's Awards Subcommittee during the annual Washington Conference. The National winners' will receive a stipend for travel expenses and are presented award plaques at the National Convention. For more information and/or nomination forms please contact the National Economic Division in Washington, DC.

**BELOW IS A RECOMMENDED
TIMELINE THAT EACH DEPARTMENT
SHOULD FOLLOW**

		Mid-winter Conference	Department Conventions					National Convention				
		National Awards Selected										
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
All submittals are due to the National Economic Commission NLT JAN 15	Economic Commission processes awards	Send letter to all posts reminding them to begin search for award nominees			Send follow up letter to posts		National awards are presented for the previous year	Require all posts to begin submitting nominations for this year	Department deadline for award submittals	Department meets and submits national nominees to national headquarters		
Recommended Department Timeline							Recommended Department Timeline					

1. **SEPTEMBER**
Departments require all posts to begin submitting nominations for the current year
2. **OCTOBER**
Departments Set a Deadline for Submittals from their posts
3. **NOVEMBER - DECEMBER**
Departments meet and submit national nominees to National Headquarters
4. **JANUARY**
ALL SUBMITTALS FOR CONSIDERATION FOR THE NATIONAL AWARD ARE DUE **NO LATER THAN JANUARY 15 TO THE NATIONAL ECONOMIC COMMISSION**
5. **FEBRUARY**
National Economic Commission processes awards
6. **MARCH**
National Economic Commission Award Subcommittee meets and selects award winners
7. **APRIL - MAY**
Departments should send a letter to all the posts reminding them to begin the search for award nominees for the next year (current calendar year)
8. **JUNE - JULY**
Departments should send a follow up letter to their posts
9. **AUGUST**
National Awards are presented for the previous year at the National Convention

Appendix

COMPENSATION AND PENSION RATES (EFFECTIVE 12/1/2007–11/31/2008)

Disability Compensation 2008	
Disability %	Monthly Rate \$
10	117
20	230
30	356
40	512
50	728
60	921
70	1161
80	1349
90	1517
100	2527

Higher Statutory Awards for Certain Multiple Disabilities	
K	91
L	3145
M	3470
N	3948
O	4412
R	6305
P	
S	2829

Additional Compensation for Dependents	
Spouse	142
Spouse and one child	245
No spouse and one child	96
Each additional child	71
Each additional child 18-22 in school	227
Additional amount for spouse in need of Aid and Attendance	129

based on a total disability rating

Spouses 2007 DIC (Veteran Died Prior to Jan. 1, 1993)	
Pay Grade	Monthly Rate \$
E1-E6	1091
E-7	1129
E-8	1191
E-9	1242
W-1	1153
W-2	1198
W-3	1234
W-4	1305
O-1	1153
O-2	1191
O-3	1274
O-4	1349
O-5	1485
O-6	1674
O-7	1808
O-8	1985
O-9	2123
O-10	2328

Clothing Allowance for Certain Disabled Veterans

The annual amount for veterans with service-connected disabilities that require the wearing or use of a prosthetic or orthopedic appliance is \$667.

Automobile Allowance

The current automobile allowance is \$11,000. Questions should be directed to the DSO.

**Spouses 2008 DIC*
(Veteran Died on/after Jan. 1, 1993)**

Allowances	Monthly Rate \$
Basic Rate	1091
Additional:	
Each Dependent Child	271
Aid & Attendance	271
Housebound	128

*Add \$233 if at the time of the veteran's death, the veteran was in receipt of or entitled to receive compensation for a service-connected disability rated totally disabling (including a rating based on individual unemployability) for a continuous period of 8 years preceding death and surviving spouse was married to the veteran for those same 8 years.

2008 Improved Pension

Status	Max Annual Rate
Veteran without dependent	11181
Veteran with one dependent	14643
Veteran permanently housebound	13664
Veteran permanently housebound with one dependent	17126
Veteran in need of regular A&A	18654
Veteran in need of regular A&A with one dependent	22113
2 veterans married to one another	14643
Increase for each additional dependent child	1909

2008 Improved Death Pension

Recipient	Maxi Annual Amount
Surviving spouse	7498
Surviving spouse w/one dependent child	9815
Surviving spouse permanently housebound	9163
Surviving spouse permanently housebound with dependent child	11477
Surviving spouse in need of regular A&A	11984
Surviving spouse in need of regular A&A with dependent child	14297
Allowance for each additional dependent child	1909
Pension for each surviving child	1909

**Children of Women Vietnam Veterans
Born With Certain Birth Defects
(38 U.S.C. 1805 (b)(3))**

Level	Monthly Rate \$
1	123
2	270
3	930
4	1586

Spina Bifida Benefits

Level	Monthly Rate \$
1	270
2	930
3	1586

2008 Vocational Rehabilitation Monthly Rates

Type of Training	No Dependents (\$)	One Dependent (\$)	Two Dependents (\$)	Each Additional Dependent (\$)
Full Time	520.74	645.94	761.18	55.49
3/4 Time	391.27	485.15	569.09	42.67
1/2 Time	261.81	324.38	381.30	28.47

Type of Training

- Institutional or independent living training, or unpaid work experience in a federal, state or local agency, or an agency of a federally recognized Indian tribe.
- Unpaid on-job training in a federal, state or local agency, or an agency of a federally recognized Indian tribe; training in a home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor; institutional non-farm cooperative.
- Farm cooperative, apprenticeship, on-the-job non-farm cooperative. VA payment is based on the wage received.
- Extended evaluation.

Department Service Officers List

Alabama

AL Dept. of Veterans Affairs
P.O. Box 1391
Montgomery, AL 36102-1391
(334) 213-3321
FAX (334) 279-8086

Alaska

The American Legion Dept.
Srcv. Off.
2925 DeBarr Rd., Ste. 3103
Anchorage, AK 99508-2989
(907) 276-8211
FAX (907) 258-0756

Arizona

The American Legion Srcv. Off.
3333 N. Central Ave., Ste. 1048
Phoenix, AZ 85012
(602) 627-3281
FAX (602) 627-3285

Arkansas

AR Dept. of Veterans Affairs
2200 Ft. Roots Dr., Bldg. 65, Rm.119
N. Little Rock, AR 72114
(501) 370-3820
FAX (501) 370-3829

California

The American Legion
11000 Wilshire Blvd., Rm. 5201
Los Angeles, CA 90024-3689
(310) 473-6534
FAX (310) 479-4641

The American Legion
1301 Clay St., Rm. 1135N
Oakland, CA 94612
(510) 834-0310
FAX (510) 834-0507

The American Legion
8810 Rio San Diego Dr., Rm. 1173
San Diego, CA 92108-0874
(619) 400-5301
FAX (619) 688-0874

Central America

Managed by DSO in Houston, TX

Colorado

The American Legion
155 Van Gordon St.
Lakewood, CO 80228
(303) 914-5585
FAX (303) 914-5588

Connecticut

The American Legion Srcv. Off.
P.O. Box 310909
Newington, CT 06131-0909
(860) 594 6600
FAX (860) 667-3257

Delaware

The American Legion
1601 Kirkwood Hywy Elsmere
Wilmington, DE 19805
(302) 998-9448
FAX (302) 633-5388

District of Columbia

The American Legion
1722 I ST. NW, Rm 230
Washington, D.C. 20421-0001
(202) 530-9140
FAX (202) 530-0126

Florida

FL. Dept. of Veterans Affairs
P.O. Box 31003
St. Petersburg, FL 33731
(727) 319-7427
FAX (727) 319-7780

Georgia

State Dept. of Veterans Service
1700 Clairmont Road
Decatur, GA 30033-4032
(404) 929-5345
(770) 227-0548
FAX (404) 929-5347

Hawaii

The American Legion Srcv. Off.
459 Patterson Road
Honolulu, HI 96819-1522
(808) 438-0497
FAX (808) 947-3957

Idaho

Idaho Division of Veterans Services
805 W. Franklin Street, Rm. 201
Boise, ID 83702
(208) 334 1245
FAX (208) 334-3549

Illinois

The American Legion
c/o VARO, 2122 West Taylor St.
Ste. 106
Chicago, IL 60612
(312) 980-4266

(FAX) (312) 706 6675

Indiana

The American Legion Srcv. Dept.
575 N. Pennsylvania St., Rm. 325
Indianapolis, IN 46204
(317) 916-3605
FAX (317) 226-6645

Iowa

The American Legion Srcv. Off.
Federal Bldg., Rm. 1033A
210 Walnut St.
Des Moines, IA 50309
(515) 323 7532
FAX (515) 323-7401

Kansas

The American Legion
Colmery Oneil VAMC
2200 SW Gage Blvd
Topeka, KS 66622
(785) 350 4489
FAX (785) 350 4417

Kentucky

The American Legion Srcv. Off.
P.O. Box 3661
Louisville, KY 40201-3661
(502) 566-4478
FAX (502) 566 4371

Louisiana

LA Dept. of Veterans Affairs
6640 Riverside Dr., Ste. 210
Metairie, LA 70003-7111
(504)-838-4380
FAX (504) 838-4382

Maine

The American Legion Dept.
Srcv. Off.
P.O. Box 3411
Augusta, ME 04330
(207) 623-5726
FAX (207) 621-4821

Maryland

The American Legion Srcv. Off.
Federal Building
31 Hopkins Plaza
Baltimore, MD 21201
(410) 230-4420
FAX (410) 230-4421

Massachusetts

The American Legion Svc. Off.
J.F.K. Federal Bldg., Rm. 1500D
Boston, MA 02202-0393
(617) 303-5693
FAX (617) 973-9560

Michigan

The American Legion
477 Michigan Ave., Rm. 1210
Detroit, MI 48226
(313) 964-6640
FAX (313) 964-5697

Minnesota

The American Legion
c/o VAMC
1 Veterans Drive 4H, Rm. 104
Minneapolis, MN 55417
(612) 467 3849
FAX (612) 727 5643
(763) 753-8247

Mississippi

Calhoun Cty. Veterans Svc. Off.
P.O. Box 534
Calhoun City, MS 38916
(662) 628 1933
FAX Same as phone number

Mexico

Managed by DSO in Houston, TX

Missouri

The American Legion
400 S. 18th St., Rm. 106
St. Louis, MO 63103
(314) 552 9884
FAX (314) 231-7463

Montana

The American Legion
P.O. Box 5715
Helena, MT 59601
(406) 495-2081
FAX (406) 442-9523

Nebraska

NE Dept. of Veterans Affairs
c/o VARO, 5631 South 48th St.
Lincoln, NE 68516
(402) 420-4021
FAX (402) 471-7070

Nevada

State of Nevada Office of
Veterans' Srvcs.
1201 Terminal Way, Ste. 215
Reno, NV 89520 ext 22
(775) 688-1653
FAX (775) 688-1656

State of Nevada Office of
Veterans' Srvcs.
950 W. Owens, Rm. 111
Las Vegas, NV 89106
(702) 636-3070
FAX (702) 636-3079

New Hampshire

The American Legion
275 Chestnut Street, Rm. 519
Manchester, NH 03101
(603) 222 5784
FAX (603) 222 5787

New Jersey

The American Legion
20 Washington Place, Rm 436
Newark, NJ 07102
(973) 623-6298
FAX (973) 504-8709

New Mexico

The American Legion Svc. Off.
c/o VARO, 500 Gold St.,
SW, Rm. 3017
Albuquerque, NM 87102
(505) 346-4878
FAX (505) 346-4876

New York

The American Legion
130 S. Elmwood Ave., Ste. 614
Buffalo, NY 14202-2479
(716) 857-3361
FAX (716) 857 3488

The American Legion
245 W. Houston St., Rm. 315A
New York, NY 10014
(212) 807-3066
FAX (212) 807-4029

North Carolina

The American Legion Dept.
Svc. Off.
251 Main St., Rm. 103B
Winston-Salem, NC 27155
(336) 631-5471
FAX (336) 714-0902

North Dakota

The American Legion
P.O. Box 2666
Fargo, ND 58108-2666
(701) 451-4646
FAX (701) 293-9951

Ohio

The American Legion
1240 E. Ninth St., Rm 923
Cleveland, OH 44199
(216) 522-3504
FAX (216) 522-3233

The American Legion
c/o VAMC
3200 Vine St., Rm B162g
Cincinnati, OH 45220
(513) 475-6440
FAX (513) 475 6444

The American Legion
c/o Wade Park VAMC, 10701 E.
Blvd., Rm. 1B115
Cleveland, OH 44106
(216) 791-3800, Ext. 4155
FAX (216) 707 5948

The American Legion
4100 W 3rd St
P.O. Box 335
Dayton, OH 45428
(937) 268-6511, Ext. 2967
FAX (937) 267-7605

Oklahoma

The American Legion Clms. Off.
125 S. Main St.
Muskogee, OK 74401
(918) 781-7760
FAX (918) 781-7761

Oregon

The American Legion Svc. Off.
1220 SW 3rd Ave., Rm. 1684
Portland, OR 97204
(503) 412-4771
FAX (503) 412-4772

Pennsylvania

The American Legion
P.O. Box 42938
Philadelphia, PA 19101-2938
(215) 381-3032
FAX (215) 381-3500

The American Legion
1000 Liberty Ave., Ste. 432D
Pittsburgh, PA 15222
(412) 395-6230
FAX (412) 395-6234

The American Legion
1123 E. End Blvd., Ste. 5
Wilkes-Barre, PA 18702
(570) 821 2525
FAX (570) 821-2529

The American Legion
P.O. Box 2324
Harrisburg, PA 17105-2324
(717) 730-9100
FAX (717) 975-2836

The American Legion
c/o VAMC, 135 E. 38th St.
Erie, PA 16504-1596
(814) 864-4240
FAX (814)-864-3405

Philippine Islands

The American Legion
PSC 517 Box R C
PI FPO, AP 96517-1000
(63)(45) 322 6061
FAX (63)(45) 322 1950

Puerto Rico

The American Legion
P.O. Box 447
Saint Just, PR 00978-0447
(787) 772-7455
FAX (787) 792-5947

Rhode Island

The American Legion
1005 Charles St.
North Providence, RI 02904
(401) 726 2126
FAX (401) 726 2464

South America

Managed by DSO in Houston, TX

South Carolina

Governor's Office of
Veterans Affairs
1205 Pendleton St., Ste. 369
Columbia, SC 29201
(803) 734-0200
FAX (803) 734-0197 fax same as
phone

South Dakota

The American Legion Srvc.
Offcr.
P.O. Box 67
Watertown, SD 57201-0067
(605) 886-3604
FAX (605) 886-2870

Tennessee

Rhea Cty. Veterans Affairs
375 Church St., Ste. 205
Dayton, TN 37321
(423) 775-7849

Texas

The American Legion
6900 Almeda Rd. Rm 1019
Houston, TX 77030-4200
(713) 383-2702
FAX (713) 383-2759

The American Legion
1 Veterans Plaza
701 Clay Ave.
Waco, TX 76799
(254) 299-9960
FAX (254) 299-9965

Utah

The American Legion
550 Foothill Dr., Ste. 203
Salt Lake City, UT 84158
(801) 326 2380
FAX (801) 326 2383

Vermont

The American Legion (74)
215 N. Main Street
White River Junction, VT 05009
(802) 296-5166
FAX (802) 291-6266

Virginia

Virginia Dept. of Veterans
Services
270 Franklin Rd., SW, Rm 503
Roanoke, VA 24011-2215
(540) 857-7101 ext 208
FAX (540) 857-7573

Washington

The American Legion
915 2nd Ave., Ste. 1042
Seattle, WA 98174
(206) 220-6223
FAX (206) 220-6104

West Virginia

Huntington VA Reg Office
640 4th Ave., Rm 108
Huntington, WV 25701
(304) 399-9395
Fax (304) 528-5738

Wisconsin

The American Legion
State Srvc. Off.
5400 West National Avenue,
Rm. 164
Milwaukee, WI 53214-3461
(414) 902 5722
FAX (414) 902 9401

Wyoming

The American Legion
2360 East Pershing Boulevard
Cheyenne, WY 82001
(307) 433-2750
FAX (307) 433 2788

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Colorado	Thresa Arney , 80260 11997 W. Katherine Ave, Lakewood, CO 80401
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Delaware	Robert C. McBride , 10874 Pit Road, Seaford, DE 19973 H: 302-629-6879; W: 302-998-9448; F: 302-633-5388
Washington, DC	Edward M. Hogan , 24416 Kakae Drive, Damascus, MD 20872-2114 301-926-9547
Florida	David Knapp , lanny4944@comcast.net, 561-301-2961, 931 Citrus Place, Wellington, FL 33414
France	Gerald W. Owens , Dept. Service Officer, 1st PERSCOM, Unit 29058 PSSD-PAD-PAB, APO, AE 09081 PH: 011-49-6202-80-9479 email: Owensger@hq.1perscom.army.mil or gerald.wayne.owen@us.army.mil
Georgia	William A. Smith , 3205 Oakwood Drive, Thunderbolt, GA 31404-5043 PH: 912-354-8877; M: 912-507-4126; email: captwas1@aol.com
Hawaii	George Chee , P.O. Box 270, Hauula, HI 96717 PH: 808-946-6383; F: 808-947-3957; email: aldepthi@hawaii.rr.com or inomokala@aol.com
Idaho	John Dunlap , alegion2007@yahoo.com, 208- 773-9054, PO Box 725, Post Falls, ID 83877
Illinois	Steve Norris , P.O. Box 303, Noble, IL 62868 18-723-2608
Indiana	Robbie Robinson , P.O. Box 2189 Richmond, IN 47375 PH:765-966-6174 lillian025@webtv.net
Iowa	Ken Krizan , 1015 Eighth Street, Coralville, IA 52241-1709 H: 319-354-5393
Kansas	Lee Stolfus , 1404 Rural, Emporia, KS 66801 PH: 620-342-2431
Kentucky	Billy G. Hobbs , 138 Glenview Drive, Bardstown, KY 40004 502-349-1515; no email
Louisiana	John L. Clark , 2nd Dist. Cmdr., 16153 River Rd., Hahnville, LA 70057 PH: 985-783-2228 or 1804; email: R99D@aol.com
Maine	John Doyle , 111 Ridge Road, Bath, ME 04530 PH: 207-443-8816; M: 207-751-2581; monami@suscom-maine.net

Maryland	Earl Nesbitt , GISing@aol.com, 410-828-0505 , 7022-D Lachland Circle, Baltimore, MD 21239
Massachusetts	Office of the Adjutant 617-727-2966
Michigan	Kenneth A. Clawson , 700 West A Street, Iron Mountain, MI 49801 H 906-774-6113 clawsonk@chartermi.net
Minnesota	Randy Tesdahl , 612 725-2000 rtesdahl@mnlegion.org
Mississippi	Robert Gosa , P.O. Box 851, Calhoun City, MS 38916 PH: 662-983-9328
Missouri	R. Micharl Feurt , VictorRet@msn.com, 314-631-2475, 108 N. Arbor St, Savannah, MO 64485
Montana	Errol Eileraas , ebeileraas@msn.com, 406-563-3075, 1108 W 3rd St Anaconda, MT 59711
Nebraska	R. Alan Baxter , P.O. Box 188, Palisade, NE 69040-0188 H&W 308-285-3580 Legionpalisade@hotmail.com
Nevada	Jack Ford , 3044 Yankee Clipper Drive, Las Vegas, NV 89117 H: 702-228-4810 acchief@aol.com
New Hampshire	DSO Gary W. Wayman , Norris Cotton Fed. Bldg., 275 Chestnut St. Rm. 317, Manchester, NH 03101 W: 603-222-5784 gary.wayman@vba.va
New Jersey	James Vialard , gugman8895@aol.com, 973-625-1659, 973-625-4149, 973-270-6018, 50 Merrie Trail, Denville, NJ 07934
New Mexico	Elizardo Sanchez , c/o Dept. HQ, 1215 Mountain Road NE, Albuquerque, NM 87102-2716; W 505-247-0400 F 505-247-0478 legionnm@osogrande.com
New York	Patrick Devine , 1 Beech Place, Bronx, NY 10465 PH: 718-823-1981
North Carolina	Jon Cone , 414 Ray Avenue, Fayetteville, NC 28301 PH: 910-486-1010; F: 910-484-5155; email: jon.cone@ncmail.net
North Dakota	Mel Johnson , 208 First St. SE, Hillsboro, ND 58045 W: 701-636-4414
Ohio	John Barnhart , 38 Page Road, Chillicothe, OH 45601 PH: 740-775-1601; jklbarn@roadrunner.com
Oklahoma	Office of the Adjutant
Oregon	Sid Carter , 2936 N. Main Street, Prineville, OR 97754 H: 541-447-7550; W: 541-447-5304; sidandlou@aol.com
Pennsylvania	PNC Ronald F. Conley , 709 Hope Street, Pittsburgh, PA 15220-1612 W 412-621-4358 F 412-683-9339 rfconley@county.alleghey.pa.us
Rhode Island	Frederick Correy , 124 Home Avenue, Providence, RI 02908 PH: 401-331-2356
South Carolina	John Dellinger , dept@aldsc.org
South Dakota	Clarence Kooistra , 1117 Fourth Street, Garretson, SD 57030 H: 605-594-3833; W: same
Tennessee	Hoyte M. Robinson , 617 Woodette Rd., Nashville, TN 37211 615-331-3800 hoytem1@aol.com
Texas	Office of the Adjutant
Utah	Dale Brockbank , 140 East 300 South, Suite 209, Salt Lake City, UT 84111 PH: 801-524-5703; F: 801-524-3090; email: bbank@utah.gov

Vermont	Richard R. Gray , 182 Vista Drive, Waterbury Center, VT 05677 H: 802-244-1981; W: 802-828-4441; F: 802-828-4445; email: gray.richard@dol.gov
Virginia	James L. Holt , 2232 White House Cove, Newport News, VA 23602 H: 757-874-4567; W: 757-728-3448; M: 757-715-1584; email: jefeholt@aol.com
Washington	Bob Wallace , 14611 64th Avenue SE, Snohomish, WA 98196 PH: 206-601-2015 bob_wallace@msn.com
West Virginia	George Sinkewitz , 1932 Washington Avenue, Huntington, WV 25704 PH: 304-429-5235; F: 304-453-3028
Wisconsin	Clifton Sorenson , 909 Morningside Drive, Eau Claire, WI 54703-3314 PH: 715-839-4744; F: 715-839-6238; email: clif.sorenson@co.eau-claire.wi.us
Wyoming	Eldon "Skeeter" Jones , 2360 E. Pershing Blvd. D107, Cheyenne, WY 82001 W 307-433-2750 F 307-778-7549 vsoejone@vba.va.gov
Mexico	Office of the Adjutant 011-52-33-3122-1989; email: americanlegion2@gmail.com
Philippines	Office of the Adjutant 011-63-2-524-9223
Puerto Rico	Luis R. Quiles , Urb Alt Rio Grande, J448 Calle 10, Rio Grande, PR 00745 W: 809-766-5165; H: 809-888-4253; also reachable at 787-772-7350

Network Homeless Coordinators

Name	Address	Phone	E-mail
VISN 1			
Gerald Carmichael	150 S. Huntington Ave. Boston, MA 02130	617-232-9500 ext.44948	Gerald.Carmichael@va.gov
James Hart	200 Springs Road, Bldg 9. Bedford, MA 01730	781-687-3352	James.Hart2@va.gov
VISN 2			
Robert VanKeuren	400 Fort Hill Avenue Canandaigua, NY 14424	716-393-7413	Robert.Vankeuren@va.gov
Jean Dittman	3495 Bailey Ave Buffalo, NY 14215	716-834-4270	Jean.Dittman@va.gov
VISN 3			
Henrietta Fishman	130 West Kingsbridge Road Bronx, NY 10468	718-741-4254	Henrietta.Fishman2@va.gov
Julie Irwin, LCSW	130 West Kingsbridge Road Bronx, NY 10468	718-584-9000 ext.3718	Julie.Irwin @va.gov
VISN 4			
Lovetta Ford	Delafield Road Pittsburgh, PA 15240	412-699-6000 ext.825556	Lovetta.Ford@va.gov
VISN 5			
Marla S. Brundies	849 International Drive Linthicum, MD 21090	410-691-7816	Marla.Brundies2@va.gov
VISN 6			
Deborah Lee	1601 Brenner Ave. Salisbury, NC 28144	704-638-9000 ext. 4011	Deborah.Lee@va.gov
Rhonda M. Simmons	1670 Clairmont Road Decatur, GA 30033	404-321-6111 ext.3798	
VISN 7			
Patricia Bradford	6439 Garners Ferry Rd. Columbia, SC 29209-1639	803-647-5818	Patricia.Bradford@va.gov
Rhonda M. Simmons	1670 Clairmont Road Decatur, GA 30033	404-321-6111 ext.3798	Rhonda M. Simmons@va.gov
VISN 8			
Daniel Robbin	1492 West Flagler Street Miami, FL 33126	305-541-5864 ext.136	Daniel.Robbin@va.gov
VISN 9			
David Hansard	P.O. Box 4000 Mountain Home, TN 37684	423-979-2874	David.Hansard@va.gov
VISN 10			
Thomas Halfhill	10000 Brecksville Rd. (181B) Brecksville, OH 44141	440-526-3030 ext. 7964	Thomas.Halfhill@va.gov
VISN 11			
Philip E. Thomas	2669 Cold Spring Road, Bldg 9E Indianapolis, IN 46222	317-988-3212	Philip.Thomas2@va.gov

Name	Address	Phone	E-mail
VISN 12			
Gene Herskovic	820 South Damen Chicago, IL 60612	312-569-8085	Gene.Herskovic@va.gov
VISN 15			
Frank Piper	4101 S. 4th St. Leavenworth, KS 66048	913-682-2000 ext.52296	Frank.Piper@va.gov
Randy Crandall	2200 Gage Blvd. Topeka, KS 66622	785-350-3111 ext.52090	Randall.Crandall@va.gov
VISN 16			
Dorothy Thomas	P.O. Box 69004 Alexandria, LA 71306-9004	318-473-0010 ext. 2773	Dorothy.Thomas@va.gov
VISN 17			
Greta Mankins	4800 Memorial, Bldg 90.Rm1B108 Waco, TX 76711	254-297-3522	Greta.Mankins@va.gov
VISN 18			
Steven Cohen	3601 S. 6th Avenue Tuscon, AZ 85723	520-792-1450 ext.2995	Steven.Cohen@va.gov
VISN 19			
Richard DeBlasio	1055 Clermont St. Denver, CO 80220	303-399-8020 ext.2314	Richard.DeBlasio@va.gov
VISN 20			
Ann M. Shahan	9600 Veteran's Drive, MHS-116 Lakewood, WA 98493	253-583-1672	Ann.Shahan@va.gov
VISN 21			
Roberta L. Rosenthal	401 3rd Street San Francisco, CA 94107	415-760-5013 cell	Roberta.Rosenthal@va.gov
VISN 22			
William L. Daniels	11301 Wilshire Blvd. Los Angeles, CA 90073	310-478-3711 ext.43623	William.Daniels@va.gov
Betty Zamost	11301 Wilshire Blvd. Los Angeles, CA 90073	310-268-3508	Betty.Zamost@va.gov
VISN 23			
Ellen L. Mathes	3600 30th Street Des Monies, IA 50310	515-699-5680	Ellen.Mathes@va.gov

NOTE: VISN stands for Veteran Integrated Service Network. To find out which Department of Veterans Affairs VISN, or region you are located in, please go to: http://www1.va.gov/directory/guide/map_f1sh.asp

Useful Telephone Numbers

A 1-Stop directory of VA 800 numbers and VA facilities including Medical Centers, Community-Based Outpatient Clinics, Regional Offices and National Cemeteries may be located at:
www.va.gov/customer/consumer2.asp

ORGANIZATION	PHONE NUMBER
Center for Women Veterans	1-202-273-6193
Department of Defense Deployment Health Clinical Center (at Walter Reed Medical Center)	202-782-6563 1-866-559-1627
Department of Defense Force Health Protection and Readiness Programs Office	1-800-497-6261
Department of Housing and Urban Development Office of Special Needs Assistance Programs	202-708-4300
Department of Labor Veterans' Employment and Training Service	202-693-4700
Office of Personnel Management Veterans' Preference Issues	202-606-1000
Office of Servicemembers' Group Life Insurance (SGLI and VGLI)	1-800-419-1473
Social Security Administration	1-800-772-1213
The American Legion Appeals and Special Claims Unit	1-202-565-6324
The American Legion Appeals Management Center (AMC) Unit	1-202-530-9140
The American Legion Office of Insurance Activities	1-215-381-3022
VA Benefits (VA Regional Office)	1-800-827-1000
VA Debt Management Center	1-800-827-0648
VA Education Benefits	1-800-827-1000
VA Education Service	202-273-7132 202-273-7176
VA Gulf War, Agent Orange, SHAD or other Special Issues Helpline	1-800-749-8387
VA Health Administration Center	1-800-733-8387
VA Health Eligibility Center	1-800-929-8387
VA Health Benefits Service Center	1-877-222-8387
VA Home Loan Guaranty Service	202-273-7330
VA Insurance Center	1-800-669-8477
VA Mammography Helpline	1-888-492-7844
VA Memorial Program Service (headstones and markers for private cemeteries)	1-800-697-6947
VA Pension Center	1-877-294-6380
Small Business Administration Office of Veterans' Business Development	202-205-6773
War Related Illness and Injury Study Centers	Washington, D.C. 1-800-722-8340 East Orange, NJ 1-800-248-8005 or 973-676-1000 ext. 2500

Suggested Reading for Post Service Officers

Federal Benefits for Veterans and Dependents is published yearly by the Department of Veterans Affairs and can be ordered by calling 202-512-1800. It is also possible to download it from VA's web site at www.va.gov

Officer's Guide is a handbook on Post operations and procedures; an aid for District Commanders and a Manual of Ceremonies published by The American Legion. Purchase from Emblem Sales at 1-888-453-4466.

Need a Lift? A useful tool in assisting both veterans and their dependents, it is an annual scholarship and financial aid handbook published by The American Legion. Acquire from Emblem Sales at 1-888-453-4466.

Basic Training Correspondence Course in Veterans Benefits was developed, and can be purchased from, the National Veterans Legal Services Program (NVLSP) at 202-265-8305. It is an introduction to veterans benefits, veterans law and advocacy.

The American Legion Extension Institute is an interesting course of study for those who want to get to know The American Legion's history, purpose and how it is structured. Can also be purchased from Emblem Sales at 1-888-453-4466.

The following brochures can be requested from the Veterans Affairs and Rehabilitation Division of the American Legion at 1608 K Street, NW, Washington, D.C. 20006:

- "Guide for Women Veterans - Identifying Risks, Services and Prevention"
- "Post Traumatic Stress Disorder"
- "What To Do Before A Veteran Dies"
- "Veterans: The War Against Hepatitis C"
- "The American Legion Debt Management Guide"

- "Sourcebook for Military Personnel and Veterans"
- "Agent Orange Benefits and Programs: A Guide for Vietnam Veterans and Their Families"
- "Gulf War Benefits and Programs – A Guide for Veterans and Families"
- "Welcome Home: Operation Iraqi Freedom & Operation Enduring Freedom Veterans"
- "Veterans Affairs and Rehabilitation Code of Procedure"

The following brochures can be requested from the Economic Division of the American Legion at 1608 K Street, NW, Washington, D.C. 20006:

- "Active Duty Legal Rights: Guide to the Servicemembers Civil Relief Act; Uniformed Services Employment and Reemployment Rights Act; and other resources"
- "Job Fairs For Veterans"
- "Employment Service Awards"
- "Employer Awards Program"
- "A Resource Guide for the Homeless Veteran"
- "Pocket Guide to The American Legion's Economic Award Program"
- "Questions and Answers About Your First Resume"
- "The American Legion Primer on Veterans' Preference"
- "Manual for Employment Chairmen"

Glossary of Abbreviations

BIRLS	Beneficiary Identification Records Location System
BVA	Board of Veterans' Appeals
C&P	Compensation and Pension
CATS	Claims Automated Tracking System
CAVC	Court of Appeals for Veterans Claims
CRSC	Combat Related Special Compensation
CUE	Clear and Unmistakable Error
DIC	Dependency and Indemnity Compensation
DOD	Department of Defense
DSO	Department Service Officer
EVR	Eligibility Verification Report
GAO	General Accounting Office
GPO	Government Printing Office
OSGLI	Office of Servicemembers' Group Life Insurance
NCA	National Cemetery Administration
NPRC	National Personnel Records Center
NOD	Notice of Disagreement
NSC	Nonservice-Connected
RH	Service-Disabled Veterans Insurance
SC	Service-Connected
SDVI	Service-Disabled Veterans Insurance
SGLI	Servicemembers' Group Life Insurance
SOC	Statement of Case
TAP	Transition Assistance Program
TRIP	Training, Responsibility, Involvement and Preparation of Claims
TSGLI	Traumatic Injury Servicemembers Group Life Insurance
VA	Department of Veterans Affairs
VACOLS	Veterans Appeals Control and Locator System
VAMC	Veterans Affairs Medical Center
VA&R	Veterans Affairs and Rehabilitation
VARO	Veterans Affairs Regional Office
VAVS	VA Voluntary Service
VBA	Veterans Benefits Administration
VEAP	Veterans' Educational Assistance Program
VGLI	Veterans' Group Life Insurance
VHA	Veterans Health Administration
VMLI	Veterans' Mortgage Life Insurance
VR&E	Vocational Rehabilitation and Employment

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