THE AMERICAN LEGION
Dispatch
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VETERANS AFFAIRS

Female vets see need for VA improvement

American Legion survey finds gender-specific health-care services lacking in many areas.

By Steve B. Brooks

Nearly 40 percent of female veterans surveyed by The American Legion about VA health care were dissatisfied with the screening process for military sexual trauma. Among those, 26 percent said they were "very dissatisfied" with the screening process, which mandates that all enrolled veterans are universally screened for military sexual trauma.

These and other findings from the Legion-sponsored survey were made available March 22 to the media and to VA Secretary Eric Shinseki. The online survey was conducted Jan. 5-31 by ProSidian Consulting, LLC, based in North Carolina.

During a press conference March 22 at the National Press Club in Washington, D.C., Legion officials and ProSidian staff explained results of the 67-question survey, which was taken by 3,012 female U.S. military veterans worldwide. The survey measured 10 attributes of service quality regarding VA – reliability, responsiveness, competence, access, courtesy, communication, credibility, security, tangibles and understanding

Veterans Affairs & Rehabilition Division Director Verna Jones greets attendees at a press conference to announce findings from a national survey on the needs of female veterans. *Craig Roberts*

the customer. The survey provided an assessment of specialized services for women at VA and wasn't designed to present a reflection of general VA services that women receive, according to ProSidian.

Among the findings: one in three female VA health-care users reported they were dissatisfied with their most recent experience with VA's Women Veterans Program Manager, who counsels female patients in the system. The survey suggests there is room for significant improvement for VA to provide gender-specific services such as PAP smears and mammograms. And 38 percent of the survey's respondents said they wouldn't use a VA doctor for a second opinion – even if that opinion is offered at no charge.

"Research on this subject is important, yet it's lacking," said Verna Jones, director of the Legion's Veterans Affairs & Rehabilitation Division. "Women represent a vastly growing portion of U.S. veterans, comprising almost 20 percent of our armed forces and representing the fastest growing population of the VA health-care system.

"The results from this survey will be used to refine The American Legion's outreach efforts (and) enhance its written and oral testimony to Congress and federal agencies. The survey results will also help identify unmet needs among women veterans and guide the development of strategic remedies."

The survey results provided insight about the gap between desired and actual performance of the VA health-care system for

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WASHINGTON CONFERENCE

Shinseki: VA demand grows

By Jeff Stoffer

The number of veterans receiving VA health care and benefits has grown by nearly 800,000 since Eric Shinseki took office as secretary in 2009. The number now stands at a record 8.4 million and is projected to hit 8.6 million by 2012.

"I project that the numbers will continue to grow," Shinseki told hundreds of American Legion members gathered March 22 in the nation's capital for the organization's 51st Annual Washington Conference. The department's budget can likewise be expected to keep climbing, especially as veterans of Iraq and Afghanistan pour into the system. "These numbers will continue to rise for many years, many decades after the last combatant comes home from Iraq and Afghanistan. This is reality."

President Obama has proposed a 10.6-percent increase in the VA budget for 2012 – a record $132 billion divided almost evenly between mandated and discretionary costs. The highest expected discretionary cost, medical care, is proposed to consume $53.9 billion.

Fast-rising demand for VA care, benefits and services continues to hinder VA's efforts to reduce its backlog of undecided claims, the secretary explained. The number of completed claims decisions from VA hit 1 million last year, a new milestone, but the number of new cases flowing into the system topped 1.2 million. "This year, we are programmed to receive somewhere between 1.4 million and 1.5 million claims," Shinseki said. "This growth is tied in part to the economic downturn. The numbers are large, and merely hiring more claims processors won't give us an added capability to dominate this kind of growth pattern."

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3-9 Child Welfare Foundation Week

15-17 74th Annual High School Oratorical Contest, Indianapolis

22 Good Friday

24 Easter

MAY

1 Child Welfare Foundation Board of Directors meeting, Indianapolis

2-5 Spring National Executive Committee Meeting, Indianapolis

15 Peace Officers Memorial Day

21 Armed Forces Day

30 Memorial Day

31 End of Child Welfare Foundation Award year

JUNE

14 Flag Day

JULY

1 Department Children & Youth reports due to National Headquarters

4 Independence Day

15 Child Welfare Foundation grant applications due to National Headquarters

COMMANDER'S MESSAGE

U.S. flag has earned protection

Watch any major event in our country and you'll find the U.S. flag playing an important role. It waves in the air during the singing of the national anthem before professional, college and high school sporting events. It starts off local, state and government meetings, with the reciting of the Pledge of Allegiance.

When prominent Americans pass away, oftentimes flags across the country are lowered to half staff to pay tribute to their contributions to the United States.

Jimmie L. Foster
National Commander

And when the men and women of this country who've made the decision to put on a uniform and serve their country through the armed forces make the ultimate sacrifice, that same flag drapes their caskets before they're laid to rest.

So it strikes me as a bit odd that such a symbol is afforded less protection than an object such as a mailbox. Get caught destroying someone's mailbox and you could be facing a fine, as well as short stretch in jail. But swap out the mailbox for the U.S. flag and while you may get some stern looks, you aren't facing any legal risk. A U.S. Supreme Court ruling in 1989 determined that U.S. citizens no longer had the right to protect the flag from physical desecration. What had been illegal for 100 years was suddenly considered protected speech under the First Amendment. Flag-protection laws in 48 states and the District of Columbia were stricken down by the ruling.

Since that time, The American Legion has been at the forefront of gaining passage of a constitutional amendment that would reverse the Supreme Court's decision and give back the right to the people to protect their flag from desecration. And we're not acting on our own behalf. All 50 states have passed memorializing resolutions supporting flag protection. Polls commissioned by the Citizens Flag Alliance – the organization founded by the Legion to fight for the flag – show that 80 percent of U.S. citizens believe the flag is worthy of constitutional protection.

Only a constitutional amendment can undo what the Supreme Court has done. Similar legislation calling for the amendment has overwhelmingly passed in previous House votes; it has yet to receive the necessary two-thirds majority in the Senate needed to send it to the states for ratification.

Flag amendment legislation has been introduced in the House; H.J. Res. 13, introduced by Rep. Jo Ann Emerson, R-Mo., currently has 29 cosponsors and has been referred to the Subcommittee on the Constitution. The language of the resolution is simple: "The Congress shall have power to prohibit the physical desecration of the flag of the United States."

Similar legislation is expected to be introduced in the Senate in the coming months, but until that happens, I am asking all of you to contact your representatives and urge them to sign on as cosponsors of H.J. Res. 13. Ask them to follow the wishes of their constituents and show their support for the legislation. And when a similar measure is introduced in the Senate, please do the same with your senators.

Ask them to put the decision in the hands of the people who have the greatest right to make this decision – the citizens of the United States. The flag truly belongs to them.

Memoranda

CALL FOR CO-SPONSORSHIP OF FLAG AMENDMENT

Contact your representatives and urge them to sign on as co-sponsors of H.J. Res. 13. Use the Legislative page on The American Legion website to contact Congress.

www.legion.org/legislative

LEGION COLLEGE APPLICATIONS AVAILABLE

The 2011 American Legion National College will take place Oct. 23-28 at the Legion's National Headquarters in Indianapolis. Applications for the program are available online. Legionnaires who wish to participate in the weeklong program may submit applications directly to their individual departments for consideration. Because departments must submit approved applications to Legion National Headquarters no later than Aug. 31, interested Legionnaires must contact their state headquarters for the department's application deadline.

For more information regarding The American Legion National College, contact Matt Herndon, course developer, at:

(317) 630-1406

www.legion.org/documents/legion/pdf/NALCApplication2011.pdf

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STILL SERVING AMERICA

Does your post have a unique community program, an innovative recruiting method or a creative way of spreading the Legion message that could be implemented at posts across the country? Tell us how your post and its members are ***Still Serving America.***

In submitting your information, include your full name, address and telephone number. Send your items, labeled ***Still Serving America****, to the correspondence address at left.*

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ACTIVATION

Want to get involved in one of The American Legion's many national programs? Do you have a question about veterans affairs, national defense or what is going on in Washington? All you have to do is pick up the phone or send an e-mail.

Americanism/Children and Youth
(317) 630-1203
acy@legion.org

Economic
(202) 861-2700
econ@legion.org

Finance
317-630-1222
finance@legion.org

Internal Affairs
(317) 630-1330
ia@legion.org

Legislation
(202) 263-2981
leg@legion.org

National Convention
(317) 630-1292
dholmes@legion.org
bwilliams@legion.org

National Emblem Sales
(888) 453-4466
emblem@legion.org
emblem.legion.org/

National Security/Foreign Relations
(202) 861-2700
nsfr@legion.org

Public Relations
(317) 630-1253
pr@legion.org

The American Legion Magazine
(317) 630-1298
magazine@legion.org

The American Legion Library
(317) 630-1366
library@legion.org

Veterans Affairs and Rehabilitation
(202) 861-2700
var@legion.org

American Legion Baseball
(317) 630-1249
jquinlan@legion.org
http://legion.org/baseball

American Legion Child Welfare Foundation
(317) 630-1202
www.cwf-inc.org

American Legion Endowment Fund
(317) 630-1202

Boys Nation
(317) 630-1207
acy@legion.org

Family Support Network
(317) 630-1395
(800) 504-4098
familysupport@legion.org

Junior Shooting Sports
(317) 630-1249
cshort@legion.org

Legion College
(317) 630-1265
mherndon@legion.org

National Emergency Fund
(317) 630-1321
ia@legion.org

National Oratorical Contest
(317) 630-1249
cshort@legion.org

NATIONAL ADJUTANT'S MESSAGE

Fire sparks rebirth of post

Blaze in 2009 destroyed Gallatin Post 14 in Montana, but it certainly didn't destroy the Legion spirit within it.

By Daniel S. Wheeler

Maybe some non-Legionnaires drive by an American Legion post and see a building. They see four walls and a roof. They see bricks and mortar.

But the members of this organization know that while a nice post facility might do a little something toward public perception, it doesn't define the post itself. What our members realize is that it's the work that post does – from helping out its community to conducting Legion programs – is the true measure of a post.

So when Gallatin Post 14 in Bozeman, Mont., burned to the ground in March of 2009, the post membership didn't decide that it could take some time off while a new facility was being rebuilt. They didn't seek refuge in their own tragedy. Rather, Post 14 steeled itself, put a building plan in place and continued to provide a strong presence in Bozeman. There was no other option for Post 14's Legionnaires.

"To be honest, the thought of doing less never entered our minds," said Randy Kemp, Post 14's current adjutant and a member of its building committee after the fire burned the post to the ground. "Our building committee decided to turn this into a positive and come back even stronger. We didn't really consider any other outcome."

The post membership had to wait for months while the fire that also destroyed five other businesses was being investigated. The local Veterans of Foreign Wars post let Post 14 hold their monthly meetings in the VFW facility, and a local Eagles club offered up use of its facility for the post's committee meetings and general membership gatherings. Post 14 didn't miss a beat despite not having a permanent home. It was business as usual.

"We didn't do a St. Patrick's Day party," Kemp said. "But we did everything else."

"Everything else" included submitting what ended up being the department's Firefighter of the Year winner and the department U.S. Constitution essay contest winner. Post 14 was responsible for sending four young men to Boys State; one ended up going onto Boys Nation. And Gallatin's membership managed to organize the first Memorial Day parade in Bozeman since 1974 – a parade that was so successful that the city decided to annually fund the event.

The post's honor guard conducted 33 funeral details during the same span, as well as continued to perform flag ceremonies and flag etiquette classes.

And while this was going on, the post grew. A membership of 270 before the fire grew to 350 now. "If anything, the fire invigorated our post," Kemp said.

A 2009 fire completely destroyed Gallatin Post 14 in Bozeman, Mont. But the post persevered through the difficult times, continuing to conduct several Legion programs while growing the member. The new post (above) had its public grand opening on Veterans Day in 2010. *Photo provided*

While all this was going on, the post home was being rebuilt, and on Oct. 7, 2010, it opened up to the membership. The following month, on Veterans Day, a public grand opening took place and included appearances by U.S. Sens. Max Baucus and John Tester and Department Commander David Driver.

"It feels good," Kemp said. "We were the very first ones to get our building permit processed. And we were the first building to be built back up."

Post 14 hasn't rested since reopening. It sponsors a Boy Scout troop, started an American Legion Music Series, and partnered with Montana Fish & Game in developing a Legion Park and boat launch in Logan, Mont. The post has hosted a dinner for wounded servicemembers and is in the process of chartering its first Sons of The American Legion squadron.

It would have been easy for Post 14's membership to tuck its tail, feel sorry for itself and take some time away from serving the community. But those Legionnaires wouldn't let that happen – proof that it's not the size or look of the post home that matters, but the heart of the members inside of it.

VETERANS BENEFITS

Supreme Court strikes down 120-day rule for filing appeal with Court of Appeals

American Legion National Commander Jimmie Foster praised the Supreme Court's ruling that the 120-day requirement to file an appeal with the Court of Appeals for Veterans Claims is not concrete and that an individual may take longer if circumstances warrant.

The court ruled 8-0 on the March 1 ruling. The opinion, written by Justice Samuel Alito, stated, "This case presents the question whether a veteran's failure to file a notice of appeal within the 120-day period should be regarded as having "jurisdictional" consequences. We hold that it should not."

"The court's ruling will certainly make a difference in the outcomes of many veterans' appeals," Foster said.

An example of a better outcome for veterans can be seen in the *Henderson v. Shinseki* case, which The American Legion filed a friend-of-the-court brief. David Henderson served on active military duty from 1950 to 1952. He was discharged in 1952 after being diagnosed with paranoid schizophrenia, for which he has established service connection and currently has a 100-percent disability rating.

In August 2001, he filed a claim for monthly compensation with the Department of Veterans Affairs Regional Office, based on his need for in-home care. The regional office denied the claim, and he appealed to the VA Board. The appeal was denied on Aug. 30, 2004.

On Jan. 12, 2005, Henderson filed a notice of appeal with the veterans appeals court, 15 days after the expiration of the 120-day appeal period.

In its ruling, the court held that the deadline for filing a notice of appeal with the veterans court can be modified for good cause.

"Our veterans sacrifice so very much serving in combat thousands of miles from home," Foster said. "They deserve every opportunity and consideration in applying for the benefits they earned through their service.

"The American Legion is proud to have been a friend of the court in this litigation."

CONVENTION

Contest entry forms for Minneapolis convention online

All American Legion bands and color guards are invited to compete in contests at the 93rd National Convention in Minneapolis on Aug. 27. Bands will compete in two classes, and color guards in four. All entry forms must be received by July 22.

The exhibit hall will be open from Friday, Aug. 26, through Tuesday, Aug. 30, in the Minneapolis Convention Center, Hall C, Level 1. Times are 8 a.m. to 3:30 p.m. daily except Sunday and Tuesday, when the hall closes at 2 p.m.

For contest entry forms and rules, or to reserve exhibit space, contact the Convention and Meetings Division at **(317) 630-1292** or go to the Convention page online.

On the Web:
www.legion.org/convention/resources

EMBLEM SALES

'Flag Rewards' off to fast start

More than $2,600 in American Legion Emblem Sales credit has been distributed to posts participating in the new "Flag Rewards" program. Introduced in August 2010 by Emblem Sales, "Flag Rewards" is a program based on American-flag purchases made by both a post and its local community.

"Flag Rewards" posts with more than $1,000 in community flag purchases from Aug. 1 to Dec. 31, 2010, include Little Falls, Minn., Post 46; Farnhamville, Iowa, Post 510; Douglasville, Ga., Post 145; and Punta Gorda, Fla., Post 510.

In total, 106 posts earned credit to spend in 2011. More than 400 posts have signed up for the growing program, and more than 900 businesses and individuals have signed on to sponsor local posts.

Participating posts can receive a 10-cent credit for each dollar spent U.S. flag purchases. The credit is good toward the future purchase of any Emblem Sales catalog item. An example would be a post receiving a $2 future credit by purchasing a $20 American flag.

Qualifying purchases include those made by the post, as well as by the post's members, friends, neighbors, local schools and businesses that choose to "sponsor" the post by buying their flags from The American Legion. A new website has been established, from which sponsors may purchase their flags directly from Emblem Sales to benefit their local post.

While making The American Legion the primary source for communities to purchase their American flags, posts are encouraged to spread the message that a U.S. flag purchased from The American Legion will produce a direct financial benefit to the local post, and help local veterans serve their community. The program is designed to increase the visibility of American Legion members in their local neighborhoods and communities, increase contact with local businesses and civic leaders, and increase membership-recruiting opportunities through contact with patriotic neighbors.

On the Web:
http://emblem.legion.org/flag_rewards.asp

WOMEN *from Page 1*

women using it. Of the 2,936 respondents who answered that specific question, 63 percent were enrolled in the VA health-care system. Of those, almost 30 percent were dissatisfied with the "reliability" of health care provided by the VA when compared to private health-care providers, and more than 30 percent were dissatisfied when they compared the "responsiveness" of VA to that of private health-care providers.

Approximately 30 percent of respondents reported that they were not allowed an appropriate amount of time with their provider to discuss their specific health-related issues, and 38 percent expressed at least some level of dissatisfaction when asked to compare the credibility of health care provided by VA against similar services provided by private practitioners. Eleven percent were "very dissatisfied."

"We found in our survey about 66 percent of the women … not only registered for VA health-care service, but they also maintained their private health-care service," said Adrian Woolcock, managing principal of ProSidian. "In addition, in that subset, only 40 percent have ever used VA. The women veterans overall do know what their benefits are. It's really a matter of focusing on improving the quality of service provided to women veterans."

Other findings from the survey:

- Almost 25 percent of the respondents rated the convenience of VA facilities locations as poor, indicating that gender-specific care is difficult to obtain for a significant number of women.
- More than 25 percent of those surveyed expressed dissatisfaction with VA in security-related issues – especially the degree of sensitivity surrounding a patient's personal information.
- Approximately one-fourth of the respondents said they were dissatisfied with the level of competence demonstrated by VA health-care providers when compared to private practitioners.
- Almost a quarter of the respondents gave VA a courtesy rating of less than positive.

Demographic information from the survey indicated that 34.6 percent of respondents were between ages 52 and 61, while 24.9 percent were ages 42-51. Eighty percent were white. More than 68 percent were non-combat veterans; the highest percentage of combat veterans who responded (16 percent) served in Operations Iraqi or Enduring Freedom.

Some who took the survey contacted The American Legion to offer details about their responses. In those discussions, the women said they didn't want a separate VA health-care system for women; rather, they want the same quality health care that men receive but tailored to meet gender-specific needs. Others said they hesitate to use VA facilities because they can't get child care on the days of their appointments.

"Changes in culture take time, and VA is starting to change its approach dealing with women veterans," American Legion National Commander Jimmie L. Foster said. "The American Legion wants to help VA make this important transition. VA health care needs to be more reliable, responsive and competent in its treatment of women."

Peter S. Gaytan, executive director of the Legion's Washington office, gave a copy of the findings to Shinseki earlier in the day during the organization's Washington Conference.

"To move into the future, we have to recognize the changing demographics of America's veteran population," Gaytan said. "The commitment of this organization is to take this information, stand side by side with the leadership of the Department of Veterans Affairs, (and) say there's a need to listen to what's being said. The Legion can be the voice, we can also be the action, but we need buy-in from the Department of Veterans Affairs, the administration and the leadership in this country."

SHINSEKI *from Page 1*

The key to reversing the trend, Shinseki told the crowd, is technology. "We must automate, and we must do it quickly." He said pilot programs around the country show promise to use automation to reduce the backlog without compromising quality. "That is something that should have happened in VA decades ago. And that is where we are heading."

Also during the Commander's Call:

- Former Senate Veterans' Affairs Committee Chairman Daniel Akaka, D-Hawaii, received The American Legion's Distinguished Public Service Award. His work to improve the Post 9/11 GI Bill by sponsoring legislation that was passed last fall and signed into law in January, was one of many reasons for the recognition. "I am truly humbled and honored to be recognized by the Legion," said Akaka.
- The Legion presented a check for $26,458.58 to Albert Snyder, the father of a U.S. Marine killed on active duty in Iraq and the man who took the Westboro Baptist Church to the Supreme Court. Westboro members picketed the fallen lance corporal's funeral five years ago. The case ended March 2 in the U.S. Supreme Court, which ruled 8-1 in favor of the church. "It's been a long battle, but I'm not about to give up just because some people on the Supreme Court said (the church) could do it," Snyder said. "I will continue to press for legislation to make the picketing and protesting at funerals a little bit harder for members of the Westboro Baptist Church." The check was presented to help cover the cost of Snyder's lawsuit.
- U.S. Rep. Jason Altmire, D-Pa., received a Special Recognition Award from the Legion in appreciation of his personal commitment to help homeless veterans and for his introduction of legislation aimed at improving the lives of those who have served in uniform.

For expanded coverage of the 51st Annual Washington Conference, visit:

www.legion.org

TAPS

Glenn R. Green

Pierre, S.D.

Glenn R. Green of Post 63 (Department of South Dakota) passed away Feb. 27 at age 89. He was a World War II Army veteran.

Mr. Green served as department commander from 1957 to 1958, National Executive Committeeman from 1963 to 1977, Alternate National Executive Committeeman from 1959 to 1963, National Distinguished Guests Committee vice chairman from 2007 to 2011 and National Subcommittee on Committees vice chairman from 1971 to 1977.

He was a member of the National Americanism Commission Liaison Committee from 1963 to 1967, the National Convention Commission from 1977 to 2007, the National Economic Commission Liaison Committee from 1967 to 1971, the National Legislative Council from 1988 to 2002, the National Reorganization Subcommittee from 1968 to 1972, the National Resolutions Subcommittee from 1965 to 1967 and the National Subcommittee on Committees from 1970 to 1971.

Merlon R. Kingsley

Farmington, Maine

Merlon R. Kingsley of Post 78 (Department of Maine) passed away Feb. 26 at age 89. He was a World War II Marine Corps veteran.

Mr. Kingsley served as department commander from 1963 to 1964, National Executive Committeeman from 1968 to 1970, Alternate National Executive Committeeman from 1965 to 1968 and National Distinguished Guests Committee vice chairman from 1964 to 1966.

He was a member of the National Naval Affairs Committee from 1966 to 1968 and 1970 to 1971, and the National Veterans Affairs & Rehabilitation Commission Liaison Committee from 1968 to 1970.

James A. Lane

Montgomery, Ala.

James A. Lane of Post 237 (Department of Alabama) passed away Feb. 5 at age 91. He was a World War II Army veteran.

Mr. Lane served as department commander from 1947 to 1948, national vice commander from 1948 to 1949, National Finance Commission vice chairman from 1950 to 1951 and National Legislative Commission vice chairman from 1959 to 1960.

He was a member of the National Economic Commission Liaison Committee from 1948 to 1949, the National Finance Commission from 1949 to 1950 and 1951 to 1952 and the National Housing Committee from 1946 to 1947.

John B. McKinney

El Paso, Texas

John B. McKinney of Post 74 (Department of Texas) passed away Jan. 15 at age 71. He was a Vietnam War Army veteran.

Mr. McKinney was a member of the National Counter-Subversive Activities Committee from 1994 to 2005, the National Legislative Council from 1999 to 2000 and 2001 to 2011, and the National Veterans Affairs & Rehabilitation Commission from 2005 to 2011.

James I. Miller

Morristown, Ind.

James I. Miller of Post 102 (Department of Indiana) passed away Jan. 25 at age 77. He was a Korean War Army veteran.

Mr. Miller served as department commander from 2000 to 2001, and National Americanism Council vice chairman from 1986 to 1992 and 1996 to 2011.

E.D. "Joe" Skinner

El Pueblito Santa Catarina Pinula, Guatemala

E.D. "Joe" Skinner of Post GT01 (Department of Mexico) passed away Feb. 23 at age 76. He was a Korean War Marine Corps veteran.

Mr. Skinner served as Alternate National Executive Committeeman from 2000 to 2002, National Foreign Relations Council vice chairman from 1998 to 2007, and National & Homeland Security Council vice chairman from 1986 to 1990.

Gary A. "Red" Smart

Palmer, Alaska

Gary A. "Red" Smart of Post 15 (Department of Alaska) passed away March 7 at age 76. He was a Korean War Air Force veteran.

Mr. Smart served as department commander from 2006 to 2007.

Robert E. Stewart

Greenup, Ky.

Robert E. Stewart of Post 325 (Department of Kentucky) passed away Oct. 31 at age 77. He was a Korean War Air Force veteran.

Mr. Stewart served as department commander from 1980 to 1981, National Executive Committeeman from 1993 to 1997, Alternate National Executive Committeeman from 1991 to 1993, National Foreign Relations Council vice chairman from 1979 to 1980, National & Homeland Security Council vice chairman from 1973 to 1974, 1981 to 1982 and 1997 to 2011; and National Americanism Council vice chairman from 1976 to 1977, 1978 to 1979 and 1989 to 1993.

He was a member of the National Americanism Commission Liaison Committee from 1996 to 1997, the National Convention Commission Liaison Committee from 1993 to 1996 and the National Legislative Council from 2005 to 2011.

Lowell W. Sullivan

Vevay, Ind.

Lowell W. Sullivan of Post 185 (Department of Indiana) passed away March 2 at age 62. He was a Vietnam War Army veteran.

Mr. Sullivan served as department commander from 2002 to 2003, National Distinguished Guests Committee vice chairman from 1988 to 1990, National Foreign Relations Council vice chairman from 1990 to 2011, and National & Homeland Security Council vice chairman from 1983 to 1984.

LEGION RACING

Freedom Car gets off to strong start

Jerick Johnson drives 76 car to six top-four finishes at New Smyrna.

By James V. Carroll

American Legion 76 Freedom Car driver Jerick Johnson started the 2011 Legion Racing season in strong fashion, driving the car to six top-four finishes in February's World Series of Asphalt Stock Car Racing at New Smyrna Speedway near Daytona Beach, Fla.

Johnson finished the week third overall in points in the Crate Late Model division at the World Series.

"We had three fourth-place finishes, two third-place finishes and a second-place finish," Johnson said. "All we didn't get was a first place."

Johnson is scheduled to compete in 10 other races in two series, beginning in Greenville, S.C., on March 26 and concluding at Rockingham Speedway in North Carolina on Nov. 5. He is also scheduled to race at two USAR events in North Carolina, and one in Indiana.

"We're looking forward to a very competitive season in NASCAR Pro and USAR races," Johnson said. "The tracks suit our style of racing. We should be able to compete in both circuits." The 76 Freedom Car team has also picked up an additional associate sponsor for the 2011 racing season: US Coin Boards LLC of Mechanicsburg, Pa.

On the Web:

www.legion.org/racing

James V. Carroll

SCHOLARSHIPS

Early Times donates $10k to Legacy Fund

Company partners with American Bass Anglers to raise money for college scholarship fund.

On behalf of Early Times Kentucky Whisky, American Bass Anglers has donated $10,000 to The American Legion's Legacy Fund, an endowment that awards scholarships to the children of military personnel killed on active duty on or after Sept. 11, 2001.
Joe Murray, Early Times brand manager, presented a check for the monetary amount to Alabama 12th District Commander Becky Burney during a presentation earlier this year.

With the cost of college tuition rising, and the various ancillary expenses involved in pursuing higher education, the donation will be put to good use.

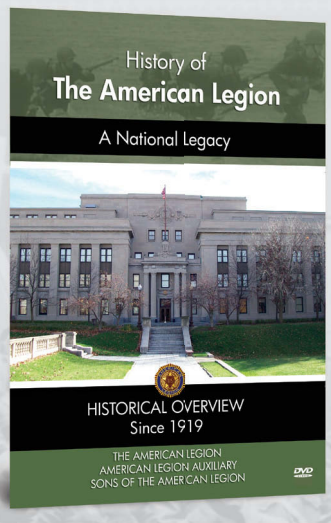
"Early Times is proud to support the Legacy Scholarship Fund and everything it does for those families who have been affected by the war overseas," Murray said. "Early Times has a rich heritage and strong tradition with the military, and this is a way to ensure that education will be a reality for those children who have lost a parent in the War on Terror."

American Bass Anglers, a partner of Early Times, has a similar dedication to military personnel and the causes important to their well-being.

"American Bass Anglers is proud to be partners with Early Times, and extremely pleased to be allowed to present this donation on their behalf," said Morris Sheehan, president of American Bass Anglers. "Early Times has a long history of supporting the military, including Operation R&R and their Take a Soldier Fishing programs, and now expanding their involvement by supporting military families through this donation to the Legacy Fund."

For more information on donating, visit the Legacy Fund's website.

www.legion.org/scholarships/legacy



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DATELINE: CAPITOL HILL

Veteran caregivers program slowly moves forward

Last year, The American Legion was instrumental in the passage of the "Caregivers and Veterans Omnibus Health Services Act" (**Public Law 111-163**), signed into law by President Obama on May 5. Since that time, our organization has been urging Congress and the Department of Veterans Affairs to make good on provisions of the new law, which provides compensation and support services to those who are caring for veterans seriously injured on active duty since Sept. 11, 2001. The law required VA to begin full implementation, including providing benefits, by Jan. 31.

Dan Dellinger
Chairman, National Legislative Commission

Congress sent a bipartisan letter to VA on Feb. 8, demanding an explanation for why VA had yet to provide any updates on the implementation process. As a result of this letter, VA filed an Interim Final Rule (IFR) with the Office of Management and Budget on Feb. 28. The delivery of benefits and support services for caregivers of eligible veterans should begin as early as this summer. However, the intended scope of the program is currently being debated. VA submitted the IFR in order to circumvent a standard 60-day waiting period for public comment after new federal regulations have been published. Such regulations must be published as part of the legal process for new authorizations, in this case, benefits for veteran caregivers.

On March 2, the Senate Veterans' Affairs Committee held a hearing on the president's proposed VA budget for fiscal 2012. The hearing was the first for new Chairman Patty Murray D-Wash., and saw a withering bipartisan assault on VA Secretary Eric Shinseki for VA's perceived shortcomings in this IFR for the Caregiver Act. Murray sharply chastised the VA secretary for the tardiness of the implementation plan. She further noted the proposed regulation was narrowly construed, created unnecessary hurdles, ruled out most of the targeted caregivers from eligibility, and was "not the bill we passed." The committee's ranking member, Richard Burr, R-N.C., agreed, urging Shinseki to withdraw the proposed rule from the OMB and rewrite it, stating firmly "if it goes forward as it's written now there *will* be one *hell* of a fight on this."

"An interim final rule becomes effective as soon as it's published in the Federal Register. The public can still comment on it, and their concerns can still be addressed in a final rule that will be published later," said Verna Jones, director of The American Legion's Veterans Affairs & Rehabilitation Division. "But caregivers won't have to wait that extra 60 days before VA starts to process their benefits."

The IFR's tentative publishing date is May 1, after which caregivers can apply for benefits and start to receive training. According to a VA fact sheet, direct-to-caregiver benefits "should become operational this summer."

"We've been pushing to get money and services to these caregivers, because many of them have given up their jobs to help their loved ones," said Jimmie Foster, national commander of The American Legion. Noting that the caregivers program was supposed to begin in January, Foster said VA is "acting in good faith by submitting this IFR to move things along. That should get benefits to the people who need them about two months sooner.

Media Bakery

"We'd still like to see these new caregiver benefits extended to veterans of all wars. But VA's move to speed up this process for 9/11 warriors and their caregivers is going to make a big difference in a lot of lives."

Following up on his comments, Foster on March 16 sent a letter to the leadership of the House and Senate Veterans' Affairs committees, commending them for their actions in pushing VA to implement the Caregiver Act's provisions as Congress intended them. Summing up, Foster said, "There are still challenges left to accomplish this goal, and … be assured The American Legion's 2.4 million members stand ready to lend our full support to fighting this battle to the end."

Budget process plays havoc with DoD programs

Congress is still working through attempts to finalize fiscal 2011 funding for federal government programs. Current funding for fiscal 2011 is contained in **P.L. 112-4**, a fifth continuing resolution (CR); the provisions of that law run out on March 18. Two competing bills are pending in Congress to fully fund federal programs for the remainder of fiscal 2011, which ends Sept. 30. However, passage of either measure is debatable.

Many government departments and agencies are working under serious limitations that have hampered their ability to function properly. One primary example is the U.S. Army. Some of the major impacts of the CR include:

• *Operation and Maintenance, Army (OMA)* – The base budget funding level under the current CR is over $3 billion less than the Army's request in the president's proposed fiscal 2012 budget. If required, the Army will realign funds from other OMA accounts to ensure that programs under the Army Family Covenant are fully funded. These programs include Family Programs, Wounded Warrior support, and quality of life at Army garrisons. Under the current level of funding, Base Operations Support (BOS) has a $1 billion shortfall. This shortfall impacts civilian pay, utilities, logistics, and installation services. This shortfall will require the Army to take aggressive measures to reduce its installation services.

Funds for Sustainment, Restoration, and Modernization will be severely impacted. Sustainment will be reduced to work required for life/health/safety and emergency repairs, while Restoration and Modernization will be curtailed. Home station training dollars will be prioritized to support the next deploying units. Training for other forces and Combat Training Center rotations will be reduced. Because of the uncertainty under a CR, the Army instituted a 30-day civilian hiring freeze on Feb. 2.

• *Research, Development, and Acquisition (RDA)* – The primary impact of the CR on the RDA accounts is the restriction on new starts and rate of production increases. These restrictions will result in scheduling delays and breaks in production that will cause layoffs and increased unit costs. More than 100 individual systems/programs are impacted under the CR, including the Ground Combat Vehicle, Stryker Mobile Gun System, HMMWV Recap and CH-47 Helicopters.

• *Military Construction (MILCON)* – In the area of military construction – whose funding is included in the same appropriations measure that fund VA programs – the Army has over $900 million in construction projects that are ready to be awarded. However, the department lacks authority to begin these new projects under the CR.

This example is only a small part of the prevailing problems of funding federal government programs in a piecemeal fashion, as has been going on since September 2010. For the past several years, political partisanship has stalled the usual congressional budget process. The current controversy on Capitol Hill revolves around how much of the huge federal budget should be trimmed to make a measureable effect on the lagging economy. Finally, with so much attention focused on finalizing fiscal 2011 funding, there is only minimal headway being made to develop legislation for funding the fiscal 2012 budget. It is hoped that Congress can find solutions to this year's budget soon, and begin work on next year's funding matters.

House passes sixth fiscal 2011 continuing resolution

On March 15 and 17, the House of Representatives and the Senate, respectively, passed another continuing resolution (CR) to incrementally fund federal programs for the current fiscal year. The latest CR, House Joint Resolution 48, passed the House by a vote of 271-158. The measure was passed by the Senate by an 87-13 tally. The bill was signed by the president on March 18 and is now **P.L. 112-6**. Federal programs will now continue functioning for another three weeks, until April 8.

The bill saves about $2.6 billion by eliminating money for fiscal 2010 earmarks that were automatically extended by previous fiscal 2011 CRs. Among the areas affected would be earmarks from the Agriculture, Commerce-Justice-Science, Financial Services, and Interior sections of previous appropriations laws. It also will reduce or eliminate funding for 25 federal government programs, many of which have been targeted by President Obama for elimination, saving another $3.4 billion. Two programs targeted include the Bureau of the Census (saving $1.7 billion) and pandemic flu-fighting efforts ($276 million).

However, while much of Washington is simply trying to keep the government open, others are focusing on plans for a long-term debate that will likely last the entire year. Passing a sixth CR only lays the groundwork for efforts to enact final fiscal 2011 spending for the balance of the fiscal year, which ends on Sept. 30. Passage of that legislation is still far from certain. Then, a fiscal 2012 budget resolution would be considered. That resolution is the basis for developing the 12 appropriations measures needed to fund the federal government for the next fiscal year, which begins Oct. 1. Finally, debate and passage of fiscal 2012 spending bills are almost certain to occupy Congress through the summer, and likely into the fall.

MEMBERSHIP

Incentives remain for district commanders

National Commander Jimmie Foster has continued a program that honors district commanders and district vice commanders who make regular visits to their posts.

Personal contact at this level sets an example for post membership workers to make the personal contacts necessary for successful membership programs.

In order to qualify for the award, district commanders and/or vice commanders must visit each post in his or her district during the year.

For districts with more than 30 posts, district vice commanders can assist in making post visits, but the district commander must visit at least 30.

A list of posts in a district can be obtained with the assistance of department headquarters. The list is mailed in spreadsheet format to each district commander.

At the completion of the 100-percent visit requirement, district commanders will send the completed spreadsheet to the department, and it will be forwarded to National Headquarters by Aug. 1.

www.legion.org/commander
Click on Post Visitation Award

Awards

District commanders who achieve the 100-percent visit requirement receive certificates recognizing their achievements. Additionally, qualifying districts will be split into five categories and given special prizes, based on drawings. Categories will separate districts by number of posts.

The district commander drawn from each category will receive a gift certificate from National Emblem Sales. The certificate amount will reflect the increased difficulty for larger districts.

Category 1 (up to 20 posts) – $100
Category 2 (21-35 posts) – $200
Category 3 (36-50 posts) – $300
Category 4 (51-65 posts) – $400
Category 5 (over 65 posts) – $500

Additionally, department commanders whose departments have all districts achieving the 100-percent requirement will receive special recognition at the 93rd National Convention.

MEMBERSHIP

Post Excellence Award continues

Purpose

National Commander Jimmie Foster has continued the Post Excellence Award program, which honors posts that show excellence in membership participation, youth activities, community service, and support to veterans and U.S. troops.

The award promotes membership growth, demonstrates Legion values to youth, and increases the Legion family's visibility through community-service projects. Many posts may already qualify for a Post Excellence Award because of their programs and activities.

Criteria

Standards to be achieved in each area include:

- **Membership** – Post membership must be at least one member greater than the previous year. Post officer must attend district meetings.
- **Youth Activities** – The post must sponsor and actively participate in at least one primary youth program: Boys State, Legion Baseball, Oratorical Contest, Boy Scouts of America or Junior Shooting Sports.
- **Community Service –** The post must organize a community-service project that involves Legion family members. Potential projects abound; for example, a post could focus on a Children & Youth service or fulfill a strictly local need. A monetary donation may be part of the project, but it does not constitute an entire project.
- **Service to Troops or Veterans** – The post must organize a project supporting troops or veterans, involving Legion family members outside the post. Projects could include Legion programs such as the Family Support Network or Heroes to Hometowns. Or they could simply help a local veteran with needed improvements to a home. A monetary donation may be part of the project, but it does not constitute an entire project.

www.legion.org/commander
Click on Post Awards

Certification

District commanders must certify posts as having fulfilled the four specified criteria. District commanders will submit a list of posts meeting the criteria to department headquarters. The list should include the post name, post number, address and commander's name. Ideally, the last two criteria are accompanied with copies of press releases submitted to local media that raise awareness for the projects. This ensures the projects were not only accomplished but that an attempt was made to enhance The American Legion's image. The copy submitted should include a date-time stamp showing receipt by the media outlet. The department adjutant will transmit information as posts qualify.

Each qualifying post receives a certificate of recognition, mailed to the department and awarded to the post. District commanders whose districts have 50 percent or more posts reaching certification receive framed certificates recognizing their achievements. District commanders whose districts achieve the highest percentage of recognized posts will receive additional awards. In the event of a tie within a department, all district commanders with the same percentage will receive recognition.

MEMBERSHIP

Post start-up/revitalization successes

Post 72, Macon, Ill.: Post 72 has been in existence since 1925. Macon's population is around 1,200, and the post's highest membership was around 130, many years ago. The post owns its own facility, but membership had dwindled to 19 for the 2011 membership year. While they have achieved near or at 100-percent membership totals recently, that did not bring them to an active-post status.

The post hadn't had a meeting in many months, and the only current program they were involved with was donating to the local food bank at Christmas. A request was made to the district to revitalize the post, not only to increase its membership, but also to bring their post back to prominence in the community.

In a joint effort between national staff, volunteers, and local and district Legionnaires, more than 100 contacts were made, either over the phone or in person, with veterans who were either delinquent or members of Headquarters Post 2910. News releases were featured in the *Decatur Herald & Review* and neighborhood paper the *Golden Prairie News*. The district service officer was on hand during the last day of the revitalization effort to address any issues veterans or their families had.

As a result of the effort, 19 more members were added to the post. The post plans on having a bigger event meeting in March, to allow it to increase awareness in the community.

The last three people who joined are under 35 – an individual and a husband-and-wife team – and expressed the desire to be active to show their children what the Legion is through its programs, activities and events.

MEMBERSHIP

Lucky 7 incentive program

During the 2010-2011 membership year, National Commander Jimmie Foster will award his National Commander pin to any Legion family member who signs up at least two new members and renews five current members into The American Legion.

A "new member" is defined as any eligible person joining for the 2011 membership year who was not a member of The American Legion during the 2010 membership year.

National Commander Foster's goal is to recognize those in the Legion family who actively recruit new members into the world's largest veterans service organization for the 2011 membership year. To maintain the integrity of the National Commander's pin incentive program, only one will be awarded per individual.

www.legion.org/documents/legion/word/Foster2011IncentivePinForm.doc

Certification forms for this program can be submitted at any time. Upon receipt, national membership staff will confirm the names and mail the pin directly to the Legionnaire. National Commander Foster's "Lucky 7" pin incentive program will end on June 30, 2011 – or when supplies are exhausted.

"LUCKY 7" PIN CERTIFICATION FORM

Send to ***The American Legion, National Membership Division, P.O. Box 1055, Indianapolis, IN 46206,*** *or fax to* ***(317) 630-1413***

Recruiter's ame N Date

Membership number

Street address

City/state/ZIP

Phone number

TO QUALIFY YOU NEED TO LIST AT LEAST TWO (2) NEW MEMBERS AND (5) RENEWALS.
(include full name, post and membership number)

1.

2.

3.

4.

5.

6.

7.

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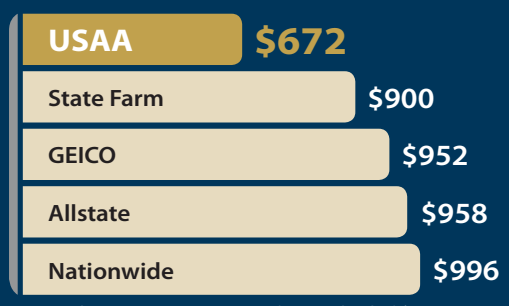

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