You can’t blame the military for your being fat, according to a new VA ruling

By: Jim Absher, Military.com April 08, 2019, taken from T&P April 8, 2019 issue

Editor’s Note: This article by Jim Absher originally appeared on Military.com, a leading source of news for the military and veteran community.

Obesity cannot be considered a service-connected disability, according to a new ruling by the Department of Veterans Affairs General Counsel expected to be published in the April 8, 2019, edition of the Federal Register.

The new ruling, among several precedent opinions set to be included, reinforces the VA’s long-standing opinion that obesity isn’t a disease or injury according to the law for wartime or peacetime compensation and can’t be considered directly related to military service for compensation purposes.

So why does the VA reject obesity as a service-connected disability if Medicare covers obesity treatment and the Centers for Disease Control and National Institutes of Health both say obesity is a disease?

While the VA treats obesity as a disease for which treatment is warranted, the distinction is in the words “service-connected.” The VA simply does not see it as a condition that was a result of military service, and therefore for which compensation is payable.

The VA estimates that 78% of veterans are obese, and it does offer several treatment programs for obese vets. However, the new opinion means it won’t pay compensation for it anytime soon.

But the determination could be a good thing, at least for the current force. We all have heard of people getting kicked out of the military for being overweight. This ruling by the VA means that obesity can’t be considered willful misconduct when making line-of-duty determinations for other disabilities.

And blocking it as a service-connected disability doesn’t mean that it isn’t what’s known as an “extra-schedular rating,” or a rating that can be tagged onto an existing disability, the General Counsel has ruled.

For example, you may be rated 40% because of Agent Orange related diabetes but the diabetes may cause obesity so you may be able to get an extra-schedular rating and increase your disability to 50%.

Also, obesity may be so bad that it has life-altering consequences. That may be considered when determining an overall rating if there are other qualifying disabilities. It may be considered an “intermediate step” between a non-service-connected and service-connected disability when considered with other disabilities.

In their ruling, the lawyers said that since obesity “occurs over time and is based on various external and internal factors, as opposed to being a discrete incident or occurrence, or a series of discrete incidents or occurrences,” the condition may be reversed by treatment before it becomes disabling.

So, while obesity can, and should, be considered a disease since it is a treatable condition that results in other, more serious health conditions, it shouldn’t be considered a disease when you are trying to blame it on your military service.

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The words homeless and Veteran should never be used together.

Call VA's toll-free hotline: 1-877-424-3838 (1-877-4AID-VET) or visit our website.

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Still Serving America
Do you have an ongoing program or activity that serves your community?
Do you have a friend or relative that goes above and beyond the call of duty to help others?
Drop us a line and tell us what your story is or how you or this person is demonstrating that they are Still Serving America, but must be received by the 10th of the month, the month prior.
In submitting your information, please be sure to include your full name, address and telephone number. There's a good chance the information you send us will make it into The Observer. Please send to: Still Serving America, The American Legion, 7465 East 1st Ave. Ste D Denver, CO 80230.
Generations have come and gone. They were men and women who raised their right hands and swore to defend our nation in uniform. They followed and gave orders that could, at any moment, end their lives. For many, such was their destiny.

Millions more came home from wartime service, took off their uniforms, pulled on American Legion caps and devoted themselves to community, state and nation. They honored their brothers and sisters in arms who did not come home. They vowed to search for the missing. They cared for families who lost loved ones. They fought in Washington for men and women who became disabled, unable to advocate on their own behalf due to wartime wounds, some invisible. They instilled hope and pride among young people whose futures of liberty were purchased on distant battlefields, seas and skies.

Their programs and services revolved not around the combat they endured but around citizenship, compassion, respect, fairness and unity. This was, and still is, the legacy of our American Legion forebears.

It is a fitting tribute to all Legionnaires who came before us that the U.S. Mint has struck a commemorative coin set to honor our organization and all it has meant to America. And it is a testament to the Legion’s identity that the congressional legislation necessary to authorize the centennial coin had more co-sponsors – 385 in the House and 75 in the Senate – than any commemorative coin bill in history.

I cannot imagine the challenge of trying to engrave onto one coin, or even a set of coins, The American Legion’s legacy. Our story began in Paris over a century ago after a hard-won world war victory that sent more than 117,000 Americans to their graves and disabled hundreds of thousands more. It is a story that evolved in the years and decades that followed, to support innumerable young people who would come to appreciate U.S. military service, freedom and the flag to which they pledge allegiance. And so, on these coins, the legacy of our American Legion predecessors is etched into the faces of children honoring the flag, into the finely detailed wings of a bald eagle, the V for victory in the Great War, the Eiffel Tower in the city of our founding, and the emblem designed and patented by Lt. Col. Eric Fisher Wood, an author and engineer who volunteered to fight for his country and then served as first secretary of The American Legion.

The founders are all gone now. The peace they fought to keep proved fleeting. Fisher Wood was recalled and commissioned a brigadier general in World War II, and was in theater when his son, a lieutenant, died during the Battle of the Bulge. Such was his destiny and the price we all know must occasionally be paid to protect the futures of generations yet to come.

Much less fleeting are the values and ideals of The American Legion, which have been immortalized in memorials, monuments and now a coin set that will outlive us all and, hopefully, remind future citizens not only what is done when the flag of our nation passes, but why and in whose honor.

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Help Our Nation's Veterans

Make the Call!
Learn more about what VA has to offer!
1-877-424-3838 (1-877-4AID-VET)
VA Home Front
www.va.gov/homeless
Honoring our fallen, both on the battlefield and after!

By: Robb Smith, Department Commander

This month many of Legion Families will pay tribute and conduct ceremonies to those who have fought and died in our nation’s wars during the numerous community Memorial Day Remembrance events across Colorado. It’s what we do, we will never forget their sacrifice and will forever honor their courage.

This holiday will guarantee a tear in my eye as it does for many of you. I served in two wars and have lost friends that meant a lot to me. I will never forget them and will always thank God that they were in my life and I had the privilege to serve with them.

Catastrophic wounds in combat took many lives on the battlefield, but I think we forget about the scaring that occurs on the soul during combat that never gets treatment or resolved. It manifests in alcohol and drug abuse, failed relationships and many times, it takes the lives of these brave warriors by their own hand.

Our current veteran suicide rates have surpassed our battlefield losses in this current War on Terror, both Iraq and Afghanistan.

The Department of Veterans Affairs estimates that 20-22 Veterans per day die from suicide. This is one loss every 65-72 minutes, totaling 7,300-8,030 deaths per year, nearly 20 percent of all suicides in the United States. The biggest age spikes are over 50 years old and 18-25. These are statistics that makes us feel powerless to resolve. Sometimes we get lucky and have a slim chance of interfering in the crisis and getting the situation turned around, but in most cases, we never see it coming. We are left devastated and asking, “Why?”, or “How did we miss the signs?” Veteran suicide takes some of our greatest American heroes and leaves behind a gaping hole in the hearts of devastated families and friends forever.

One small act can make a difference. Show your support for Veterans and Service members who may be in crisis and spread the word about The Power of 1. Veterans, Service members, and their loved ones can call 1-800-273-8255 and Press 1, send a text message to 838255, or www.VeteransCrisisLine.net/chat to receive free, confidential support 24 hours a day, 7 days a week, 365 days a year, even if they are not registered with VA or enrolled in VA health care.

This situation will not improve by itself; we need to be part of the solution (Remember…BPOTS!), let’s look for the signs and work together to turn this statistic around.

HOOAH!!
TEAM COLORADO,

Colorado American Legion Membership is rocking for 2019 and we don’t want to stop now! Our sights are on 100% on May 8, 2019. We are headed for the checkered flag in the RACE TO THE CENTENNIAL! Will your Post be 100%? You can help by asking your friends to renew or join your Post.

Will you recruit one New Member today?

Now is the time to reach out to those members who have not renewed for 2019 as their membership and benefits in our great organization are expired. Our members are the backbone of our organization and we need each one of you. We need 1725 members to reach our 100% for our 100th Department Convention.

Are you planning to attend the 100th Department Convention, June 20-23, 2019 in Colorado Springs? Membership Awards will be presented on Saturday June 22, 2019 during the membership Luncheon, make sure you get your tickets. This lunch is open to every member of The American Legion. I hope that you plan to attend and get the recognition that you all deserve for the hard work and dedication that you have put into working membership in 2019.

Are you working the list of 2014-2016 expired members? How many has your Post got to re-join? Don’t forget about the $5.00 per member incentive from National this ends May 8, 2019.

Don’t forget that every member that signs up a new member into your Post is eligible for the $100 cash drawing on the target dates, we still have 1 more drawing left, get those names submitted to PNC Bock at pncbock@coloradolegion.org

PAID UP FOR LIFE MEMBERSHIP DRAWING, recruit 5 new members into The American Legion and have your name entered a drawing for a PUFL Membership in 2019. Please get those names submitted to PNC Bock at pncbock@coloradolegion.org

DMS 211 Members need to be transferred into a local Post, please contact PNC Bock to get your list today. Let’s get these members engaged into your Post. Just call them up or email the members and ask them to transfer to your Post.

Membership Incentive for 2019! Posts that achieve 105%+ Membership by the May 8, 2019 Target Date will be awarded 1 Colorado TEAM 100 Jacket to their Post Commander or the Commanders designated representative, these jackets will be awarded to Posts that have a minimum of 15 members and show a 5% growth for our Centennial Year.

WE HAVE 27 POSTS THAT HAVE ACHIEVE 105%, WILL YOUR POST GET THE LIMITED-EDITION COLORADO TEAM 100 JACKET?

Membership in the Largest Veterans Service Organization, The American Legion, is the best value to our Veterans and our local Community. We need to just ask. Just Ask if they are a member of The American Legion. Share your WHY…… WHY are you a member of this great organization? There are other Veterans that believe the same that you and I do. JUST ASK THEM TO JOIN!

In closing I would like to ask each of you for your support as I seek the office of Department Commander for 2019-2020. Let’s join forces and RE IGNITE PATRIOTISM IN COLORADO, because TOGETHER WE CAN MAKE A DIFFERENCE.
The 53rd Annual Legionnaires Trust meeting

By: Pat Smith, Department Adjutant

The 53rd annual Legionnaire Insurance Trust (LIT) meeting was held in Tampa, Florida April 15-17, 2019. As the Colorado Trust Director I was in attendance for this historic meeting.

The Legionnaire Trust Program is committed to serving the needs of all Colorado Legionnaires and their families. They are the Department of Colorado’s preferred insurance provider. When you apply for any of the LIT insurance products you get quality service from a company that understands member’s needs. That is their promise to you.

Founded in 1965 the non-profit Legionnaire Insurance Trust is comprised of 50 Departments of The American Legion representing over 1.8 million members. Currently over 500,000 members are enrolled in some sort of LIT product.

What makes LIT different from other providers is that a certain percentage of your premium comes back to the Department. Colorado joined the program in 1993 and to date has earned $1,032,000 from the trust. These allocations have helped by funding your department vital Legion programs and activities. Since its inception the LIT has distributed over $87 million to departments. They have paid out over $1 billion in claims to our members.

Funding these programs and activities give us the opportunity to honor the past and help give purpose to Legion families and future generations. You can help us continue our success with LIT and inspire others to do the same.

As a member of the Legion family, you are eligible for up to $5,000 in a NO COST to you Accidental Death Protection coverage. This benefit is offered to all members of the Legion Family, Legion, Auxiliary and Sons. The reason there is NO Cost is that the LIT picks up the cost of the premium. The benefit to your beneficiary is $1,000 if your death occurs accidentally for any reason or $5,000 if you are on American Legion business during that occurrence.

You can sign up on our website at www.colorad legion.org, click on the Sponsor tab and then the LIT logo.

The LIT offers Supplemental Health and Accident plans to all Legion members. Over their years of experience, and their valued partnerships with Legion Departments they have been able to customize programs and products to better serve our members.

The impressive part of the LIT is that during 2018 they received over 19,000 claim calls at their call center in Scottsdale, AZ. Of those calls 74% of them were answered within 60 seconds. When was the last time you called a customer service line and were put on hold, for it seems like forever? That doesn’t happen at LIT.

I said earlier that this meeting was historic. For Colorado, we received the largest check for our participation in our history with LIT. Thanks to you, our check was for $71,516.37. Shown in the picture, L to R, are Chris Burke, CEO and President of AGIA, Trust Director Pat Smith, LIT board Chairman Braxton Bridgers and Wayne Stevens, managing director of LIT.

At LIT the mission is to take care of you and your family with the best, and lowest cost, plans specifically designed to protect America’s veterans. You can count on LIT to be there for you.

Thanks for your support during 2018. We look forward to your participation in 2019. Together we will have another banner year.
It’s that time of year for the new officers to take their position of office. Occasionally, it’s not always easy to have these positions of responsibility filled. Some take the position with honor, respect and understanding. Knowing there will be new challenges, they are reaching for new heights and opportunities, they accept the position of office with fortitude and a willingness to persevere. The position of office does not always come easy and at times it is not always easy to be filled. It takes conviction and dedication to uphold the position of office.

Understandably, like in our civilian occupation, like that of our military service, advancement is one the individual works hard for and it is earned. It takes a committed level of dedication in order to be prepared for the next level of responsibility. Justifiably, no person goes straight from a high school student then becomes CEO of a major company without time, hard work, commitment and experience.

Many have either witnessed or experienced occasions when a person has stepped up to accept the position only to fill the open gap. It is fortunate, the person sincerely wanted to help the Post or District even if he / she had no knowledge of the position of office. They might receive an officer’s hand book if they are lucky, there is minimal training but the pay is your own reward and fulfillment for doing the job the best they can. What we do rely on is our own education within the organization, and our past leadership through mentorship that is shared and passed down. Last but not least, we rely on the strength and support of those around us.

Mentorship starts with you, the Chairman of a program, or the person who holds a position of office, and certainly it is true for our Past Commanders. Mentorship is a “Hands-On” approach to training. Mentorship touches all five senses of training. The mentee will be able to see, touch, hear, feel and yes even smell everything you experience. Mentorship is a proven method of successful training. Mentorship can be personalized to your environment regardless of the experience one may have. Take a moment and think back to when you were the new employee at a new job and someone took the time to show you the ropes. Mentorship allows us to train one or many at one time, once a month or multiple times in a year. The point is Mentorship is priceless, giving you and the mentee lifelong experiences to grow and build on. “A mentor is someone who sees more talent and ability within you than you see in yourself and helps brings it out in you” Bob Proctor.

Each member has the opportunity to achieve a position of office. However, it’s up to mentors who have previously held such a position of office to reassure that that they are successful and that our Post / District and yes even the Department will always be replenished with new officers in the future and the success of the American Legion for future generations to come.

To You I say “Congratulations to all those who accept the position of office throughout the state”. You have been entrusted by the members of your Post or District, and to the Commanders “Commander; to you is entrusted supervision of the duties of all other officers of the Post.” Again, Congratulations to all.
March is upon us and hopefully spring is finally nearing. We have all had a long winter and with the weather changing, now is the time to get out and show why we are The American Legion, and how other veterans can help us and their fellow veterans.

My dad used to tell me “when doing a job, be the best at it, you don’t have to be the best at a lot of everything else just that one thing”. As many have heard of the famous following quote as well “leave things better than they were when you took over”. How many of us have heard of these quotes? How many of us are a jack of all trades and master of none?

How many posts “Work the Programs” and have a focus? Do you sometimes feel overwhelmed with too many programs for the amount of participants at your post? Often do you have so much going on that programs are there but don’t work very well (probably due to a lack of attention and focus).

We all need to remember that we, or our posts cannot take on every possible program and make it work successfully. But we can focus on programs that serve our communities and are within the posts capabilities to support it with the best we have to offer, giving a particular program the ability to create a better environment than existed prior to it being offered.

The list of American Legion programs can be very deep. But if you are a small post then try this. Pick on program from each of the 4 pillars. They don’t have to be big and elaborate to make a difference in your community. One Children and Youth project, One National Defense Program, One Americanism Program and One Veteran Affairs and Rehabilitation Program.

The Children and Youth could be so simple as supporting your local backpack meals program for children whose families can’t provide those much needed meals to children. This can be in volunteer hours in putting these meals together or through donations.

A national defense program is supporting our local Guard and reservist. Help with care packages and cheer them on when we send them to duty and welcome them home when they return.

Simple Americanism is such as performing Flag ceremonies at schools, churches and the many community organizations.

Helping with Veterans Affairs and Rehabilitation is one of importance, but yet can be as simple as having a service officer that can refer the veteran to where he can go to get help on many questions they have as well as the many services that are offered that often the average veteran may not be aware of. Offer your local cemeteries and mortuaries the availability of being able to provide military honors to veterans that have answered that final call. If you need to; team up with other veteran organizations so that an honor guard can be provided.

Often it isn’t how much we have to offer, but how well we can offer it that makes the true impact. Regardless of how small or how big always remember to “Work the Programs” and leave things better than when we arrived.

My Job, My focus, is The American Legion of Colorado. And I am asking for your support to help me accomplish a great year as your next Senior Vice Commander.
The American Legion Amateur Radio

By: Chip Kossow, Department Jr. Vice Commander

The American Legion Amateur Radio has made it to Colorado. Post 209, Colorado Springs, recently started an Amateur Radio Club. The first one in Colorado. Currently there are 37 other programs throughout The American Legion with 4 more starting, including Post 209’s program.

Post 209 held their start up meeting on 22 March 2019. They approved the Articles of Organization and By Laws and elected Officers. The 10 interested members present ranged from experienced and licensed radio operators to the novice. Newly elected Club President Jonathan Davis talked through the procedures for becoming licensed amateur radio operators and having a licensed radio station. He also talked about partnering with other amateur clubs in the local area to expand the club’s opportunities and network. Club Vice President George Johnson said there is more to amateur radio than just talking on a radio. He currently works with Boy Scouts mentoring them to earn the Radio Merit Badge, which works well since the Post sponsors scouting. VP Johnson also relayed a situation from the recent blizzard where he assisted another radio operator to make contact with his family. The guy lives where he needs a cell booster to make calls and his booster had blown away. One of the first actions club members will take on is identify their mission statement.

The Federal Communication Commission (FCC) is the governing body for licensing operators. There are approximately 700,000 licensed operators in the US. The current license classifications are Technician for basic operator, General for the more experienced operators, and the expert classification is Extra. Each classification has an exam with a difficulty level commensurate with the level of license.

According to The American Legion’s National Security Commission, in the 1930s, TAL encouraged posts to form amateur radio groups to support civil defense. The American Legion even published and distributed an instructional radio course in the 1950s. Posts around the country became involved in ham radio; the American Legion Amateur Radio Network was on the air across the nation. At the 2010 National Convention resolution. Resolution No. 134, “The American Legion Role in Homeland Security,” urges Legionnaires, posts and departments to assist in homeland security efforts in communities, for example, by developing emergency kits and plans; by remaining informed and assisting families, schools, workplaces and communities in developing emergency plans and checklists; and by reporting suspicious activity or working with community-based organizations. In support of this resolution and previous resolutions on the same subject, the Legion’s Public Relations Commission published a pamphlet on “Disaster Preparedness and Response,” which outlines steps every post can take to be ready to respond effectively during civil or natural disasters.

The American Legion Amateur Radio Club, TALARC, is open to all members of the Legion family. Information can be found at Legion.org/hamradio on ham radio basics, club events, and all the resources necessary to start your Post’s club.
My first thing I have for you is a question: HAS GOD BEEN GOOD TO YOU?? Think about it before you answer it. As May approaches, many of the districts have had their district meetings. I pray that all of those elected to serve this coming year will allow God to guide them in all of their dealings. With God’s guidance and strength, you cannot go wrong. Again like all of the years that I have been your department Chaplain, it is always hard to make a choice as to which district meeting to attend. I know that the spring meeting the districts chose what they want, but I still feel that there should be some control over the scheduling of these meetings. As an example: if each district would turn in two dates for their meeting, department can look at it and say which would be the best time for them to have their meeting. There still will be over lapping, but not like we had this past year. This past year we had three districts meeting on the same date and this happened twice. There were three times when two districts met on the same day. See what I mean about not having control over the scheduling of these meetings. Maybe DEC should look at this more closely. I am not saying that the districts give up control over the spring meeting, it’s just that somehow there needs to be a central point of control for scheduling. I hope that all of you that attended these district meetings got a lot out of it. I want to let all of you know that I will be running for re-election at the June annual convention. I would appreciate your vote. Also at the annual convention, there will be a nondenominational worship service and not a department memorial service, this was done at midyear.

Hebrews 11: 1,3,6 says: “Faith means being sure of the things we hope for and knowing that something is real even if we do not see it----it is by faith we understand that the whole world was made by God’s command, so what we see was made by something that cannot be seen----without faith, no one can please God. Anyone who comes to God must believe that he is real and that he rewards those who truly want to find him.” Then Romans 1: 17 says: “The Good news shows how God makes people right with himself---that it begins and ends with faith. As the Scripture says, but those who are right with God will live by trusting in HIM.” And finally, 2 Corinthians 4: 8-9, 16-18 says: “We have troubles all around us, but we are not defeated. We do not know what to do, but we do not give up the hope of living. We are persecuted, but God does not leave us. We are hurt sometimes, but we are not destroyed--so we do not give up. Our physical body is becoming older and weaker, but our spirit inside us is made new every day. We have small troubles for a while now, but they are helping us gain eternal glory that is much greater than the troubles. We set our eyes not on what we see, but on what we cannot see,”

And, my good friend Max Lucado says it best: “Faith is the belief that God is real and that God is good----it is a choice to believe that the one who made it all, hasn’t left us all and that HE still sends light into the shadows and responds to gestures of faith. Faith is the belief that God will do what is right. God says that the more hopeless your circumstances, the more likely your salvation. The greater your cares, the more genuine your prayers. The darker the room, the greater the need for light. God’s help is near and always available, but it is only given to those who seek it.” Prayer: “Father, help us renew our commitment to you, to release everything and to be owned and possessed by you. We long to submit ourselves to you, so that we might know the holy freedom available to us only through your grace.”

Faith is something that many of us, and me included, do not have much of. Many times it is very hard to have faith when trouble hits you. We always get defensive and want to strike back. To have faith in God is what many of us really should have and lack it because we only think in terms of what is real. There are many times that I myself have told God, YES I have faith that you will only do what is right for me. But many times I forget it after a short while. To keep the faith is something that God wants us all to have in HIM. It’s not easy but we MUST keep trying and have lots of faith that HE will only do what is good for all of us. KEEP THE FAITH!!!!

My last three words to all of you are: GO TO CHURCH!!!!!
I was asked many times last month why I did not focus on Women's History month for this column. Just trying to be inclusive in all my articles is my response. I guess that wasn’t a satisfying response. So, here is some Women’s History you may not have heard of.

Did you know? During WWII, 1074 WASPs flew military aircraft some 60 million miles.

Did you know? Some 50,000 women served in the military during the Korean War, with some 1000 Army, Navy and Air Force nurses in-theater.

Did you know? Since Oct 7, 2001, 1035 US servicewomen have been wound-in-action in the wars in Afghanistan and Iraq.

Did you know? Women represented 2% of the US enlisted force and 8% of the officer corps in 1973. Today it is 16% of the enlisted force and 18% of the officer corps.

Did you know? US servicewomen were permitted to fly non-combat aircraft in 1973. The law prohibiting women aboard combat aircraft was repealed in 1991.

Did you know? Nearly 40,000 US servicewomen served during World War II

Did you know? The US Secretary of Defense rescinded the combat exclusion policy in 2013: and in December 2016, declared all combat jobs open to women.

Did you know? The role of women on the battlefield expanded with the Lioness Teams in 2003, and again with the Female Engagement Teams (FET) in 2009.

Did you know? US female Sailors and Marines were permitted to serve on non-combat ships in 1978; and on combat ships in 1993, when the law prohibiting women aboard combat ships was repealed.

Did you know? US servicewomen casualties from the wars in Afghanistan and Iraq total 169.

Did you know? Nearly 10% of America’s veterans, a reported 1,882,848 are women.

Did you know? From 1943 to 1948, more than 124,000 women graduated from the USPHS Cadet Nurse Program. That to the advocacy of First Lady Eleanor Roosevelt, more than 3200 were minorities.

And finally, did you know your Post’s History Books are due to Department Headquarters for judging?
Letter of Endorsement for Dean Noechel

Neal Thomas Jr, Centennial
Post 209 PO Box 25334
Colorado Springs, Co 80936
Phone: (719) 599-8624

To: Legionnaires in the Department of Colorado
From: Marsilino Calica, Commander
Subject: Letter of Endorsement for Dean Noechel to Department Commander Fellow Legionnaires;

Representing over 1000 members of Neal Thomas Jr, Centennial Post 209, I take great pleasure to endorse Dean Noechel as your 100th Department Commander.

Dean has faithfully served in many leadership capacities at the Post, District, Department and National levels, including Commander of American Legion Post 38 and District 7. Dean is a Race to The Top District 7 Commander 2015-2016, Legionnaire of the Year 2017, Silver Brigade Recruiter 2017, Gold Brigade Recruiter 2018, National Media and Communications Commission Member and is currently serving as your Department Senior Vice Commander, Membership Chairman and DEC Chairman.

Dean relentlessly supports the American Legion family and the 4 Pillars on which The American Legion stands. His ethics are unwavering, and he has a proven history of success in everything he undertakes. It is apparent to anyone who knows him that he loves helping Veterans, and by extension, The American Legion Family.

This endorsement of Dean Noechel for Department Commander was approved by the membership of Neal Thomas Jr. Centennial Post 209, District 7, Department of Colorado, The American Legion, at a regular meeting held in Colorado Springs, CO on January 12, 2019.

Please join American Legion Neal Thomas Jr, Centennial Post 209 in supporting Dean Noechel as your 100th Department of Colorado Commander.

For God and Country,

Marsilino Calica, Commander
Neal Thomas Jr. Centennial Post 209
The American Legion Department of Colorado

WORDS OF WISDOM

Nothing strengthens authority so much as silence.
LEONARDO DA VINCI

Taken from The Epoch Times Morning Brief
April 25, 2019
To: The American Legion Department of Colorado
From: Post 65
Subject: Post 65 TAL-CO Senior Vice Commander Endorsement

During the Post membership meeting held on 18 February 2019 it was voted and approved to endorse Gregory E. Jackson as a Candidate for the 2019-2020 year as Senior Vice Commander for the Department of Colorado American Legion.

Members in attendance at the meeting were:
- Earnest Forsythe III
- Shawn Sheire
- Andrew Schroeder
- Joe Brown
- Daniel Jones
- Louise Ware
- James Westergren
- David Rowland
- Jason Welch
- David Eddleman
- James Baker
- Elby Rousch

Greg Jackson’s positions within the American Legion include:
- Post Sergeant of Arms, Post Historian, Post Commander,
- American legion Riders Secretary and Treasure
- Department executive committee for District 11
- Department of Colorado Jr.Vice Commander.

He has attended The American Legion Membership Workshop, and NALC, and is also a national Americanism committee member.

He is vital in assisting with post revitalizing efforts and has objectives of meeting with every post within his region. He believes in The American Legion and the 4 Pillars and advocates this in all he does everyday.

He has made a big impact in his post (65) and district (11) and has many other posts and districts throughout Colorado that are supporting him with us in the recommendation for candidacy. We feel that with him having the time (retired) and availability that he will represent All of Colorado including the far corners of Western Colorado on a daily basis.

Respectfully submitted,

Earnest R. Forsythe III
Post 65, Harry A. White, Adjutant
Letter of Endorsement for Anthony (Tony) Jones

The American Legion
Department of Colorado

Subject: Department of Colorado Candidate Endorsement Policy

Greetings Colorado Legionnaires,

It is my pleasure to present Anthony (Tony) Jones, Sr. as candidate for Department of Colorado Jr. Vice Commander. During the March 12, 2019, Post 1 membership meeting, endorsement of Tony was approved.

Tony served 22 years in the U.S. Army and has been a Legionnaire member of LCW Post 1 for 5 years and has served as Jr. Vice Commander, Sr. Vice Commander, Post Commander, is currently an Executive Board member of Post 1, and a Department of Colorado Jr. Vice Commander. He is also an Americanism Officer at the National level, representing Colorado.

Tony holds a BS degree from UC-Berkeley and has owned three businesses. He has been married to his wife, Vickie, for 46 years; they have two sons, one granddaughter and a grandson (currently serving as an Airborne/Ranger).

This candidate is dedicated to Legion programs and helping veterans. Please join The American Legion Leyden-Chiles-Wickersham Post 1 in supporting Anthony (Tony) Jones, Sr. as a Department of Colorado Jr. Vice Commander.

For God and Country,
Thomas Yagley
Thomas Yagley, Commander
LCW Post 1

National Veterans Employment & Education Commission

Topic 1: Economy

The economy added 196,000 jobs in March, beating analyst predictions and bouncing back after a dismal February report of just 20,000 job gains.

The unemployment rate remained steady at 3.8 percent, still the lowest level in almost 50 years, but wages increased by 0.14 percent for the month and 3.2 percent year on year.

The March employment data, released Friday by the Bureau of Labor Statistics, had been hotly anticipated by Wall Street and economists, who are training their eyes on any sign that a recession is ahead.

While the economy gained an average of 225,000 jobs a month last year, the February jobs report it set off alarm bells — despite assertions from the White House that the number was a fluke due to the five-week-long partial government shutdown and weather-related issues. Analysts had been predicting 175,000 jobs gained for March. February’s employment figure, which the BLS revised slightly upward to 33,000 on Friday, contributed to rising concerns about whether the Federal Reserve should rein in interest rates.

The Fed raised its benchmark borrowing rate four times last year, drawing ire from President Donald Trump, but has so far indicated no further hikes in 2019.

“'A good March report shows that February was more of an outlier than a canary in the coal mine,'” said Steve Rick, chief economist at CUNA Mutual Group.

Economic growth in the U.S. is expected to slow this year as the wider global economy cools and the impact of Trump’s $1.5 trillion fiscal stimulus plan begins to fade. A months long trade war between the U.S. and China continues to weigh on global economic growth.

“The growth is losing the momentum that we had hoped for pretty much across the globe,” said International Monetary Fund Managing Director Christine Lagarde earlier this week, noting that the global economy is in “a delicate moment.”

“The U.S. is not immune to the deceleration anymore,” she said.
Letter of Endorsement for the Original Jay Bowen

Neal Thomas Jr, Centennial Post 209
PO Box 25334
Colorado Springs, Co 80936
Phone: (719) 599-8624

To: Legionnaires in the Department of Colorado
From: Marsilino Calica, Commander
Subject: Letter of Endorsement for Jay Bowen to continue serving as the Alternate National Executive Committeeman

Fellow Legionnaires;

Representing over 1,000 members of Neal Thomas Jr, Centennial Post 209, I take great pleasure to endorse Jay Bowen for re-election to continue serving as the Alternate National Executive Committeeman.

Jay has faithfully served in many leadership capacities at the Post, District, Department, and National levels, including Commander of American Legion Post 209, District 7, and the Department of Colorado. Jay was the 2016 Legionnaire of the Year. Aside from his current duties serving as our Alternate National Executive Committeeman, he is also serving as the Department Americanism Chairman, Vice President for Colorado American Legion Boys State, and he is serving on the National Americanism Commission.

Jay relentlessly supports the American Legion family and the 4 Pillars on which The American Legion stands. His ethics are unwavering, and he has a proven history of success in everything he undertakes. It is apparent to anyone who knows him that he loves helping Veterans, and by extension, The American Legion Family.

This endorsement of Jay Bowen for Alternate National Executive Committeeman was approved by the membership of Neal Thomas Jr. Centennial Post 209, District 7, Department of Colorado, The American Legion, at a regular meeting held in Colorado Springs, CO on January 12, 2019.

Please join American Legion Neal Thomas Jr, Centennial Post 209 in supporting Jay Bowen’s re-election as your Department of Colorado Alternate National Executive Committeeman.

For God and Country

Marsilino Calica
Commander
Neal Thomas Jr. Centennial Post 209 The American Legion
Department of Colorado

Are you a homeless Veteran? At risk or know someone who is?
The words homeless and Veteran should never be used together.

Call VA’s toll-free hotline: 1-877-424-3838 (1-877-4AID-VET)
or visit our website.
Letter of Endorsement for Deborah (Deb) Davis

Helen K. Osmundson
Post 206, Aurora
4546 S. Logan Street
Englewood, CO 80113

On this date, February 19th, 2019, the general membership of Helen K. Osmundson, Post 206 formally endorsed Deborah A. Davis for the position of 2019-2020 Department of Colorado Historian.

Deborah (Deb) Davis has been a member of The American Legion and this post since 2014. She has held the officer positions of Service Officer – 1 year, Adjutant – 2 years, Historian – 2 years, Finance Officer – 3 years and Commander – 3 Years. She has also served on numerous post and Department committees.

She has been instrumental in implementing programs such as the Bi-Annual Female Veterans Workshops, parade participation in both the Denver Veterans Day Parade and the Memorial Day Parade in Commerce City. Deb co-organized the adoption of the Odyssey House Apartments for homeless female veterans and for the past 3 years has helped to ensure the residents had gifts for Christmas and supplies for their loan closet. She has also volunteered at the Denver Stand Down for Homeless for 2 years and has handed out gift cards, blankets, knitted caps and scarves to the women veterans.

As Commander of Post 206; she has ensured new officers were trained and had all the help they needed to do their jobs. She also ensures that the dual members help Unit 1 with projects. And finally, Deb has been the Department of Colorado Historian for the past 2 years; resulting in 3rd Place for the Nation American Legion History Book contest.

BETTY JANTZ, Adjutant

Letter of Endorsement for Stan Hamamoto

Neal Thomas Jr, Centennial Post 209
PO Box 25334
Colorado Springs, Co 80936
Phone: (719) 599-8624
Website: www.legion209.org

April 10, 2019

RE: Endorsement of Pastor Stan Hamamoto for Department Chaplain

Post 209 would like to endorse Pastor Stan Hamamoto for Department Chaplain. Pastor Stan exemplifies service before self by caring for all American Legion Family members and is always willing to help others in times of death, illness, and family problems.

Pastor has been a minister for 18 years, a Chaplain for 6 years, and has been ordained a minister of the Christian National Church. Pastor Stan has been the Department of Colorado Chaplain from 2015 -Present.

Post 209 takes great pleasure in endorsing Pastor Stan Hamamoto for Department Chaplain.

Respectfully,

Marsilino Calica Commander
Neal Thomas Jr. Centennial Post 209 The American Legion
Department of Colorado

Stan Hamamoto
Letter of Endorsement for Tony Abbott

DEPARTMENT OF COLORADO POST #2000 PO BOX 2836
LOVELAND, COLORADO. 80539 WEBSITE post2000.coamlegion.org/

April 9, 2019

The members of The American Legion Post 2000 Loveland, Colorado proudly endorses Anthony Abbott for Sergeant at Arms for Department of Colorado.

He has been a dedicated member of our post since it was chartered. He demonstrates high motivation for the office he has held for the last year. I believe he will continue to be an outstanding SGT at Arms for the Department.

The American Legion,
Department of Colorado, Post #2000

Neitha M Schneider
Post #2000, Commander

Letter of Endorsement for Chip Kossow

Dane R. Balcon Post 2008
Falcon, CO 80831
Michael Barger
District 7 Commander

10 April 2019

At a regularly scheduled meeting on 27 March 2019, the membership of Post 2008 proudly endorsed the candidacy of Chip Kossow for the office of Department Junior Vice Commander for the year of 2019-2020.

Chip currently serves The American Legion as the Department Junior Vice Commander. He was a 100% District 7 Commander for the 2017-2018 year. Other District 7 positions were Senior Vice Commander and Junior Vice Commander which was also a 100% year. As Post 2008 Commander, he was selected the Department of Colorado Post Commander of the Year 2016-2017. His Post had all time high membership the 2 years he was Commander. Chip is a National American Legion College graduate. As the Chairman of the Foreign Relations and National Security Committee for Colorado, Chip instituted the Law Enforcement and Firefighter of the Year program for Colorado. That program netted a Western Region Firefighter of the year and the National Law Enforcement Officer of the Year for 2019.

Chip is the consummate Legionnaire dedicated to the four pillars of our great organization. Post 2008 strongly endorses him for another year as Department of Colorado Junior Vice Commander.

Respectfully,

Stewart Anderson
Commander
Post 2008

Sharon Wickliff
Adjutant
Post 2008

Chip Kossow
The members of The American Legion Post 15 Loveland, Colorado proudly endorses Tony DuMosch ID # 100798136 for Department SR. Vice Commander 2019

We believe one of the most basic principles of The American Legion is service first and Tony has proven that time and time again for 20 years. Tony has a proven track record in earning multiple awards not for himself but the Post as well. Tony’s mentorship and guidance has enabled Post 15 in achieving 100% or more for the last 19 of 20 years in Post membership goal.

As the Post Adjutant for more than a decade, Tony has mentored many a Post Commanders over the years and brings the experience a Department Sr. Vice Commander should process. I can attest to his wise decision making, character and integrity, and love for our city and organization. Tony has dedicated himself not just to the Post but to the community where he is well regarded as the “Go To” person when it comes to veterans’ issues. His efforts have steered us to better roads and a burgeoning organization bringing national attention to Loveland on multiple occasions. His work with countless local charities demonstrates his commitment to our community, state and nation.

This election is a big deal. We have more than one choice for Department SR. Vice Commander. As the Commander of The American Legion Post 15 Loveland, CO. and its 425 members, and at our regularly meeting held on Feb 12, 2019 we unanimously voted to fully support and endorse Tony DuMosch for Dept. Sr Vice Commander 2019.

Best regards;
Gary Gardner, Commander
The American Legion Post 15
Resolution for Tom Florez

Ordway Post # 94  Le Master-Butler
401 Colorado Ave. P O Box 352
Ordway, Colorado 81063

March 21, 2019

TO: Department Commander Robb Smith
    Department Adjutant Charles “Pat” Smith
    District #1, Department Executive Committee
    Membership, The Department of Colorado
    The American Legion

Title: Endorsement and Recommendation for office of Department National Executive Committeeman, Department of Colorado

Origin: Membership, Ordway Post # 94

WHEREAS, Thomas Florez is a US Army and Gulf War veteran: and
WHEREAS, Florez is a 28 year member of The American Legion Department of Colorado and of Ordway Post # 94: and
WHEREAS, Florez has served our Department of Colorado as Department National Executive Committeeman for 2 years: and
WHEREAS, Florez has contributed by his exemplary actions and service to fellow Colorado veterans and Colorado communities from Post to Department level positions and being in good standing; now, therefore, be it

RESOLVED, By the membership of The American Legion LeMaster-Butler Ordway Post # 94 a full and honored Endorsement and Recommendation is made for Thomas J Florez the Department of Colorado, office of National Executive Committeeman, The American Legion, Department of Colorado this 21st Day of March 2019.

Signature Commander, Ordway Post # 94

Michael Lindt
Cmdr.

Mike Encinas
Post # 94 Adjutant
A lot of research is out there on how to retain employees. In our case we can translate that to members. Research states that showing appreciation is a key factor in satisfaction of duties. As volunteers, we know that it is not the monetary pay, but the reasons or for whom we are doing an event. Whether we are raising money for Girls State or scholarships or for our general fund we are doing so with the end in mind to who our gratitude.

What are some of the ways we can show appreciation to our members? Yes, volunteers do what they do because of their passion, but little things can help to keep that member engaged.

- **Lead by Example.** Be kind to others. Show respect. Refrain from gossiping or bad mouthing another member or officer. Always be the leader.
- **New member inductions.** Are you aware that in the Unit Guide Book there is a section on ceremonies? You can install new members. It will make them feel welcome. It is a great way to bring members together.
- **Years of Service.** Celebrate with your members years of service. It matters. You are saying thank you for being a member for XX years. You can get years of service pins from Emblem Sales. Make them a certificate. Wow, what a great way to let them know you notice. Active member or paying member, every member counts.
- **Unit Member of the Year.** Do you have someone in your unit that goes above and beyond. Celebrate them and nominate that person to department.

What else does your unit do to celebrate your members? Do you have an annual dinner, lunch, BBQ, anything? Have some fun.

The Department of Colorado appreciates all of our members and what you do to continue our service to veterans. For nearly 100 years the Department of Colorado membership has shown its greatness through the dedication and devotion of our members. Thank you all!!

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**Member Appreciation**

_By: Laurie Kuntz Department Auxiliary President_

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**See you in June**

_By Rhonda Larkowski, Department Auxiliary Secretary/Treasurer_

---
DRAWING GIVEAWAY
American Legion Auxiliary
Veterans Affairs & Rehabilitation

All Homemade items - Clock, Lest We Forget, Prayer (Bend cut)

Drawn June 2019

ENTER TO WIN
Tickets $1/ea or 6 for $5
What a Party!
By: Ron Noakes, Commander, SAL Detachment of Colorado

WOW!!!!!! What a party! For those who do not know yet, Colorado Sons of The American Legion raised $23,000.00 for the CWF. Squadron 2 put on one heck of a party and fundraiser. Of the $23,000.00 raised, just under $17,000.00 came from the American Legion Family of Colorado and $6,000.00 plus was raised that evening. Thank you to all of the Colorado Family and Squadron 2, including all of Post 2 Family, for the Great work and dedication. What we going to do next year?

May is here and we are running a little behind on our membership. Right now we stand at 78.55% of our goal for 2019. Our Renewals are at 65.66%. We need 884 renewals and new members to make our Detachment Goal. Let’s all get out and gather up the renewals and while we are at it we can pick up a few new members.

With spring finally showing its face, every once and a while, we need to get our plans in effect for some of the many programs we all do. Don’t forget to set up a table and let the community know what it is we do. The one true way to get new membership and get renewals is to make it so they want to belong. Find just 2 things that you can do, and do well, then do it every year at the same time. Make things fun and enjoyable for all. They will come.

It is that time to start thinking about Convention. If you would like to be part of something bigger, your Detachment is looking for you. Come to the Convention and see for yourself where you could fit in.

It is my belief that we need to educate our members on the Legion programs and how to use them to build our Squadrons, Legion Post, and Auxiliary Units.

I would really like to attend your Squadron’s meeting or a function. All I ask is that you send me a request to do so. We at the Detachment are there for you and your Squadron. Without you we are just a name. Send me an email at mrron14@yahoo.com. That is the fastest way to contact me.

Do not be afraid to show your BRAND. Wear your patches, shirts, covers, and pins with pride. When you are seen in and around the community they know who you are and want to be part of you. You are the holder of a priceless heritage.

For those who would like to donate to my project, it is “The Colorado Veterans Youth Fund”.

“If it is to be, it is up to me”

The American Legion - Notre Dame is ‘gift to humanity’

American Legion National Commander Brett P. Reistad expressed his condolences to the people of France in a statement issued today following the recent fire at Notre Dame cathedral.

“On behalf of the entire American Legion Family, I offer condolences to the people of France for the tragic fire that engulfed Notre Dame cathedral,” Reistad said. “The American Legion was founded in Paris. We still maintain an American Legion presence there. We will always have a strong connection to the nation that aided us during our revolution and has been a strong ally ever since.

“For eight centuries Notre Dame has been France’s gift to humanity. We are grateful for the brave firefighters who prevented this precious landmark from becoming a total loss.

In June, I will visit France to participate in D-Day observances. I plan to personally convey my condolences to the many French officials and citizens that I will meet during my visit to that great country. Let there be no doubt that this nation that has seen so much destruction over two world wars will rebuild this magnificent structure.”

Photograph courtesy of The American Legion National Headquarters. photographer is unknown.
The man behind ‘Lt. Dan’ is all patriotism, no politics

By: James Barber, Military.com, March 22, 2019, Taken from Task & Purpose Mar 25, 2019

Editor’s Note: This article by James Barber originally appeared onMilitary.com, a leading source of news for the military and veteran community.

Gary Sinise just published a new memoir called Grateful American, and it’s every bit as modest as anyone who has followed his years of support for the veteran community would expect.

Except Gary’s greatest talent shines through the humility with which he tells his story. To be sure, he’s an extraordinarily gifted actor who has had a storied career both in serious theater and popular movies and television. But his most profound gift is his empathy for men and women who serve their country.

Of course, his particular acting talent isn’t unrelated to an ability to see the world through another’s eyes. Still, there are plenty of performers who don’t share that insight and not many Americans share the sense of mission that Gary’s has given him.

Grateful American is co-written with Marcus Brotherton, who also worked with Army veteran Travis Mills on his excellent autobiography As Tough As They Come. Sinise knows Mills well from his work with veterans, and Travis makes an appearance in this book.

When Sinise tells his life story, he talks about his own family’s service in WWI and WWII and how his wife Moira’s brothers both served in Vietnam. When he was artistic director of Chicago’s influential Steppenwolf Theatre (a group he co-founded), he directed a powerful 1984 production of John DiFusco’s Vietnam War play “Tracers.” That work featured Sinise and fellow future stars Dennis Farina (Det. Fontana on “Law & Order”), Gary Cole (Lumbergh in “Office Space”), Terry Kinney (McManus on “Oz”) and Tom Irwin (Angela’s dad on “My So-Called Life”).

Along the way, he talks about growing up with a dad in the movie business: Robert Sinise edited the early, notorious movies directed by splatter-film pioneer Herschell Gordon Lewis. Gary was a terrible student, an avid musician and enthusiastic participant in the counterculture of the early 1970s.

Too young to serve in Vietnam, Sinise knew he wasn’t college material and instead followed his instincts and became a driving force behind one of the most influential regional theater groups in American history. There are few actors with Gary’s impact who’ve never received formal training. He credits a high school theater teacher with turning his stoner life around but he’s done all the rest on his own.

For the rest of the 1980s and the early years of the 1990s, Sinise continued to add to his creative and artistic credits. He directed and starred alongside fellow Steppenwolf founder John Malkovich in an overwhelmingly successful production of “True West” that played in both Chicago and New York.

Sinise later directed and then re-teamed with Malkovich to star in a 1992 movie version of John Steinbeck’s “Of Mice and Men.” It wasn’t a big hit at the time, but has come to be seen as a classic, a movie that’s shown in high school literature classes all over the country.

Everything changed with “Forrest Gump.” Sinise gives the movie the attention it deserves and there are plenty of making-of stories included for fans of Lt. Dan Taylor.

And, yet, it’s the story of his nearly forty-year marriage to Moira, her battle with alcoholism and subsequent conversion to Catholicism that’s the heart of the story. Gary and Moira’s marriage survived the kind of rough times that end most relationships in the real world, and end Hollywood marriages virtually 100 percent of the time.

Another gift Sinise displays is an ability to write about patriotism minus the politics. He writes eloquently about how 9/11 inspired him to take a more active role in supporting the men and women who serve and how the 2003 invasion of Iraq convinced him to sign up for USO tours.

The second half of the book is devoted to tales of his work with the USO and with veterans groups. Fans of Detective Mac Taylor from “CSI:NY” won’t be disappointed with the stories he tells about that role, but it’s obvious that Sinise’s life priorities have shifted to entertaining the troops with the Lt. Dan Band and working with his foundation.

He talks about patriotism and service and never mentions the current president (nor his immediate predecessor). He does namecheck dozens of service members and veterans and the people who run the charities who support them. Sinise is interested in common ground. If that’s not what you want from a public figure, you’d best read something besides “Grateful American.”

Gary Sinise has instead written a book that can appeal to anyone who’s interested in his theater and movie careers and -- at the same time -- inspire readers who know him best from his work in support of military members. It’s a tough assignment to pull off, but this book delivers with generosity and ease.”
A 69-year-old policy keeps troops from suing the US for medical malpractice. It’s closer to being overturned

By: Patricia Kime, Military.com, March 25, 2019

Editor’s Note: This article by Patricia Kime originally appeared on Military.com, a leading source of news for the military and veteran community.

In March 2014, at Naval Hospital Bremerton, Washington, Navy Lt. Rebekah “Moani” Daniel was admitted to have her first child. A labor and delivery nurse who worked at the facility, she was surrounded by friends and co-workers when daughter Victoria entered the world.

But four hours later, the 33-year-old was dead, having lost more than a third of her body’s volume of blood to post-partum hemorrhaging. Her husband’s attorney argues that the doctors failed to deploy treatments in time to halt the bleeding, leading to her death.

Her baby, now 5, never felt her mom’s embrace.

Sailors from Naval Medical Center San Diego (NMCSD), currently assigned to USNS Mercy (T-AH 19) works on a mock patient during a mass casualty drill for Mercy Exercise (MERCEX) in December 2018. (U.S. Navy/Cameron Pinski)

This Friday, the U.S. Supreme Court will decide whether to hear a petition from Moani Daniel’s husband, Walter Daniel, in his case against the Navy hospital where his wife died. Like every other service member, Daniel was required to get medical care from the U.S. military, but her family is prohibited from suing for injuries deemed incidental to military service.

“Suppose you had two sisters. One was on active duty and the other was a military dependent. Both of them give birth in adjoining rooms at the same military hospital [by the same doctor]. Both are victims of malpractice. One can sue and the other one can’t.”

(Continued on Page 29 See Make Sense)
Unwanted Bicycles Needed!

We are looking for any of your unwanted bicycles for donations to Veterans, Homeless and Kids.

We can pick up bikes in Metro Denver Area or can be dropped off at our shop in Aurora. Please call Ernie Clark for pick up details etc. @ 720-270-5731.
Address: 4122 S Parker Road Aurora 80014
Hours: Tuesday, Wednesday, Thursday and Saturday 8-3 pm
Thanks for everyone’s support of SCBS!
April 5, 2019

Hello!

We would like to get the word out to local area Veterans about our photography workshop series. We are hoping you would be able to help us spread the word.

The Colorado Photographic Arts Center invites American Veterans with a passion for photography to apply for the Veterans Workshop Series, an education program created in partnership with the Art of War Project and Task Force: ISO. Launched in 2017, the Veterans Workshop Series is a unique program that provides advanced photographic education to Denver-area Veterans at no cost to them. Over a five-month period, participants learn to refine technical skills, hone ideas into a body of work, create a portfolio, write about their work, and present their projects to the community in a public exhibition at CPAC’s gallery.

Application deadline: June 12, 2019

We are including postcards about the current exhibition for the 2018 class and application for the 2019 program. The exhibition runs through February 9, 2019.

More information can be found at: www.cpacphoto.org/veterans-workshop-series/

Sincerely,

Samantha Johnston
Executive Director

Applications can be found on our Department Website
www.coloradolegion.org
How can that make sense?” asked attorney Eugene Fidell, a former Coast Guard judge advocate general and military law expert who lectures at Yale Law School.

While the issue has come back before the Supreme Court in previous years, it could now have a stronger chance of being taken up by the justices, a first step in what Walter Daniel and others hope will be a major policy overturn.

When Walter Daniel’s case is distributed to the justices for conference, it will be the first Feres case before the court since 2016, when an Air Force captain settled with the federal government for an undisclosed amount in another malpractice case involving childbirth.

Distribution of a case for conference means the justices may discuss it among the hundreds of petitions to be considered and will decide whether to hear oral arguments from the parties involved.

The U.S. Supreme Court takes between 70 to 80 cases a year.

Unlike many previous Feres cases, the court in the Daniel case ordered the U.S. government to file a response, an indication that at least one of the nine justices is interested in the case, explained Andrew Hoyal, Daniel’s attorney.

**Meanwhile, another veteran is also working to end Feres.**

In March 2017, Army Sgt. First Class Richard Stayskal was training at the Army’s Special Forces Underwater Operations School in Key West, Fla., when he noticed something amiss: In top shape, the Green Beret was having trouble with his health, unable to catch his breath.

Once Stayskal arrived home at Fort Bragg, North Carolina, the symptoms continued, including wheezing, numbness and blurry vision. To find the cause, he went to several doctors, including one in the emergency room at Womack Army Medical Center, where he’d undergone his pre-dive training physical four months before.

Sent home repeatedly with diagnoses of asthma and pneumonia, Stayskal began coughing blood. On June 22, when he went to a civilian pulmonologist for answers, the doctor found a large tumor in his lungs. Stayskal later learned it was lung cancer -- and apparently, the suspicious nodule was clearly visible in his January pre-dive CT scan, a nearly 3-centimeter node that should have prompted follow-up care and more tests. Military doctors also had noticed it in May and recommended follow-up, but never told Stayskal.

Instead, the Army Green Beret and former Marine is dying of Stage IV lung cancer, the disease having spread to his spleen, liver, spine, hip joints and lymph nodes. His attorney says if he’d received proper care in January, he may have had a chance at defeating the deadly non-small cell adenocarcinoma.

If the Supreme Court justices decline to accept the Daniel case, Stayskal’s attorney, Natalie Khawam of Whistleblower Law Firm in Tampa, has set the wheels in motion in Congress to change the law that many say is patently unfair.

“I could not imagine if this happened to my son. So, I took it on, saying that I’m just going to focus on fixing and changing this law, even if that’s the last thing I do in law,” Khawam said.

**The history of Feres**

The Feres ruling stems from three separate court cases decided by the U.S. Supreme Court in 1950 over the Federal Tort Claims Act, the law that permits citizens sue the government for wrongdoings by federal employees or agencies.

The widow of Lt. Rudolph Feres sued the Army for negligence after her husband died in a barracks fire caused by a faulty heater. The other two cases involved medical malpractice, including one in which a soldier sued the Army after learning that a 30- by 18-inch towel, with the words “Medical Department U.S. Army” on it, had been left in his abdomen during a surgery.

The Supreme Court ruled the government is not liable for injuries sustained on active duty or resulting from the negligence of other military personnel. The justices added that the ruling was needed to ensure that Congress was not “burdened with private bills on behalf of military and naval personnel.”

In his case, Walter Daniel argues that the military health system has changed substantially since the initial Feres ruling, and the development and expansion of the non-combat military health care mission -- including treating dependents and hiring thousands of civilian health care providers -- makes the ruling “unjustifiable.”

“The only difference in the two groups is that a member of one group has a uniform hanging in the hospital room while the other does not,” Daniel’s petition to the Supreme Court reads.

“Every person in the United States of America, even illegals, even inmates, can sue for malpractice insurance. The only people in the U.S. who can’t sue for malpractice insurance are our soldiers. This is discrimination against a certain class of people -- the military,” Khawam, Stayskal’s attorney, said.

In the government’s response to Walter Daniel’s petition, the U.S. Solicitor General said that Feres has stood for more than 60 years and, shortly after the Federal Tort Claims Act was adopted, the ruling was decided, and it included the prohibition of medical malpractice claims.

Citing numerous cases, including a 1987 decision that involved medical treatment of an active-duty service woman who was pregnant, Solicitor General Noel Francisco argued that the petition should be denied.

He said the military has an established system for compensating malpractice victims and said the limits on malpractice help pay for health care for military dependents and retirees, and “abandoning Feres ... would upset the assumptions” on which Congress based the expansion of health care to those groups.

“Service members are entitled to generous, no-fault statutory benefits for injuries sustained as a result of medical services provided by the military,” Francisco wrote.

When a person dies on active duty, their beneficiary receives a lump-sum payment of $100,000 if the service member dies during
hazardous duty or while training for combat, and $12,420 for all other deaths. They receive a Service Member’s Group Life Insurance policy payout of $400,000, unless the service member requested in writing a lesser amount, and also are awarded unpaid pay and allowances. Surviving spouses also are entitled to a monthly annuity as well as dependency and indemnity compensation and education benefits. Children also are eligible for benefits, to include Social Security and scholarships.

“Because Lt. Daniel was on active duty at the time of her death, her heirs received (and continue to receive) numerous statutory benefits as a result of her death,” Francisco wrote.

Advocates for military personnel suggest that the compensation package is not enough. Fidell said that while Feres should continue to be applied to battlefield malpractice, it should not be used to protect individuals, including military doctors and civilians employed by the Defense Department, from professional malpractice.

“Congress has not made provision for the kinds of damages that our society expects, particularly in medical malpractice [in the military],” Fidell said. “The compensation is robust, but it doesn’t include the kinds of things Americans are used to in tort law -- pain and suffering.”

**Sentinel events**

In 2017, the military health system experienced 112 “sentinel events” across 78 medical facilities, according to the Defense Health Agency. A sentinel event is an unexpected occurrence involving serious injury or death as defined by the Joint Commission, a not-for-profit group that accredits U.S. hospitals.

The data appears not to be comprehensive, however: according to the 2017 figures, Womack Army Medical Center experienced zero “delays in treatment: Lab, pathology, radiology, referral.”

Stayskal’s case apparently didn’t count.

Between 2016 to 2018, 196 administrative claims for malpractice were filed against the Air Force. The service did not say how many resulted in medical malpractice suits or settlements. During the same timeframe, the Navy had at least 48 cases of malpractice settled. (The exact number is not known because the Navy declined, for privacy reasons, to detail cases at facilities that had three or fewer claims filed against them). The Navy did not provide the total number of administrative claims filed.

The Army, which provided the information on request in 2016, referred a 2019 query for the same information to its Freedom of Information Act offices. Military.com has not yet received a response.

Hoyal, Daniel’s attorney, remains hopeful the Supreme Court will hear the case. Before becoming justices, both Clarence Thomas and Ruth Bader Ginsburg expressed interest in reviewing Feres. Plus, there are several new additions to the court -- Justices Neil Gorsuch and Brett Kavanaugh -- who weren’t present the last time a Feres case was petitioned and may have an interest in the legality of Feres for medical malpractice.

“Our petition presents the U.S. Supreme Court with legal and factual arguments not previously made or considered in prior cases challenging the Feres doctrine,” said Hoyal, who practices law with Luvera Law Firm in Seattle. “In our view, the government’s response simply fails to come to grips with these arguments.”

But, Fidell explained, the request for the solicitor general to respond simply means one or more justices wanted to see the government’s position “spelled out,” Fidell said.

“That’s all you can really infer from it. Is it better than nothing? Yes. Is it much better than nothing? We won’t know until the orders list comes out,” he said.

**Seeking help from Congress**

Khawam, on the other hand, is tackling Feres from the legislative side. She has spent months walking the halls of Congress with Stayskal to meet lawmakers and push for a bill, either a single piece of legislation or one that will be included into the fiscal 2020 defense authorization bill.

Her and Stayskal’s goal is to ensure that military patients have the right to sue, and that doctors in the military health system -- who are both uniformed and civilian employees -- can be held accountable for egregious mistakes.

Besides drafting bill proposals and making the rounds on Capitol Hill, Stayskal and Khawam are planning a march June 12 in Washington, D.C. to call attention to the Feres doctrine and what Khawam calls its’ unfairness.

She said she is lining up celebrities and lawmakers to speak and has galvanized bipartisan support to change the law. If successful, she and Stayskal would achieve what many have not been able to -- people like the families of Air Force Staff Sgt. Dean Witt, who died in 2003 from complications of irreversible brain damage during a routine appendectomy; of Army Maj. Chad Wrigglesworth, who died when his melanoma was diagnosed as an ingrown toenail; and of Air Force Capt. Heather Ortiz, whose baby suffered injuries during childbirth as the result of Ortiz receiving the wrong medication.

Stayskal isn’t the first service member to convince lawmakers to introduce a bill overturning Feres in cases of medical malpractice. But Khawam says her client’s story simply can’t be ignored.

“He is a superstar and it’s not from being a celebrity ... it’s from being such a great guy, from his work to just being a good kid,” she said. “It speaks volumes when people you know from grade school are calling your lawyer and saying ‘I want to help.’”

Stayskal is on palliative care, meaning he is receiving treatment to keep him comfortable, but no longer fighting the cancer. While he has been in and out of hospitals, he remains strong and is trying to see every congressional representative and senator who will meet with him.

“People tell me that [Feres] is the law, but you know what? Separate-but-equal was the law and people had to ride in the back of buses. Gay people couldn’t get married - that was the law. Here’s the thing: the law changes, and it only gets fixed when it’s brought to the attention of everyone else,” Khawam said.

This article originally appeared on Military.com
District 5
American Legion Family
(Legion, Auxiliary, S.A.L. and A.I.R.)

M*A*S*H* Night

When: May 11, 2019
Where: American Legion Post 161 - Arvada, CO
Time: 17:00 or 5 PM – Happy Hour
Dinner: 18:00 or 6 PM

Your “American Legion Family” can win prizes, while enjoying a FUN evening with other “American Legion Family Members.”

There will be a D.J. to supply our evening with Music!

$500 will be awarded to the District 5 Post with the most participation of family members dressed as their favorite MASH characters!

More prizes to be awarded during the evening!
50/50 all night and more!

RSVP: To Jeanette Scott by May 1st at jeascott@comcast.net
New eligibility criteria a major improvement over existing rules

By: Jonathan Ludwig

VA recently proposed new rules for Veteran Community Care that include six new eligibility criteria for Veterans under the VA MISSION Act, which was signed into law by President Trump in June 2018.

The new eligibility criteria will be a major improvement over existing criteria in terms of making things simpler: currently, eligibility criteria vary between VA’s community care programs. When the new criteria go into effect, Veterans can expect better access and greater choice in their health care, whether at VA or through a community provider.

The eligibility criteria are projected to go into effect in June 2019 after final regulations are published and effective, so the criteria are not yet final. In addition, key aspects of community care eligibility include the following:

- Veterans must receive approval from VA prior to obtaining care from a community provider in most circumstances.
- VA Cannot Furnish Care within Veterans must either be enrolled in VA health care or be eligible for VA care without needing to enroll to be eligible for community care.
- Eligibility for community care will continue to be dependent upon a Veteran’s individual health care needs or circumstances.
- VA staff members generally make all eligibility determinations.
- Veterans will usually have the option to receive care at a VA medical facility regardless of their eligibility for community care.
- Meeting any one of six eligibility criteria listed below is sufficient to be referred to a community provider—a Veteran does not have to meet all of them to be eligible. (Real-world examples of when a Veteran would be eligible for community care are included in the eligibility fact sheet linked at the end of the article).

Eligibility Criteria

1. Veteran Needs a Service Not Available at a VA Medical Facility

In this situation, a Veteran needs a specific type of care or service that VA does not provide in-house at any of its medical facilities.

2. Veteran Lives in a U.S. State or Territory Without a Full-Service VA Medical Facility

In this scenario, a Veteran lives in a U.S. State or territory that does not have a full-service VA medical facility. Specifically, this would apply to Veterans living in Alaska, Hawaii, New Hampshire, and the U.S. territories of Guam, American Samoa, the Northern Mariana Islands, and the U.S. Virgin Islands.

3. Veteran Qualifies under the “Grandfather” Provision

Related to Distance Eligibility for the Veterans Choice Program

For this element, there are a few different ways that a Veteran could be eligible for community care. Initially, the following two requirements must be met in every case:

- Veteran was eligible under the 40-mile criterion under the Veterans Choice Program on the day before the VA MISSION Act was enacted into law (June 6, 2018), and
- Veteran continues to reside in a location that would qualify them under that criterion.

If both of these requirements have been met, a Veteran may be eligible if one of the following is also true:

- Veteran lives in one of the five States with the lowest population density from the 2010 Census: North Dakota, South Dakota, Montana, Alaska, and Wyoming, or
- Veteran
  - lives in another State,
  - received care between June 6, 2017, and June 6, 2018, and
  - requires care before June 6, 2020

4. Certain Designated Access Standards

To be eligible under this criterion, VA would have to be unable to schedule a VA appointment for a Veteran at a facility within a specific average drive time to a VA medical facility and within a certain number of days (wait-time). If VA could not schedule an appointment that is within both the average driving time standards and the wait-time standard, then the Veteran would be eligible for community care.

The specific access standards are described below. (Important: Access standards are proposed and not yet final).

Average drive time to a specific VA medical facility

- 30-minute average drive time for primary care, mental health, and non-institutional extended care services (including adult day health care)
- 60-minute average drive time for specialty care

Appointment wait time at a specific VA medical facility

- 20 days for primary care, mental health care, and non-institutional extended care services, unless the Veteran agrees to a later date in consultation with their VA health care provider
- 28 days for specialty care from the date of request, unless the Veteran agrees to a later date in consultation with their VA health care provider

5. It Is in the Veteran’s Best Medical Interest

In this situation, a Veteran may be referred to a community provider when the Veteran and the referring clinician agree that it is in their best medical interest to see a community provider.
6. A VA Medical Service Line Does Not Meet Certain Quality Standards

In this scenario, if VA has identified a medical service line is not meeting VA’s standards for quality based on specific conditions, Veterans can elect to receive care from a community provider with certain limitations.

Going Forward

What is described above should be taken as a preview of what the final eligibility criteria may be, because it is not yet final. The new criteria are expected to go into effect in June 2019, after final regulations are published and effective.

About the Author: Jonathan Ludwig is the communication lead for VHA’s Office of Community Care.

Denver Post 1 Throws American Legion a Birthday Party

By: CO-ALPA Contributors, District 6 Commander Annette Johnson & SAL Tim Park

Walking into Leyden-Chiles-Wickersham American Legion Post 1 on Friday, March 15, 2019 was like walking into a speakeasy back in 1919. The men wore suspenders and snap caps and the women wore their best dresses and fanciest hats. The guests arrived and the drinks flowed as freely as the conversation, the atmosphere was happy and festive.

Approaching the top of the hour, Post 1 Commander Tom Yagley welcomed the crowd and called the group to order. The Post 1 Color guard posted the colors and followed with the Post Everlasting ceremony. Commander Yagley took the microphone with opening words and introductions of Past Commanders and the evening’s guest speaker, Brigadier General David Warner. General Warner thanked all the veterans in the room for their service and wished the American Legion a Happy Birthday as he spoke of the amazing accomplishments the American Legion has achieved. The General’s speech, which was short and concise, was appreciated with a standing ovation. He left the audience with a question to ponder: What do you see and think of when you look at our American Flag? The answers ranged from love, loyalty, family, community, commitment, comradeship, honor and freedom, to name a few.

After the Post Chaplain delivered the invocation, the Denver Dolls, Colorado’s most beloved Andrews Sisters Tribute Group, led the group in the National Anthem then continued to entertain everybody with a variety of standards from the 1920s, 30s and 40s. The Dolls continued to entertain as the guests proceeded to the buffet line for baked meatless manicotti, garlic bread and roast beef with potatoes. The Dolls completed their performance, the guests finished their meal as the stage was populated by Memories-Lindy Scialla Band. As the band played, people ate birthday cake and danced deep into the night.

HAPPY BIRTHDAY American Legion, here’s to the next one hundred years!

The Denver Dolls

BG David Warner, District 6 Commander Annette Johnson and Department Vice Commander Tony Jones.
<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td><strong>Thursday June 20, 2019</strong></td>
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<tr>
<td>9:00 am</td>
<td>VA&amp;R Workshop and Reception – Chairman Tom Florez</td>
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<tr>
<td>4:30 pm</td>
<td>Committee Meetings - Resolutions, Constitution and By-Laws, Apportionment, Credentials, Rules &amp; Order</td>
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<tr>
<td>7:00 pm</td>
<td>DEC Meeting</td>
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<td>8:30 pm</td>
<td><strong>Opening Session</strong></td>
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<td><strong>Friday, June 21, 2019</strong></td>
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<tr>
<td>9:00 am</td>
<td><strong>Reconvene</strong> – Commander Robb Smith</td>
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<td>9:15 am</td>
<td>Reports.</td>
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<td>American Legion Programs Reports</td>
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<td>Report of Officers</td>
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<tr>
<td>12:00 NOON</td>
<td><strong>Past Commander Club Lunch</strong></td>
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<tr>
<td>1:30 pm</td>
<td>Report of Officers and Committees</td>
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<tr>
<td>4:30 pm</td>
<td>Benediction - Department Chaplain - Stan Hamamoto</td>
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<td><strong>Saturday, June 22, 2019</strong></td>
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<tr>
<td>7:00 am</td>
<td><strong>Americanism/Children and Youth Breakfast</strong></td>
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<td>8:30 am</td>
<td>Processional – Past Department Commanders, Presidents and SAL Detachment</td>
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<tr>
<td>8:45 am</td>
<td>Call to Order - Commander Smith, President Kuntz, Commander Noakes</td>
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<td>Introductions of guests for greetings</td>
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<td>Post 209 Commander Marsilino Calica, President Cathy Barger</td>
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<td>District Commander, Mike Barger, District President Jackie Bowen</td>
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<td>9:00 am</td>
<td>Introduction of SAL Officers - SAL Detachment Commander Ron Noakes</td>
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<td>Introduction of American Legion Auxiliary Officers President Laurie Kuntz</td>
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<td>Introduction of American Legion Officers - Commander Robb Smith</td>
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<td>9:15 am</td>
<td>Centennial Celebration</td>
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<td>WWI Video presentation</td>
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<td>American Legion and Auxiliary history presentation</td>
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<td>Employment Awards - Chairman Darrell Myers</td>
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<td>Key Note Speech - National Commander Brett Reistad</td>
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<tr>
<td>10:45 am</td>
<td><strong>Break for separate sessions</strong></td>
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<td>11:00 am</td>
<td>Resolutions Committee Report</td>
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<td>Constitution and By-Laws Report</td>
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<td>NEC Report – Tom Florez</td>
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<td>12:00 NOON</td>
<td><strong>Membership Awards Lunch</strong></td>
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<td>1:30 pm</td>
<td><strong>Reconvene</strong> – Commander Robb Smith</td>
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<td>Final Report of Credentials Committee</td>
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<td>Nominations &amp; Elections of Department Officers</td>
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<td>Apportionment Committee Report</td>
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<td>District Caucuses - Elect Nat'l Convention Delegates</td>
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<td>Ratification of Delegates &amp; Alternates to National Convention</td>
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<td>Installation of Newly Elected Department Officers – Unfinished Business</td>
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<td>Good of the Legion</td>
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<td>Announcements</td>
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<td>Benediction - Department Chaplain Stan Hamamoto</td>
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<tr>
<td>6:30 pm</td>
<td>Cocktail Reception - Lobby</td>
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<tr>
<td>7:00 pm</td>
<td>Testimonial Banquet</td>
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<td></td>
<td>Commander Smith, President Kuntz, Commander Noakes</td>
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<tr>
<td>8:15 pm</td>
<td>Installation of new Legion Commander, Auxiliary President, SAL Detachment Commander</td>
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Sunday, June 23, 2019
8:30 am    Department Executive Committee Meeting
9:30 am    Combined Memorial Service
10:30 am   Adjourn

American Legion testifies on employment and education rights and benefits

By: Mackenzie Wolf

The American Legion Education and Credentialing Policy Associate John Kamin testified April 9 before the House Committee on Veterans’ Affairs Subcommittee on Economic Opportunity. Kamin’s testimony focused discussion drafts for the Justice for Servicemembers Act, the Transition Improvement Act and the GI Bill.

The discussion drafts for the Justice for Servicemembers Act aims to amend Title 38 to clarify the scope of procedural rights of members of the uniformed services with respect to their employment and reemployment rights, and for other purposes. Presently, The American Legion believes the act fails to adequately address and support military personnel returning to civilian employment.

“The Justice for Servicemembers Act is a bill that strengthens the Uniformed Service Employment and Reemployment Rights Act (USERRA) by deeming forced-arbitration motions unenforceable for the purpose of wrongful termination complaints,” Kamin testified.

The case of Marine Corps Col. Michael T. Garrett — who was terminated from his job due to a pending active duty mobilization — was highlighted by Kamin.

“In accordance with section 4323 on enforcement rights with respect to a private employer, Colonel Garrett filed a USERRA violation in District Court,” Kamin said. “His employer filed a motion to compel forced arbitration. After much dispute, the U.S. Court of Appeals for the 5th Circuit ruled that USERRA is not a clear expression of congressional intent concerning the arbitration of servicemembers’ employment disputes. Thus, the Garrett precedent was established on USERRA violations, and hence we ask for your support on the Justice for Servicemembers Act.”

The next issue addressed during testimony was the Navy SEAL Chief Petty Officer William Mulder Transition Improvement Act. The act is the most notable improvement to the Transition Assistance Program and the overall transition process for servicemembers, including an increased focus on career opportunities and entrepreneurship.

“Notable,” said Kamin, “is its authorization of a five-year pilot program that would provide matching grant funds to community providers that offer wraparound transition services to veterans and transitioning servicemembers.”

The restructuring of the act requires servicemembers to select a specific career-oriented track for their post-service plans, as well as require them to undergo one-on-one counseling a year before separation to evaluate which transition pathway best suits them.

Harry W. Colmery Veterans Educational Assistance Act, also known as the “Forever GI Bill,” brings significant changes to veteran education benefits over the coming years. Named after American Legion Past National Commander Harry W. Colmery, the Forever GI Bill is one of the major successes of the 115th Congress.

“The VA faithfully attempted to meet Forever GI Bill deadlines,” said Kamin. “Congress and VSOs attempted to provide sound oversight and support to ensure this outcome. But we failed, and thousands of veterans paid the price in delayed GI Bill payments this past fall semester.” However, Kamin continued, “we are encouraged by improved outreach and communication on GI Bill implementation.

“It is incumbent upon all of us to take ownership in this success and support Dr. Lawrence in this endeavor, because we have lost the right to disbelief in the event of another GI Bill backlog. Oversight and support must be in real-time and practical, no matter the challenge. That means being transparent about complications and forthright on changes, open to school inputs and adaptive to recommendations. That starts with trust.”

Photo courtesy of The American Legion

Make the Call!
Learn more about what VA has to offer!
1-877-424-3838 (1-877-4AID-VET)
www.va.gov/homeless
Legion to VA - ‘Fix Communication Breakdowns’

Calling it a case of “mission delayed turning into mission failure,” American Legion National Commander Brett P. Reistad called for VA officials to implement a plan to prevent future communication breakdowns between home-care social workers and VA medical centers.

Reistad specifically referred to the case of a veteran who had to undergo a partial leg amputation due to delays in receiving home health consultations after being discharged from the Richard L. Roudebush VA Medical Center in Indianapolis. The patient, who was treated for diabetic ketoacidosis and an ulcerated foot abscess, “did not receive the necessary home health care,” according to U.S. Special Counsel Henry J. Kernan.

The patient required frequent changes to his wound dressings. As a result of the veteran not receiving the necessary care, an infection occurred which later required a below-the-knee amputation. Investigators determined that social workers were directed to stop entering home health care consults into the Computerized Patient Record System due to a lack of training.

“The U.S. Office of Special Counsel assured the president that VA has taken the necessary steps to prevent similar problems in the future,” Reistad said. “The American Legion certainly hopes that those assurances are well-founded. Too many veterans have lost their limbs on the battlefield. They should not be losing limbs due to bureaucratic malpractice.

We thank the whistleblowers who helped expose this case. It reinforces why The American Legion supported legislation that protects these brave employees. The American Legion believes in the VA. It’s why The American Legion visits VA medical facilities across the country as part of our System Worth Saving program, so we can identify critical needs and share best practices.

We will certainly review this latest incident again as part of our SWS agenda. We also believe that recent reforms such as the Mission Act and increased accountability will improve an already-strong VA system. That said, tragedies such as what happened in Indianapolis should never occur. We expect VA to learn from this and act accordingly.”
Colorado Springs Post 209's 100th Anniversary Photographs

District 6 Commander Annette Johnson; Department Sr. Vice Commander Dean Noechel and Desiree Guerra.

From left to right: Bettina Kossow; Kathy Barger; Department Jr. Vice Commander Chip Kossow and District 6 Commander Annette Johnson.

Department Adjutant Pat Smith, left, and Department Sr. Vice Commander Dean Noechel, right in a spot light moment.

From left to right: Charyse; Desiree's Mother; Desiree; Elaine Bock; Annette Johnson and Jackie Bowen.

SAL Ken Taylor, right, Presenting BSA 10 Ideal Awards

Post 209 Commander's Color Guard
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FOR MORE DETAILS CONTACT
NICK ROMANO
Department Marketing Chairman

CELL: (720) 692-1640
Email: Nick.RomanoC21golden@gmail.com
Call for the
100th ANNUAL AMERICAN LEGION
DEPARTMENT OF COLORADO CONVENTION
June 20-23, 2019

The Annual Convention of The American Legion, Department of Colorado, will be held in Colorado Springs, Colorado, Thursday through Sunday, June 20-23, 2019. The Convention will be called to order at 8:30 pm on Thursday, June 20, 2019 at the Elegante Hotel and Conference Center, 2886 S Circle Dr., Colorado Springs, CO, 80906.

The convention will be conducted under the provisions of the Rules of Order as adopted by the convention delegates and Robert’s Rules of Order Newly Revised.

PURPOSE:
1. Adopting resolutions pertaining to the programs of The American Legion.
2. Amend Department By-Laws and Constitution.
3. Receive all Committee Reports.
4. Electing delegates and alternates to the 2019 National Convention.
5. Electing Department Officers for the ensuing year.
6. Transacting such other business as may be properly brought up.

REPRESENTATION:
Each Post is entitled to two delegates and two alternates and an additional delegate and alternate for each 25 members or major fraction thereof, whose names shall have been received at the Department Headquarters on or before that date which is 10 days prior to the Convention.

VOTING:
The voting strength of each Post will be the total number of members based on the membership report from the current year that was 10 days prior to the convention as published by Department. The membership report must show at least 15 members to be eligible for voting. The total delegate fees shall be the sum of $0.00 for each member for 2019. No Post may vote by proxy. The post delegate chairman may cast its entire delegate strength representing the entitled votes.

SELECTION OF DELEGATES:
All delegates and alternates of the Convention will be selected at a regular or special meeting of the Post. Post Adjutants should give names in writing to each member of the Post, giving time, date, purpose and place of such meeting and the number of delegates to which it is entitled to at the Convention.

Delegates should be chosen with care as they have the voting power of the Post.
Expenses of the delegates and alternates who attend as the Post representative must be paid by their Post or themselves.

MEMBERSHIP CARDS:
Current 2019 membership cards should be carried by all attending the Convention.

CERTIFICATIONS:
All Posts are required by the Department Constitution to elect and certify to the Department Adjutant their Post Officers for the ensuing year, such report to include time and date of scheduled meetings held at least quarterly. This certification must reach Department Headquarters five days prior to the opening of the Department Convention. All posts must submit their annual CPR to be eligible to vote.

RESOLUTIONS: The Department Constitution requires that Post Resolutions must clear through the District Convention. All Resolutions from a Post should be typed on approved department forms, and when adopted, sent to the District Adjutant. If adopted at your District Convention, the District Commander and Adjutant are to sign and certify same, and then mail to the Department Adjutant. All Resolutions must be in Department Headquarters at least 10 days prior to the Department Convention.

DEPARTMENT CONSTITUTION:
This Constitution may be amended at any Department Convention by a vote of two-thirds (2/3) of the delegates present and voting in the presence of a quorum; provided, the proposed amendment shall have been submitted by the Department Adjutant to each of the Posts of the Department by mailing the same to them at least twenty (20) days prior to the convening of the next ensuing Department Convention; and provided further, no proposed amendment shall be submitted by the Department Adjutant or considered by the Department Convention unless the same be proposed by a District Convention, the Department Executive Committee or by a Post of the Department; provided the Department Executive Committee may, in the event of the necessity therefor declared to exist, and after the twenty-day (20) period has expired, submit proposed amendments to the Convention Committee charged with consideration thereof and the same may be adopted or rejected by the Convention.

CONVENTION PACKETS:
Your Post Delegate Chairman may pick up your packet for your Post delegates at the Department registration desk at the Elegante Hotel and Convention Center. He/she is responsible for the distribution of the contents.

CONVENTION SITE VOTING:
Voting on all cities for sites for future conventions shall be by roll call of the Posts, beginning with Post 1, followed by the calling for the voting of the Past Department Commanders, who have paid their delegate fee when required. The City receiving a majority of the votes cast shall be declared the winner. In a race of 3 or more cities, if none of the cities receive a majority of the total votes cast then the city receiving the lowest number of total votes cast will be dropped from the race and the balloting will continue, under this format, with the remaining cities until one city receives a majority. Roll call shall be conducted by the Department Adjutant, and he shall report the totals to the presiding officer, who shall promptly announce the results.

Approved, signed and dated this 3rd day of May 2019.

ATTEST:

Charles Pat Smith     Robb D. Smith
Department Adjutant              Department Commander
**How will you pay for expenses that Medicare doesn’t cover?**

**With the high cost of healthcare today, Medicare Supplement insurance is becoming a necessity for more and more Americans.** That's why it's good to know that you now have a choice of competitive Standardized Medicare Supplement plans, offered to members like you. And, all plans are underwritten by a company known for it's prompt, personal, responsive service.

**Other features include:**

- The freedom of choosing your own doctors and hospitals who accept Medicare
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- Hurricane claims processing in about 7 days
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**Complete And Return The Reply Card. Or, Call 1-800-247-1771**

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Telephone (____) ________

Send to: Medicare Supplement Processing Dept.

P.O. Box 1341

Valley Forge, Pa 19482-9946
SENATE BILL S:504 
HOUSE BILL HR:1641

TO READ THE BILLS GO TO:

https://www.congress.gov/bill S:504
or

Legionnaires – “CALL TO ACTION” (Contact your Congressional Representative or Senator.
To find your Senator or Representative go to: https://congress.gov

TELL YOUR REPRESENTATIVE:

TO AMEND TITLE 36, UNITED STATES CODE, TO AUTHORIZE THE AMERICAN LEGION TO DETERMINE THE REQUIREMENTS FOR MEMBERSHIP IN THE AMERICAN LEGION, AND FOR OTHER PURPOSES.

KEY POINTS:

• Title 38, Part 3, Sec. 3.2 of the Code of Federal Regulations, dealing with the Department of Veterans Affairs, lists official beginning and termination dates for most war periods, from the Indian Wars to the present day, to be used in determining the availability of Veterans Benefits.

• The American Legion recognizes the nearly 1,600 casualties suffered by members of the U.S. Armed Forces in service to the nation during unrecognized periods of hostilities.

WHAT CAN CONGRESS DO?

• Congress should pass Senate Bill 504, that will Let Everyone Get Involved in Opportunities for National Service Act (LEGION ACT), a bill aimed at authorizing The American Legion to determine the requirements for membership in The American Legion.

• Declare that the United States has been continuously engaged in a state of war from Dec 7, 1941, to such date in the future as the U.S. Government may determine that there has been an end to armed hostilities.
District 7 Letter of Endorsement for Dean Noechel

The American Legion
Department of Colorado
District 7

To: Legionnaires in the Department of Colorado
From: Michael Barger District Commander
Subject: Letter of Endorsement for Dean Noechel to Department Commander Fellow Legionnaires;

Representing 3000 members of American Legion District 7, I take great pleasure to endorse Dean Noechel as your 100th Department Commander.

Dean has faithfully served in many leadership capacities at the Post, District, Department and National levels, including Commander of American Legion District 7. Dean is a Race to The Top District 7 Commander 2015-2016, Legionnaire of the year 2017, Silver Brigade Recruiter 2017, Gold Brigade Recruiter 2018, National Media and Communications Commission Member and is currently serving as your Department Senior Vice Commander, Membership Chairman and DEC Chairman.

Dean relentlessly supports the American Legion family and the 4 Pillars on which The American Legion stands. His ethics are unwavering, and he has a proven history of success in everything he undertakes. It is apparent to anyone who knows him that he loves helping Veterans, and by extension, The American Legion Family.

This endorsement of Dean Noechel for Department Commander was approved by the membership of District 7, Department of Colorado, The American Legion, at a regular meeting held in Fountain, CO on April 20, 2019.

Please join The American Legion District 7 in supporting Dean Noechel as your 100th Department of Colorado Commander.

For God and Country,
Michael Barger
Commander
District 7
District 11 Letter of Endorsement for Greg Jackson

America Legion District 11 Department of Colorado

Department of Colorado;

We the officers of the 11th district of Colorado, American Legion here by endorses and show our support for Greg Jackson, Post 65, as Department of Colorado Senior Vice Commander for the 2019-202 year.

Respectfully,

The Officers of District 11
Department of Colorado
American Legion
American Legion Auxiliary
Education and Training Conference

Longmont Post 32
Longmont Colorado
May 17-19, 2019

Friday May 17, 2019
6:00 – 7:00 PM Buffet Dinner
7:00 – 9:00 PM Team Building

Saturday May 18, 2019
7:00 – 8:00 am Breakfast
8:30 am Opening ceremony
8:45 am Volunteers – Key to success
10:00 Break
10:15 am Legion Family Working the programs together
10:45 am Roberts Rules of Order - Motions
11:15 am Branding, Marketing and Fundraising
11:45 am Break for lunch
1:00 pm Separate sessions Legion and Auxiliary

Auxiliary Session
1:00 pm Structure of the Auxiliary/Duties and Responsibilities of Officers
2:00 pm Running an Efficient Meeting
2:30 pm Guidebook - A Great Tool
3:30 pm Creating & Cascading Goals

American Legion Session
1:00 pm Structure of the American Legion
1:30 pm Vision for the future
2:00 pm Structure of a post meeting
   Order of business
   Manual of ceremonies
   The 4 “P”s
   Prayer
   Pledge
   Preamble
   POW/MIA

Longmont Post 32
Denise and Mike Rohan

Hotel
Commander Robb Smith & President Laurie Kuntz
Trish Ward, Auxiliary Leadership Chairperson
Jay and Jackie Bowen
Terry Young, American Legion Judge Advocate
Mike Rohan
Longmont Post 32
Janelle Rodriquez
Tom Bock Past National Commander
Denise Rohan Past National Commander
Dean Noechel
<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Presenter</th>
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<tbody>
<tr>
<td>2:30 pm</td>
<td>Anatomy of a Post&lt;br&gt;Rituals&lt;br&gt;Traditions&lt;br&gt;Protocol&lt;br&gt;Emblem Use</td>
<td>Pat Smith</td>
</tr>
<tr>
<td>3:00 pm</td>
<td>Post Charters&lt;br&gt;Requirements to maintain charters&lt;br&gt;Constitution and By-Laws&lt;br&gt;Membership Eligibility Requirements</td>
<td>Tom Bock</td>
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<tr>
<td>3:15 pm</td>
<td>Duties and Responsibilities of officers</td>
<td>Greg Jackson</td>
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<tr>
<td>4:00 pm</td>
<td>Post Reports&lt;br&gt;CPR&lt;br&gt;Officers&lt;br&gt;Committee</td>
<td>Elaine Bock</td>
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<tr>
<td>4:30 pm</td>
<td><strong>Break for dinner</strong></td>
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<tr>
<td>5:00 pm</td>
<td>Working Dinner – Focus groups&lt;br&gt;Our Commitment to the next 100 years&lt;br&gt;Why - Uphold and Defend the Constitution of The United States&lt;br&gt;When - At every Meeting and Event&lt;br&gt;Where - in every community in our state&lt;br&gt;What - Old Traditions - New Directions (Legion, Auxiliary, SAL, Riders)</td>
<td>Team Participation</td>
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<td>7:00 pm</td>
<td><strong>Recess</strong></td>
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**Sunday May 19, 2019**

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<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>8:00 am</td>
<td>Breakfast - HOTEL</td>
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<tr>
<td>9:00 am</td>
<td>Focus Groups Reports</td>
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<td>10:00 am</td>
<td>Summary – Feedback – Q&amp;A</td>
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<tr>
<td>11:00 am</td>
<td>Formal closing – Commander Smith &amp; President Kuntz</td>
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What if you were Bob?

George and Bob both go on a solo fishing trip to a beautiful, but remote, town in Alaska every summer. While enjoying the idyllic scenery, they both notice chest pains — they are having a heart attack!

What happens next?

**George has Emergency Assistance Plus**

- They call 9-1-1 and are admitted to the hospital
- Both require:
  - Medical evacuation to a facility that is able to properly treat their condition
  - Medical specialists to monitor their care
  - Travel assistance to bring a loved one to their bedside
  - A driver to drive their car/RV back home since they are unable to drive

George pays $0

George pays $0

George pays $0

George pays $0

George’s Total: $0

Bob does not

Bob pays $16,000

Bob pays $400

Bob pays $1,100

Bob pays $1,800

Bob’s Total: $19,300!

Emergency Assistance Plus is an emergency medical transportation service that goes beyond health and travel insurance. It covers expenses for medical transportation, medical evacuation and travel and companion assistance — services that your insurance usually does NOT pay for.

You must call EA+ during your emergency so EA+ can make the arrangements for you.

**This is only an outline of the plan’s features. Please refer to your Member Benefit Guide carefully to understand all the services available to you, as well as any terms, conditions and limitations.**

Learn more about how you can be protected by EA+. Call today to speak with a customer service representative at 1-888-310-1547. Or to apply online, visit www.thelif.com/EmergencyAssistance-Plus.