
Harry N. Cutting Post 59 American Legion Family

Waterbury, Vermont

February, March, April 2017

COMMANDER

Happy New Year Post 59 Family!

I would like to put a big thank you out to all members of the Post 59 family. Without your support we wouldn't be able to continue supporting the Legion programs. A reminder for all, our 2017 dues are due. Every member counts. If you know of someone who is eligible, please ask them to join. If you know of a past member of Post 59 that is going through a hardship and can't afford their dues please let us know.

A huge thank you goes out to the officers of the Legion family and the employees of our Post. You all do an awesome job, and make my job easy.

Thank you Arlis and Sam for doing the newsletter.

And last but not least, thank you to the Cold Hollow Cider Mill for supplying cider for the Halloween Trick or Treat with the children.

We have a lots happening at the Post this February, including the Legion and SAL Birthday Dinner on the 25th. Please look at the calendar and if you're free



for some of the events join us; we would love to have you. I hope 2017 is a good year for everyone and the Post 59 family.

For God and Country,
Michael Freedom, Commander

ADJUTANT'S NOTES

Happy New Year! 2016 is in the books with many challenges and good memories. 2017 promises to bring good things to your Legion with many great events planned. The 2016 membership year has come to a close, mid-winter conference is next on the agenda, and then thoughts will start to look towards spring. Make sure you check out the calendar in the back of this newsletter for the many happenings at the Post, and come on out and be a part of the fun. As always, if you have comments or suggestions for what you would like to see going on at your Legion, then you can always join us on the second Wednesday of each month at 7 pm for Post meetings, or e-mail your suggestion to

alpost59@comcast.net.

The membership drive for 2017 is well along the way, and a huge "Thank You" to all of those members that have already paid their 2017 dues. Membership continues to come in steadily through the Post, in the mail, and online. So far we have only had 19 members renew online, so we are five away from beating the 24 for

For God, Country and our Veterans

2016 and the challenge I set out at the beginning of the 2017 membership drive. We are currently at 116 paid regular members, 63 HLMs paid for by the Post, and 9 PUFL members for a total of 188 which puts us at 83% towards our goal of 227 for the year. You will notice that our HLM and PUFL numbers have dropped a few as several members have transferred to "Post Everlasting." Thank you for keeping our Post going strong as we remember those that have come before us.

I would like to continue to highlight the many scholarship opportunities for high school students of Legion members, as we continue to struggle to get applicants! At the local level we have the Rick Gray award which will award \$250 to a graduating senior based on need, and all we need is for them to apply! At the state level are ten \$500 scholarships, one \$1,000 scholarship, and a scholarship for \$1,500. All that is required for these is an application obtained from the post adjutant, high school transcripts, and two letters of recommendation from school staff. In January we will host one competitor looking to compete for the national level American Legion Oratorical Contest where the Vermont winner receives \$1,000 and national participants receive between \$1,500 and \$18,000. These are competitive scholarships and require participation at a local post along with the national competition. Contact me at the below email address to get applications, and don't let

these scholarships go unclaimed!

Reminder for the 39 members that we need to get our membership quota, please send in your \$40 to help us reach 100% for 2017. To renew online visit legion.org and click on the renew button. You can use a credit or debit card to pay your dues from your home, and this updates the national site instantly. I will send you your card as soon as I am notified that you have paid your dues.

If you haven't done so, then please sign up for our electronic version of this newsletter by sending an email to legionpost59vt@googlegroups.com or chriswood0869@gmail.com. Things can change fast, and we don't want you to miss anything going on at your Post! See you there.

Chris Wood, Adjutant
chriswood0869@gmail.com

**Daytona 500
& Chili Cook-off**
Sunday, February 26th
Be there by 2:00
to enter the cook-off!

LEGION RIDERS

The dark ages have arrived. Snow, cold, and motorcycles in hibernation. What's a motorcyclist to do? Plan parties at the Legion of course! 2016

was a busy year for the rider's group with plenty of good riding weather, and we finished it off with a Halloween bash at the Post with some great costumes competing for a cash prize. Thank you for everyone involved with helping us be successful. We are slowly growing and hope to do more and ride many miles in 2017. If you ride a motorcycle and haven't joined us yet, then now is the time to become a Legion Rider.

January, February, and March are great months for live music and parties at your Post, and the Legion Riders are looking to host some events. The next event will be live music to help you enjoy your corn beef, cabbage, and green beer on Saint Patrick's Day. Have a favorite band? Drop us a line and we will see if we can't get them here to shake a leg through the winter months. Interested in becoming a Legion Rider? Meetings are the second Wednesday of the month at 6 pm just before Post meetings. We focus on safe riding practices and comradery and not on long distances or extended trips. The more members we have, the more we can do for local programs and the veterans that benefit from these programs.

If you would like to be a member of the Legion Riders Group, then contact me at 802-793-4904, e-mail chriswood0869@gmail.com or visit us at Post 59.

Chris Wood, President
Legion Riders

SERVICE OFFICER

APPEALING A VA DISABILITY RATING

If you disagree with the decision VA made on your disability compensation claim, your first step is to formally tell The VA that you disagree.

I received my rating and it's wrong

"I received my rating and it's wrong" is a statement our call center agents hear every day. You may think that VA shouldn't have denied your claim, that you should have received a higher percentage, or that the effective date was wrong, but the odds are against it. That's not to say that VA never makes a mistake, but an overwhelming majority of the time VA makes the correct decision based on the evidence available. In fact, VA's issue-rating accuracy is 95 percent.

This high level of accuracy is in part because most of the decision-making is now automated. Medical information is input by the rater, and the rating for each issue is calculated and justification is provided.

So, if you aren't happy with your rating, first carefully read your notification letter and rating decision. These documents should explain, issue-by-issue, why you received your rating, and what is needed for the next higher rating. It should also explain what the effective date is and why. If VA did not service connect your requested

condition, the decision letter explains why the condition was not service connected.

If you have questions about your rating decision you can always go to your local Veterans Service Organization (VSO), sit down with a representative at your local VA office, or call the VA National

American Legion & Sons of
the American Legion

BIRTHDAY DINNER

Saturday, February 25th
5:00 Social ~ 6:00 Dinner

Call Center at 800-827-1000. They can explain your rating so that you can decide what to do next.

If you've reviewed the claim decision and still think VA is wrong, you should provide additional evidence to support your condition(s) with your NOD. The claim decision becomes certified after 30 days, but it isn't final until one year after the date of the decision. You can file a Notice of Disagreement at any time up to one year from the date of decision.

Submitting the Notice of Disagreement

To file the NOD, submit the VA-Form 21-0958, Notice of Disagreement that was included with your claim decision. This is your chance to tell VA how you feel the decision is wrong. If you don't feel confident

enough to do this on your own, your VSO can help you.

The NOD form contains blocks for each issue of contention (the medical conditions for which you filed the claim), for example, knee condition or kidney stones. Only list the conditions on the NOD where you disagree with the rating. For example, if you were rated for three conditions and only disagree with one decision, only list the decision you disagree with. Then check the block indicating what you disagree with (service connection, the rating level, or effective date).

The most important section is the narrative to explain why you feel VA incorrectly decided your claim. Don't leave this blank. It's entirely possible that VA missed something, and if you don't point it out, VA will never know. Tell your story, but be clear and concise. If you need more space, add additional pages and documentation, such as private medical records, to make your point.

As explained above, there are three primary issues with your claim decision that you can disagree with: service connection, effective date and evaluation of disability (rating percentage). There is also an option for "other" if these are not appropriate.

- **Service Connection:** If your claim came back "not service-connected," explain why you think the condition should have been service connected. Was it first diagnosed in service? Was there an injury in service?

Is this a condition that was caused or aggravated by a service-connected condition? For example, a service-connected knee condition can lead to back strain. The back issues are then secondary to the knee condition and can be service connected. Be specific and provide the date of the initial injury or illness if possible. That helps the rater find the documentation needed in your service treatment or personnel records. If you have copies of official documentation that prove an event happened in service, for example the write-up for a medal, attach a copy. Most illnesses are compensable if diagnosed within a year of leaving active duty. You may have to include private treatment records to prove this. Buddy statements can provide additional evidence. If there is no connection between your illness and your time in service, VA can't legally provide benefits.

- **Effective Date of Award:** Usually the date of award is the date of claim for that specific issue, but there are instances where the date could be earlier. Some of these include, the date after your discharge for claims filed within a year of leaving active duty; date an Intent to File was received by the VA; or the date of diagnosis or eligibility for a higher level of compensation for increases. Your local Veterans Service Organization can help you

determine if the effective date should have been earlier.

COMBAT VETERAN AUTHORITY

Many Veterans are not aware that they may already be eligible for VA health care under the "Combat Veteran Authority." Under this provision established in 2008, Veterans who served in a theater of combat operations any time after November 11, 1998, and were discharged or released from Active Duty on or after January 28, 2003, may waive the income eligibility requirements to receive VA health care anytime up to five years after the date of discharge or release.

- **Evaluation of Disability:** The most common area of disagreement is the evaluation of disability. The rating levels are determined by law and are based on your symptoms. In your claim decision letter, look for the description of the rating and the associated legal reference. This reference leads to a listing that shows what symptoms match the rating level for your condition. If you have documented symptoms or test results from your doctor that show you should be in a

higher rating level, explain this in your narrative and add copies of the documentation to your submission.

You may want to read over the *Schedule for Rating Disabilities (38 CFR, Part 1)*, which provides all of the information on how claims are rated, how VA math works (38 CFR, Part 1, Section 4.25), and how percentages are based on your symptoms (38CFR, Part 1, Subpart B). Warning: the CFR is dense with legalese and medical information, and it's why we recommend you ask a VSO for assistance.

If your symptoms don't meet the next higher rating level, VA cannot increase your rating. In this case, you are better off keeping the current rating, and if your symptoms worsen, you can always file a claim for an increase later.

The NOD also asks you to make a choice between the Decision Review Officer (DRO) process, or the traditional appellate review process.

In the DRO review, an experienced rater will conduct an in-depth review of your claim and any new evidence that you provide. The DRO may schedule you for an additional compensation and pension exam (C&P), or contact you with follow up questions.

In the traditional appellate process, a VA rating specialist will review the prior rating and any new evidence to see if a clear and unmistakable error

(CUE) was made on the previous decision.

In both processes, a new decision can be made based upon the evidence of record. If you are uncertain about which option is best for you, check with your VSO for advice.

So what happens next?

After the DRO reviews your file, NOD, and any new evidence, they will make a decision. They may either provide a new rating or continue the current rating decision. Then, you will receive a Statement of the Case that describes the information that was reviewed and how the DRO came to their decision.

If you disagree with the new decision, the next step would be to file a VA Form 9 and appeal to the Board of Veterans Appeals. Depending on the complexity of your case, the formal appeal process can take several years (and every time you submit new evidence before a decision increases that wait). It is much better to ensure you provide all of the information and evidence to tell your story during the NOD phase since it will resolve your issue the fastest.

If you are considering filing an appeal, we recommend you read this blog series, which goes into more details about the appeal process:

<http://www.blogs.va.gov/VAntage/25611/the-appeals-process-appeals-and-claims-are-as-different-as-apples-and-oranges/>

For God and Country,

Sam Miller, Service Officer
Telephone: (802) 244-1484
LSamMiller1@gmail.com

RED CROSS BLOOD DRIVE

Your Post held a drive on 9 December and 30 pints of precious blood was collected. The next drive is Friday, March 24. I want to thank Chris at the Post for always having the hall in excellent shape, Scott for hanging the building sign all year for me and Loleta Perry for always being there to help with and provide sandwiches for the donors. A special thanks to David and Shirley Dow covering for me while I was away last spring.

Thank you,

Gene Sweetser, Post 59
Red Cross Blood Coordinator

SONS OF THE AMERICAN LEGION

Hello Squadron and Post 59 Family. Happy February! Only 7 weeks until Spring!

We're into our third quarter of the session and this is where we left off . . .

"SERIOUSLY - your SAL Squadron Officers need your help."

Our SAL 2016 - 2017 Officers.

Commander - Tom Burrows
1st Vice - David "Road" Lowell
2nd Vice - Pete O'Brien
Adjutant - Bill Kernan ✓ ☺

Finance - Bill Kernan ✓ ☺
Sergeant At Arms - Paul West
Chaplain - David "Wilbur" Wright
Historian - Michael F. Woodard
Advisor - Gary Cromie

So we asked and **The Good News Is** ~ Michael F Woodard has taken on Adjutant/ membership duties and Bill Santor has taken on the SAL Finance duties. Please extend a thanks to them when you see them around the community or at the Post!

POST 59 BLOOD DRIVE

Friday March 24th
From 10:00 to 3:00

We rolled through a very successful Redneck Extravaganza Event, we completed the Post Family Scholarships for outgoing graduates of 2016, we've had multiple weddings, some passing's and life celebrations of many of our love ones and friends, we hosted the National Guard Family Christmas, had our own "Bartenders" Christmas Party, and we've celebrated our way through the fall and winter holidays. So what's next?

For starters, by the time you read this I hope many of you got out to the Post on January 17th, to play "Meat Bingo." Another event that is "Fun with the Sons!"

February we too will be hosting a cribbage tournament on one

St. Patrick's Day Dinner & Dance

Friday, March 17th

Sunday – date still forth coming.

Redneck horseshoes start on January 9th, downstairs. Come on by and play as an alternate, watch the fun, simply spend some time with your neighbors playing horseshoes on our Monday Winter Evenings to come.

Reminder, 2017 valid membership is required as we've passed the 2016 threshold.

Membership – it's the life blood of the Legion program. Time to get your 2017 dues in. Our SAL Squadron members consist of 144 renewing members, a target of 4 new members for 2017, and we currently have 45.7% members renewed for 2017, or 67 of our 148. Please swing by, say hello, re-up on your membership, or mail it in to the Post.

February 7th 6:00pm upstairs is our next SAL meeting.

HAPPY WINTER EVERYONE!
– Stay Warm, Have Fun and Be Safe!

Looking forward to seeing you

SUPERBOWL PARTY

Sunday, February 5th
Begins around 4:00

at our Post and at our Post events!

For God, Country, our Veterans, and Community!
Bless Us All.
The Sons of Post 59 ~ Squadron Commander ~ Tom

AUXILIARY

Hello ladies,

The Auxiliary birthday party was held in November. It was a good turn out, great meal. Our guests were Department President Kathy Cayia and Third District President Melodie Ashford.

We voted to purchase gift certificates for Thanksgiving and Christmas dinners, and in December we had Santa and Mrs. Claus to celebrate at the children's Christmas Party. Thanks to Maranna Allen, Loleta Perry, Destiny Gibbs, Wanda Woodard and everyone who made or brought goodies to share. Once again it was a great hit with the children.

Join us February 4th for another dressed-up Sock Hop with the Adams Band playing tunes from the 50's, 60's and 70's from 7:00 to 11:00. It's open to public and we hope to see a lot of members, friends, neighbors and folks from the community dancing the night away! Proceeds will benefit veterans, children and youth, and the community.

We're still looking for someone to take over membership for 2017 – let us know if you can help out.

Don't forget to come to our meetings on the second Wednesday of the month @ 7:00.

For God and country,
Wanda Woodard, President
Unit 59

FROM THE BAR....

Happy New Year! 2016 was a very productive year, and as many know it also had many hardships. We lost many who were near and dear to us, and I just wanted to thank everyone who has supported us as

SOCK HOP

Saturday, February 4th

Doors open at 6:00
Dancing from 7:00 to 11:00
with

THE ADAMS BAND

Tickets \$10

The Post 59 Malt Shop will be open with burgers, dogs, fries and shakes for sale.

Proceeds support the Auxiliary Scholarships and Programs

individuals, and as a Legion Family. We hope that 2017 will be a healthy and prosperous year for all.

The next few months will have lots of exciting events, parties, and gatherings, so please see your attached calendar for details. If anyone is interested in volunteering for any of them, please let me know.

Thanks, Tammy & Kathy

POST 59 CALENDAR OF EVENTS

FEBRUARY 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2 Texas Hold'em 7:00	3	4 Sock Hop 6:00
5 Superbowl Party c.4:00	6 Redneck Horseshoe	7 SAL Meeting 6:00 Queen of Hearts Drawing 6:30	8 Legion Riders 6:00 Legion & Auxiliary 7:00	9 Texas Hold'em 7:00	10	11 Rotary Pie For Breakfast
12 Cribbage Tournament Register 11:00 Play 12:00	13 Redneck Horseshoe	14 <i>Valentine's Day</i> Queen of Hearts Drawing 6:30	15	16 Texas Hold'em 7:00	17	18
19	20 Redneck Horseshoe	21 Queen of Hearts Drawing 6:30	22 E-Board Meeting 6:30	23 Texas Hold'em 7:00	24	25 Legion/SAL Birthday 5:00
26 Daytona 500 & Chili Cook Off	27 Redneck Horseshoe	28 Queen of Hearts Drawing 6:30				

MARCH 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2 Texas Hold'em 7:00	3	4
5 Cribbage Tournament	6 Redneck Horseshoe	7 SAL Meeting 6:00 Queen of Hearts Drawing 6:30	8 Legion Riders 6:00 Legion & Auxiliary 7:00	9 Texas Hold'em 7:00	10	11
12	13 Redneck Horseshoe	14 Queen of Hearts Drawing 6:30	15	16 Texas Hold'em 7:00	17 St. Patrick's Day Dinner & Dance	18
19 Pinewood Derby -- Noon	20 Redneck Horseshoe	21 Queen of Hearts Drawing 6:30	22 E-Board Meeting 6:30	23 Texas Hold'em 7:00	24 Blood Drive 10:00-3:00	25
26	27 Redneck Horseshoe	28 Queen of Hearts Drawing 6:30 Scout's Italian Dinner	29	30 Texas Hold'em 7:00	31	

Check with the Post (244-8144) alpost59@comcast.net or the website (<http://www.alpost59vt.us>) for more information.

American Legion Post #59
P.O. Box 417
Waterbury, VT 05676

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POST 59 CALENDAR OF EVENTS

APRIL 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2 Cribbage Tournament	3 Redneck Horseshoe	4 SAL Meeting 6:00 Queen of Hearts Drawing 6:30	5	6 Texas Hold'em 7:00	7	8
9	10 Redneck Horseshoe	11 Queen of Hearts Drawing 6:30	12 Legion Riders 6:00 Legion & Auxiliary 7:00	13 Texas Hold'em 7:00	14	15
16 <i>Easter</i> Post closed	17 Redneck Horseshoe	18 Queen of Hearts Drawing 6:30	19	20 Texas Hold'em 7:00	21	22
23	24 Redneck Horseshoe	25 Queen of Hearts Drawing 6:30	26 E-Board Meeting 6:30	27 Texas Hold'em 7:00	28	29 Legion Calcutta
30						