



Thomas Todaro
 State Commander

First of all I would like to thank all of you that have recruited at least 1 or more new members. Remember EVERYONE is on the membership team, and should be working the lists that are sent out on a regular basis. The Membership Team has also sent out the lists of the unpaid members so work those lists rather than make excuses. Let's get out there and bring back in the members who haven't paid their dues in the last 2 years or more and make sure that we are pursuing those delinquent members to pay their annual dues. If we are diligent in doing this we can put NY over the top this year. Posts should also review their roster of elected and appointed officers to ensure that neither will be expiring during their term of office, as they will be removed by National and not be able to hold another position for the rest of the Administrative year.

— STATE COMMANDER, continued on page 2



Michael Hoag
 State Jr. Vice Commander

It's been months now since I had the honor of becoming the Jr Vice Commander of the Department. During that time, I have become more aware of the issues facing many Posts in our organization. Early on, I had a personal issue arise that I, along with my fellow senior officers are addressing. In July, my NYS drivers license was expiring. In my area, this usually becomes an unpleasant experience because of long lines and waiting. During this wait, and completion of forms, I was reminded that I had the option of having VETERAN on my license, something I choose to do. At the window, I was asked to present my DD 214. I don't carry that with me and I didn't think of it before, but had my retired military ID and my VA health card. These however, are not acceptable documentation according to the DMV. Unless I decide to stand in line again with my

— STATE JR. VICE COMMANDER, continued on page 4



Tom Howard
 State Sr. Vice Commander

I have traveled more of New York State from Long island to Tupper Lake and have been to districts 1,2,3,4, and 5 attending their meetings, celebrating the Pow Mia ceremonies, and assisting in closing some posts (which is not something we like to do). I have listened to the problems and trying to work on them. Some comrades want more training which will be useful to them. We are still having problems getting reports turned in on time. Getting members is still a struggle. When recruiting, we need to try to get them to join as lifetime members which will help. We wouldn't have

— STATE SR. VICE COMMANDER, continued on page 4



Harold Burke Jr.
 State Adjutant

Comrades,
 The Holiday Season is upon us and on behalf of Dale, Monica, Gene, Don, and I, we wish you a happy and healthy Holiday Season. As 2019 comes to a close, if you have not already done so, please take time to complete your Community Service Report and Trustee's Report of Audit. By the time you receive this newsletter the Department should very close to 90% in membership. You are all working hard toward our common goal of 100%. Please remember that membership is the backbone of our organization.

— STATE ADJUTANT, continued on page 2



We hope your holidays will be filled with joy and laughter through the New Year. Merry Christmas!

<p>Photographer:</p> 	<p>Editor:</p> 	<p><i>INSIDE this NYSOV</i></p> 	<p>Pages 1-4 Officer's Messages Page 5 Report by Brenda Serena Page 6 VAVS Chairman Report Page 6 Teacher of the Year Program Page 7-9 State of New York in Assembly Page 9 Veterans Targeted in Benefits Scams Page 10 Department Natural Disaster Relief Page 11 NY State Restoration of Honor Act</p>
--	---	--	---

New York State Overseas Veteran

The official publication of the Veterans of Foreign Wars, Department of New York, 69 Sand Creek Road, Albany, NY 12205.

** PUBLICATIONS:

Overseas Veteran is published four times annually by the Department of New York in July/August/Sept., Oct./Nov./Dec., Jan./Feb./Mar. and April/May/June. All publications are digital format online and available on the VFWNY web site WWW.VFWNY.COM. Publications are 8.5"x11" for individual printing capability. One dollar of each member's annual dues, paid to a VFW Post in New York State, is used for a year's subscription to the *Overseas Veteran*. Cost to non-members and widows of VFW members: \$10.00; payable in advance to Department of New York, 69 Sand Creek Road, Albany, NY 12205.

** ARTICLES:

Articles: Any and all articles involving and/or including the Veterans of Foreign Wars, its members, member communities, awards and activities are welcome.

** SUBMISSION & FORMAT:

Please prepare all articles in Microsoft Word (version 2003 or newer) or plain text. Send JPG/PNG/PDF images with corresponding captions. E-mail articles and pictures as attachments with the sender's name, address and phone number in the base of the e-mail. Submissions from other sources must have complete credits such as publication name, address and dates published.

** EDITORIAL POLICY:

Inappropriate, demeaning, unduly critical articles and/or statements will not be published. Article length, inaccuracies, composition and other miscellaneous errors and/or mistakes may be edited.

Although every effort is made to maintain an honorable and accurate publication, the Department of New York and/or its staff, editor and other publication participants are not responsible for the content, views and/or positions of any article(s)/submissions.

**** ALL ARTICLES AND PICTURES MUST BE E-MAILED TO: CITadmin@VFWNY.com. They become the sole property of the Veterans of Foreign Wars, Department of New York.**

** DEADLINE:

Deadline: Articles must be submitted by the 15th of each month...July, October, January and April.

If you are using regular mail, send the items to CITadmin, P.O. Box 116, Carlisle, NY 12031.

** GRAPHIC DESIGN

APL American Publishing LLC

Jenny DeBack, Owner
americanpublishing8482@gmail.com

© VFW Dept. of New York 2013.
All Rights Reserved.

— STATE ADJUTANT, continued from page 1

We are one of the few organizations that have an independent meeting with Congress due to our large membership.

Do not forget to place your order for "Buddy"® Poppies. Remember that your poppies should be ordered a minimum of 6 to 8 weeks in advance of your distribution date. Be sure to specify a date by which the poppies are required; do not use "ASAP."

SMART/MAHER VFW NATIONAL CITIZENSHIP EDUCATION TEACHER AWARD

Nominations for this award and the judging at the Post level should be close to completion and District level should be preparing to begin. Districts are to submit their winning recipient from each level to the Departments by **December 15**. After Department judging, each Department forwards the names of its selections to VFW National Headquarters for consideration in the national award contest. Deadline for this is **January 15, 2020**. Each Department's selections will receive a National Commendation citation.

VFW's National Citizenship Education Teacher awards include: three national \$1,000 awards for the top K-5, 6-8, and 9-12 teachers for professional development expenses, \$1,000 award to each winning teacher's school, plaques for both the winning teacher and school, and an all-expenses-paid trip to attend a VFW and Auxiliary National event.

VFW NATIONAL PUBLIC SERVANT AWARDS

Departments are asked to submit three nominees (one for each career area) to the VFW Programs Office no later than **February 1, 2020**. VFW Programs will create citations for the following awards in each Department:

- VFW National Law Enforcement Award
- VFW National Firefighter Award
- VFW National Emergency Medical Technician Award

If I can be of any assistance, please do not hesitate to contact me at 518-463-7427.

Sincerely,

**Harold "Hal" Burke Jr., PJAG/PSC/PSQM
State Adjutant**

— STATE COMMANDER, continued from page 1

The 2019-2020 themes have been chosen by Commander-in-Chief Schmitz. The Voice of Democracy theme and the Patriots Pen theme are the same this year, "What Makes America Great". The Department winning essays are due to the National Programs office prior to January 15th and please ensure that you have noted on that entry the date that you informed your winner or plan on informing them.

Members now have the ability to download their digital version of their membership card. This will not replace the physical VFW membership card as they will still be sent out. You can go on the National Website, on your cellphone too, and follow the directions for downloading your VFW card.

There are also many training tools online. You can find Member and Officer Training, Forms and Templates, Training Material relating to Membership Recruiting and Retention, Community Service and Youth Programs, Communications and Public Affairs, Post Service Officer Training, etc. Commanders, use these valuable tools and training guides in your posts. Pick one out and use it at a Post Meeting; your members will thank you for it. You should also be training out of the binder that you were given at the start of the year at your District Meetings.

The 2019 Revised Podium Edition-Congressional Charter and Bylaws is available and can be purchased through the VFW store.

Finally, I would like to wish each and every one of you a Happy Holiday Season, and let's not forget to remember our troops as we sit down to dinner over the holidays.

Yours in Comradeship!!

**Thomas Todaro
State Commander**





Bob Mitchell

State Inspector

Comrades,

We are well into our Inspection year and we are making good progress on our goal to have each and every Post in the Department of New York inspected. I would like to commend our District Inspection teams for completing very thorough and excellent Post Inspections! As you know, it is our duty to ensure that all our Posts in the Department of New York are operating in a manner that is consistent with our Department and National By-Laws and Manual of Procedure. It is also imperative that our inspection process safeguards the financial integrity of our Posts and most importantly, protects the interests of our membership!

If your Post has not yet been contacted by a District Inspection team member and scheduled for an Inspection, I would encourage you to reach out to your District Commander and request that your Post be Inspected. I am confident that it will be a very constructive and rewarding event. As a reminder, consideration for a Post All-State award requires that your Post be inspected prior to April 30, 2020 and that your Inspection Report is received and approved by the Department prior to May 1, 2020.

As District 3 Commander I want to thank our District Post Leadership for making this a very enjoyable and exciting year for me. I appreciate all the invitations to your events and I am doing my best to make as many as I can. I also appreciate your efforts to increase and retain our membership. As you are well aware, our membership is a priority again this year and I appreciate all you are doing to not only reach out and obtain new members but to also ensure that we are retaining our current members.

Yours in Comradeship

Bob Mitchell

State Inspector/District 3 Commander
Department of New York - VFW

Patriot's Pen Report

Hello Comrades,

Hopefully you have sent your Patriots Pen first place winner to your District. You must send the completed form and a picture of the individual.

District Chairman: it must be judged by December 15th and sent to me before December 20th.

Department judging will be completed by January 10th.

If I have not received the forms before the 20th of December they will be disqualified.

Loyally,

Wayne L. Campbell,
Patriots Pen Chairman



Thank You to Our Troops
and Their Families
Merry Christmas and
God Bless All of You



Dan McMahon

State Quartermaster

Happy New Year to all.

As I have done in past years, I am donating the money Sue and I would normally spend on Christmas cards and postage to the Commander's Special Project and a local charity in Grand Island, NY.

Many issues have arisen within our Posts and the common issue, is money and the control of it, or the lax control of it.

There are a few general controlling factors within the Posts which I believe should be addressed. A few questions first; Who are responsible and in what order? What actions are and should be taken and by whom?

YOU, the members of the post are the primary controlling influence within any Post. No monies may be spent without approval of the Post membership at a regular meeting and/or a specially called meeting for that special purpose.

Members, of each Post at their annual election, are responsible to elect officers and as such, should elect officers who, will protect it's members, it's interests and the assets of the post. The by-laws of the Veterans of Foreign Wars spell out duties and responsibilities for each officer. However, most Posts elect the trustees *as an after thought*. "There is nothing to this job!" **Does this sound familiar???** In-fact, the task of post trustee is the most important position in your Post. **Trustees are not answerable to the Commander or the Quartermaster, but to the members of the post.** Their signature on the trustees report indicate to the membership they have done their job with the intensity and exactness necessary to protect the Posts interests and assets as they would do for their own home. There is information on line for the trustees to Complete their tasks. **DO NOT RELY ON THE QUARTERMASTER TO COMPLETE TRUSTEE REPORTS.** The first line of offense for trustees is the information online. Read, learn, ask questions and look to the district officers for direction. Look for information at: www.vfw.org or www.vfwny.com.

In August there was an OTI for all officer of the department, districts and posts. At the end of the training there was a questionnaire asking for your input as to the program, information and suggested improvements for next year. Several of the returned questionnaires indicated there were too many Powerpoint presentations. My question is to those individuals what do you want us to use in place of the our presentations? Please send positive suggestions to our OTI chairman at Department headquarters so we can improve how we present the necessary information to you.

I have had several individuals call regarding their reimbursement for a conference, assignment or convention. There have been Vouchers turned in as I was leaving the event, sent to me and or requesting that I send them voucher. Those individuals entitled to a voucher are, first sent one with the informational packet. If you do not receive a voucher, call Albany and ask why. If you receive a voucher in your packet, complete it, include a copy of your hotel bill and turn it into me at the event. If you have forgotten any part of it, send the information to Albany for inclusion and reimbursement. Any one receiving a **VOUCHER**, must stay at the Host hotel, unless sold out and then the alternate site. If you stay someplace else you are on your own. While we are at the meetings, general sessions, turn the vouchers into the chairperson or at the general session bring them to me. Have the Sgt-at-Arms bring them up front. Please do not hand them to me as I am getting into my car after the completion of the event.

— **QUARTERMASTER**, continued on page 4

— *STATE JR. VICE COMMANDER, continued from page 1*

DD 214, it will be 8 years before I'm there again. While not everyone might want this, it shouldn't be that restrictive when there are other, and what should be, acceptable government issued evidence. Recently we, the senior officers, met with NYS Division of Veterans Affairs Director, Colonel James McDonough, to discuss this and other Veteran related issues. We learned that there are questions within the state government on the very definition of the word VETERAN. It was explained to us that the current definition dates back to pre-WW2 and is currently in the process of being re-written. This problem will be better addressed when that happens. Because, I believe, we asked for this meeting, we were given a draft proposal of the "new" definition for our review and comments.

In my travels, I have also heard comments about recruitment. Recruiting is nearly impossible because military persons are coming home less frequently and/or are coming home after multiple deployments and have been eligible already. While no one can argue this, we have to keep in mind that this is the largest window of eligibility opportunity in our VFW history: 1990 – present and counting! "They are young now and have a family so aren't interested", someone 20 years old in 1990 is now 49. There are too many reasons that can be thought up to not do effective recruiting, and only one really good reason to do recruiting, THE SURVIVAL OF YOUR POST! We cannot allow ourselves to have a defeatist attitude and then take it to a Department, District, County or Post meetings and spread this belief. Is this the attitude that you wish your military leaders had when you were serving and getting ready to go out on patrol? Most of you reading this are leaders and about to become one, we need positive attitudes along with the realization that this work isn't going to be easy. We have a MISSION to RECRUIT! We find ourselves going to other people's events to try and recruit. PLEASE, think out of the box and think of ways to have veterans come to you. Those of you that do this, thank you! Thank you for all you do for the VFW and VETERANS.

Michael Hoag
Jr. Vice Commander

— *STATE SR. VICE COMMANDER, continued from page 1*

to hound them every year for dues; thus, helping us achieve 100% every year. I am going to have an operation soon, but not to worry, if you have a problem let me know or the commander so we can address it before it gets out of hand. I would like to wish everyone a safe and Happy Holidays.

Thomas Howard
Sr. Vice of New York State VFW

— *QUARTERMASTER, continued from page 3*

The IRS with everything else uses electronic methods of tracking each person and or entity who should file tax returns and or 990 reports each year. If you do not complete, file and have accepted a 990 for 3 years, the IRS automatically suspends your not for profit status. You must reapply for that status. If you have any questions, please, contact a tax consultant for direction.

HAVE YOU REPLACED YOURSELF TODAY? PLEASE RECRUIT ONE VETERAN FOR THE VETERANS OF FOREIGN WARS.

Thank you,
Daniel B. McMahon
Quartermaster
dcmcmahon@vfwny.com
518-414-2605

Voice of Democracy Report



Comrades Sisters & Friends

There seems to be some confusion regarding our Departments VOD Essay dates. They basically are the same as last year. I say basically because I may have to move the state judging date because of on-going construction at Columbia Greene Community College. For Post, and District Chairman your calendar should look like: Essay entries to Post by October 31st with Post judging to be completed by November 15th. I think this is where the confusion may be. It may take some time for the Post Chairman to assemble a judging panel. In the past, this most important part of the program is usually done by Veterans Day, but no than November 15th. Then, that winner or winners are advanced to your respective District Chairman. The District judging must be completed by December 15th. That one declared winner is advanced to me at: 9 Imperial Lane, Stuyvesant NY

Good luck to all your Post essay entries. Department Commander Todaro is looking forward to presenting a \$2,500 check to our Department 1st place winner.

Yours in Comradeship,
Wally Zincio
State Youth Development Recognition
& Scholarship (VOD) Chairman

No Veteran Should Be Without a Place to Call Home

Each year the Department of Veterans Affairs and the Veterans of Foreign Wars, as well as many of the other veteran organizations, are committed to ending homelessness among veterans.

I ask that each post in the Department of New York visit the VA Website va.gov/homeless.com and ask how you can get involved. There is a ton of information, brochures and posters to download and we need to get involved in our communities. Estimates of Homeless Veterans from 2009-2018: 37,878 veterans were experiencing homelessness in the U.S. accounting for just under nine percent of all homeless adults. Approximately 18 out of every 10,000 veterans in the United States experienced homelessness on a single night in 2018. There are many programs provided by the VA Healthcare for Homeless Veterans serving hundreds of thousands of homeless and at-risk Veterans each year. Independently and in collaboration with federal and community partners, VA programs provide Veterans with housing solutions, employment opportunities, health care, justice- and reentry-related services and more. You can learn more about these programs below and at VA's Programs for At-Risk Veterans and Their Families page.

We pride ourselves in the motto, Veterans Helping Veterans, and this is a way to be true to our motto. Whether you are an individual, a small post or large post, County Council or District, with the support of all the posts in the Department of New York any amount of donation will help our Homeless Veterans in our area and get them the help and support they need.

Yours in Comradeship,
Daniel L. Kell
Department Homeless Veterans Chairman

Comrades, as we enter into the holiday season, thoughts of previous Thanksgivings and Christmas' away from family and loved ones come to mind. I remember November 2007 just arriving in Balad, Iraq, COB Anaconda from COB Speicher, Tikrit, Iraq. The ICU was twenty beds and could expand to 40 if needed. I went to work in the dark and went home to my chu in the dark. I thanked God for the two Army nurses that were with me. We were all in our 50s, all had at least 20 years ICU experience and all of us had deployed with the same unit from Missouri. We walked into the mess hall on Thanksgiving dinner exhausted and hungry. Imagine our surprise when we saw roast beef, roast pork, roast turkey with all the trimmings, multiple desserts. It was wonderful. Despite not being at home with loved ones, I was thankful to be with my military family. Last night after the big family Thanksgiving dinner, I contacted one of my Army nurse family members and told her how I remember Thanksgiving dinner 12 years ago and how I valued having her friendship during the holidays. She stated the same. And that is what important about being in the VFW, friendships from years ago, remember who was with you and who is still friends, who you stay in contact with to help each other during the hard times and the memories, good and bad. As we enter the holidays and we remember each other from war times, try to contact one of your military family members and check on them, you'll be glad you did.

Now on the more serious matters, yes, it is the beginning of flu season, get the flu shot from your VA or private sector physician or pharmacy. Also, if you haven't had the pneumonia vaccine, ask your health care provider for this also. These two infections can make your holidays miserable if you get them. Also, for those of you who have cardiac (heart) conditions, all these holiday meals, gravy, meat, salty foods, etc. can put you in congestive heart failure (CHF) or if you have CHF can bring it on quickly. When the ice and snow arrive be careful of your footing to prevent falling and breaking a leg, hip, etc.

For those of you who do not know, the Veterans Administration has VA News that is sent every week. It offers information of veterans, their families, caregivers and survivors. You can sign up for this weekly newsletter at www.VA.gov/VetResources. Information currently: Veterans to receive access to commissary/PX, Free premium LinkedIn, Your VA health records on iPhone. Also access to Veterans Health Library which is gives you access to 24/7 online health library which provides information and education about treatments and conditions offered by VA and much more. Its free take advantage of it and learn more about what you have earned as a veteran.

As the new year approaches, I will be contacting the District Commanders requesting visitations at the VA medical facilities and state nursing facilities in their areas. District Commanders I would like for you to be present for these visits and/or the district surgeons.



In the picture above I am at COB Speicher, Tikrit, Iraq waiting for a chopper to take my first US Soldier to Balad Trauma hospital then on to Germany for definitive treatment. The Soldier had asked if he could call his folks and tell them of his injury before they received 'the call from the Army'. I told him I would see what I could do. I took the satellite phone all over the hospital looking for good reception and finally found it on the helipads. I pushed the soldier and the bed out to the helipads praying to God no choppers would be landing anytime soon. Fortunately, he made the call to his parents stating he was wounded but was okay and not to worry. We got him packed up and sent on his way for higher level of care. It's the simple acts like this that made my job as a nurse all worth it.

If anyone has any questions, thoughts, etc. do not hesitate to contact me at bserena2017@gmail.com or call me at 716-697-2275.

Happy Christmas and Happy New Year!

Brenda Serena, BSN, RN
Dept of NY VFW Surgeon



Mike Webster

Veterans & Military Support Programs

After my trip to the National Convention in Orlando, where I picked up \$1200.00 worth of Veterans and Military Support Pins, I went on to my District and Department's Fall Conference meetings leaving pins along the way. As last year went, this year was a repeat. The pins were gone and the check for \$1200.00 was sent to National. According to National there are only three Departments that peak at

\$1200.00, the most requested, and New York is one of them. I wish to thank all of you who participated.

Sports Clips ended their fundraising campaign for "Help A Hero Scholarships" on Veterans Day and I am looking forward to their Check Presentation in December. This past summer they surpassed \$6.4 million in scholarships for Veterans. Burger King's fundraising campaign ran through November. They have been supporting UnMet Needs since 2007. Thank both of them if you can. Burger King has donated millions but the demand has been greater. In the months of July, August and September, for example, UnMet needs sent out 140 grants at a cost of \$147,880.23. Your donations are important and greatly needed.

Please make you donation today. To help the Department show participation and receive the credit due your Post, or yourself, make the check out to the "Department of NY VFW" and annotate the memo block "Veterans and Military Support Programs". Mail it to the Department. I thank you in advance.

Michael W. Webster/Chairman

GOD BLESS THE U.S.A.



Roland Abare

VAVS Chairman

Membership is the key to all successes and it is important to Retain, Reinstate, and Recruit members to your VFW Posts.

How do we do this is a good question. It is by using the membership to help Reinstate and Recruit new members. Ann, District 5 Commander, recently had me come to the State Fairgrounds where her team and I got over 15 new and reinstated members. It was a labor of love by everyone there. Besides obtaining members we got to meet the public, answer questions, and help them understand what we do every day.

I am asking every Commander on all Levels to use the Membership Team.

I know this is the same song, however I have new words, I WILL HELP ANYONE to achieve our goal and I am counting on you to call. Tom is doing great work so, let's get behind him and do everything we can to achieve 100% participation in all programs. We need you to call Bud, or any member of the State Team, and together we will reach the finish line with a smile. I am waiting for your call: 518-785-5457.

Respectfully,

Roland "Bud" Abare
VAVS Chairman

Teachers of the Year Program

By now, posts should have submitted their teacher candidates to their respective districts as they were due by October 28th. Districts should now be conducting their judging to send their results to me by December 31st. I cannot accept any applications after December 31st as I have a deadline of January 15th to the national organization. Ideally, I should receive 27 applications, three from each district. (K-5, 6-8, and 9-12) I have sent out the paperwork requirements and applications must be complete or will not be considered.

If the districts send me the teacher applications early enough, I can react to any discrepancies by making phone calls or email.

Any questions contact me. 518 307 7646 or email: carlfosco1947@gmail.com.

Carl Fosco
NYS VFW Chairman, Teacher of the Year Program



District 9 Briefing

Patrick Rourk, District 9 Commander

That Darn Voucher

I keep hearing comrades moaning and groaning – we have to do vouchers now? Well yes, that's a new firm requirement from National VFW. We all have to have a voucher system.

What I don't understand is that most of us do them now – just a little less formally. Almost every VFW I visit and have asked does an informal voucher. And just what do I mean by that? Well, if instead of getting our hair up about a new/old requirement, you sit down and just think about it, we all are already doing it! Just not formally. A bill comes in, the quartermaster takes it and records it and gets approval from the commander to pay it. Then it's approved at the next regular meeting. The bill and payment are logged in and the check is cut.

Well guess what, you just completed a voucher system. It's just an informal one. So what do we have to do to be correct? You simply need a piece of paper to make those transactions formal. You are already logging the transaction into your Detail of Receipts and Expenditures; all you have to do is initiate a number system that shows continuity of payments and receipts of income. Some Quartermasters have even gone to the extent of creating formal vouchers to keep track – like I've done. If you want a copy of mine, my email is: prourk@twcny.rr.com. Ask me and I'll email you a pdf of the one my post uses.

What this does is make your job easier when it comes time to complete the monthly and quarterly trustee reports. You simply don't lose anything and it makes your job a heck of a lot easier to do!

So the next time you hear a new/old requirement, sit down and think about it. Maybe it's not so hard after all!

American Vet Dogs

By Chairman Dennis Sullivan

After our Eastern Conference in Connecticut on October 26 and 27th, Commander Tom Todaro spent several days on Long Island. I had the pleasure to escort him around. We visited the VA in Northport followed by a visit to the Long Island Stony Brook Nursing Home. He saw the great working system at the Nursing Home and was treated to a delicious lunch. The following day we visited the American Vet Dog compound along with Linda LaRosa, the Chairman for the Auxiliary of the American Vet Dogs. The next day we visited and toured the Brooklyn VA Hospital.

I couldn't let Tommy leave without the best visit of all, the original Nathan's in Coney Island.

Back to my mission to help raise money for the American Vet Dogs. It is such a worthy and needed cause and a very expensive and long process to train a service dog. Our Veterans need this service to help cope with PTSD. Please help!!

I am asking for your donation. Please send your donations to the Department of New York Headquarters, 69 Sand Creek Road, Albany, NY 12205 and note in the memo area: America's Vet Dogs.



Let's help our fellow veterans who need help!!

Dear Bill,

I am writing to inform you that legislation to provide military voters the opportunity to vote in school district elections, including the election of members of the board of education and school district public library trustees and the adoption of the annual budget, has been signed into law by the Governor on November 11th (Veteran's Day). A copy of Chapter 489 of the laws of 2019 is attached for your reference.

Thank you for the inspiration behind this legislation, and for all the work you have done to get this important measure signed into law.

Sincerely,
Fred

STATE OF NEW YORK

7293

2019-2020 Regular Sessions

IN ASSEMBLY

April 22, 2019

Introduced by M. of A. THIELE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to military voters and ballots for election of members of the board of education and school district public library trustees, and the adoption of the annual budget and school district public library budget and referenda

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 2018-d
2 to read as follows:

3 § 2018-d. Military voters. 1. As used in this section, the following
4 terms shall have the following meanings:

5 (a) "Military service" means the military service of the state, or of
6 the United States, including the army, navy, marine corps, air force,
7 coast guard, merchant marine and all components thereof, and the coast
8 and geodetic survey, the public health service, the national guard when
9 in the service of the United States pursuant to call as provided by law,
10 and the cadets or midshipmen of the United States Military Academy,
11 United States Naval Academy, United States Air Force Academy and United
12 States Coast Guard Academy.

13 (b) "Military voter" means a qualified voter of the state of New York
14 who is in actual military service, as defined in paragraph (a) of this
15 subdivision, and by reason of such military service is absent from his
16 or her district on the day of registration or election, or a voter who
17 is discharged from such military service within thirty days of an
18 election and the spouse, parent, child or dependent of such voter accom-
19 ppanying or being with him or her, if a qualified voter and a resident of
20 the same school district.

21 (c) "Military ballot" means the ballot prepared, printed and supplied
22 for use by the military for the election of members of the board of
23 education and school district public library trustees, the adoption of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [] is old law to be omitted.

A. 7293

2

1 the annual budget and school district public library budget and referen-
2 da.

3 (d) "Military address" means the mailing address of a military voter
4 other than his or her residence address in his or her school district.

5 (e) "Appropriate school board of education" means the board of educa-
6 tion in whose jurisdiction the military voter resides as a qualified
7 voter.

8 2. A military voter may designate a preference to receive a military
9 ballot by mail, facsimile transmission or electronic mail. Such desig-
10 nation shall remain in effect until revoked or changed by the military
11 voter. If a military voter does not designate a preference, the board of
12 education shall transmit the military ballot application or military
13 ballot by mail. If a military voter designates a preference for facsim-
14 ile transmission or electronic mail but does not provide the necessary
15 facsimile number or e-mail address, the board of education shall trans-
16 mit the voter registration application, military ballot application or
17 military ballot by mail and request the omitted information. All commu-
18 nications to the military voter shall include the mailing address of the
19 board of education.

20 3. Irrespective of the preferred method of transmission designated by
21 a military voter, a military voter's original military ballot applica-
22 tion and military ballot must be returned by mail or in person.

23 4. Ballots for military voters shall be mailed or otherwise distrib-
24 uted by the board of education, in accordance with the preferred method
25 of transmission, as soon as practicable, but not later than twenty-five
26 days before any election as provided in this article, and fourteen days
27 before any election as provided in article fifty-three of this title.

28 5. The military voter shall mark the military ballot provided for in
29 this article in the same manner as an absentee ballot. After marking the
30 ballot, he or she shall fold such ballot and enclose it in the inner
31 affirmation envelope bearing the military voter's affirmation on the
32 outside of the envelope and seal the envelope. He or she shall then sign
33 the affirmation, with the blanks properly filled in. The inner affirma-
34 tion envelope containing the military ballot shall then be inserted in
35 the outer envelope addressed to the appropriate board of education,
36 which shall be mailed or personally delivered to the appropriate board
37 of education within the time limits provided by this article.

38 6. The board of education shall cause all military ballots received by
39 it before the close of the polls on election day and showing a cancella-
40 tion mark of the United States postal service or a foreign country's
41 postal service, or showing a dated endorsement of receipt by another
42 agency of the United States government or are signed and dated by the
43 voter and one witness thereto, with a date which is ascertained to be
44 not later than the day before election and which must be received in the
45 office of the clerk of the school district not later than five p.m. on
46 the day of the election in order to be canvassed.

47 7. The board of inspectors shall thereafter process such ballots in
48 the same manner as provided in sections two thousand eighteen-a and two
49 thousand eighteen-b of this article for the canvassing of absentee
50 ballots.

51 8. The board of education shall determine, three days before the first
52 day for distribution of military ballots, the names of all candidates
53 duly nominated for public office and the amendments, referenda, proposi-
54 tions and questions to be voted for on such ballots. If at a later date
55 the nomination of any candidate named on a military ballot is found
56 invalid, the ballot shall still be valid, but no vote cast for any such

A. 7293

3

1 candidate on such ballot shall be counted at the election. The failure
 2 of any school board to include the name of any candidate or any proposi-
 3 tion or question on the military ballot shall in no way affect the
 4 validity of the election with respect to the office for which the nomi-
 5 nation was made or the validity of the military ballot as to any other
 6 matter.

7 9. The department is authorized to take such steps and do such things
 8 as, in its opinion, are necessary to make effective the provisions of
 9 any other section, in order to utilize fully any federal or other facil-
 10 ities in the distribution of military ballots.

11 10. The provisions of this section shall be liberally construed for
 12 the purpose of providing military voters the opportunity to vote. The
 13 department shall have power to adopt and promulgate regulations to
 14 effectuate the provisions of this section.

15 § 2. Section 2613 of the education law, as amended by chapter 307 of
 16 the laws of 2000, is amended to read as follows:

17 § 2613. Absentee and military ballots. The board of education of each
 18 city school district to which this article applies shall provide for
 19 absentee ballots in accordance with the provisions of section two thou-
 20 sand eighteen-a of this [chapter] title, and military ballots in accord-
 21 ance with section two thousand eighteen-d of this title.

22 § 3. This act shall take effect immediately.

Veterans Targeted in Benefits Scams

U.S. veterans who receive calls or recorded messages claiming to be from “veterans services” should have their guard up.

According to reports by the Leader-Herald in Saratoga Springs, NY, and KARE11, an NBC station in Minneapolis, scam callers are attempting to elicit financial and other personal information from veterans. Callers may tell vets there is a new type of veteran benefit related to home loans. The reports say the scammers use caller ID spoofing to deceive their intended victims.

The scammers often leave voice messages, following a script that goes something like this: Your VA profile was flagged for two potential benefits to the changes in the VA program. These are time sensitive entitlements. Please call us back at your earliest convenience.

The voicemail includes a fraudulent call-back number for “veterans services.” Potential victims who call the number are offered “benefits,” such as loan modifications to their mortgages, then asked for personal information, including social security numbers, dates of birth and bank account numbers.

Scammers who gain access to such information can use it to steal money from bank accounts or credit cards, and sell the information to other bad actors for use in identity theft fraud.

Other recurring phone scams preying on veterans include the “Update Your Military File” scam, the “Veteran Charity” scam and the “Veterans Choice Program” scam, according to an article in Forbes.

An AARP article about veterans reports nearly 80 percent of veterans they surveyed reported being targeted by scams related to their military service.

If you get a call that offers any of the above “services,” hang up immediately. If you get a voice message, write down the callback number and contact law enforcement to report the scam. Also, file a complaint with the FCC at consumercomplaints.fcc.gov.

Any unexpected calls requesting personal or financial information should always raise a red flag.

Learn more about how to recognize avoid caller ID spoofing, phone scams, and unwanted robocalls or robotexts.



**WE SUPPORT
OUR VETERANS**

DEPARTMENT OF NEW YORK
VETERANS OF FOREIGN WARS
Department Natural Disaster Relief



The purpose of this document is to provide the requirements and procedures for applying for matching funds from the Department of New York Emergency Relief Fund. The intent of the fund is to assist VFW Members, Auxiliary Members and their families who have been exposed to and suffer damages as a result of a natural disaster, i.e. floods, hurricanes, ice storms, fires or other such similar occurrences.

When a natural emergency has been declared by the Governor, Mayor, Town Supervisor or equivalent elected body, a VFW member or VFW Auxiliary Member may apply to the Department of New York and receive matching funds up to a maximum of five hundred dollars (\$500) from the Emergency Relief Fund for each declared emergency. Only one application may be submitted per household per emergency. The Department will consider all applications from VFW or VFW Auxiliary current members. The applicant may receive an amount from the Emergency Relief Fund based on the monies the applicant has received from a District, County Council, Post, Auxiliaries or individual VFW or Auxiliary members. Distribution of funds will be based on funds available in the Emergency Relief Fund and limited to maximum amount per event as determined by the C of A. (C of A is defined as The Department of New York Council of Administration). All Checks will be written to an authorized vendor.

An application for the event declared by Governor Cuomo on November 2, 2019 requesting matching funds must be submitted to the State Adjutant within sixty (60) days of the time the natural disaster has been declared (applications must be received no later than January 20, 2020. Photocopies of all checks for which matching funds are being requested must be attached. No funds shall be dispersed to a member not in good standing with the Veterans of Foreign Wars of the United States or its Auxiliaries. The Quartermaster stated that there is One Hundred Thousand (\$100,000) dollars available for distribution for this event as stated above for this event.

The State Surgeon will validate each Claim. The committee will review all applications for matching funds and will provide a recommendation to the Department Commander for each application.

Date of Application:

VFW Member's Name: _____

VFW Member's Address: _____

VFW Member's Phone Number with area code: _____

Nature of Emergency and Reason for Relief Fund Request:

Distribution Requested by: _____

Provide a copy of the following documents: Contractors Estimate of damage, Application to Insurance Company, response from the Insurance Company, Post Funds Received (copy of Check), , County Council Funds Received (copy of Check), District Funds Received (copy of Check), Others you have received funds from (copy of Check)

Are you a Member of the: VFW? Yes__ No__ \ Auxiliary? Yes__ N__

VFW Membership Information: Your Membership #: _____ Your Post#: _____

Your Post Address: _____

Checks for matching funds VFW or Auxiliary members of \$500 dollars will be made out to accredited vendors only and the amount will not exceed the total amount of the bill from the vendor(s) less any matching funds.

Mail this application and evidence of the disaster such as photos, insurance claims, etc. to the Department of New York, Veterans of Foreign Wars, 69 Sand Creek Road, Albany, New York 12205.

The Department will forward all information to the State Surgeon and committee members for recommendation to the State Commander for approval.

Disposition: Claim Validated by the State Surgeon _____ Date _____

State Surgeon Signature

Date Reviewed:

____ Disapproved ____ Approved Amount Recommended: _____

Reason:

Check to be written to accredited vendor(s)

Committee Member Signatures:

Surgeon _____ Chaplain _____ Quartermaster _____

State Commander _____

APPROVED

The New York State Restoration of Honor Act – The Basics for VFW Members

In recent meetings with the leadership of the Department of New York Veterans of Foreign Wars (VFW) discussing legislative and program priorities, Colonel (U.S. Army, Ret.) Jim McDonough, Director of the New York State Division of Veterans' Services, agreed to pen a piece for VFW members explaining the Act's intent and approach, even as his Agency builds the programs to support the rollout of the law in early 2020.

New York State's long and proud history of protecting and empowering residents who served their country received another 'refresh' this past Veterans Day when Governor Andrew M. Cuomo signed into law the Restoration of Honor Act (S.45B/A.8097). The Restoration of Honor Act authorizes the New York State Division of Veterans' Services (NYS DVS) to review discharges of individuals who received Other-Than-Honorable (OTH) or a General (Under Honorable Conditions) discharges due to service-connected Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), Military Sexual Trauma (MST), or because of now-repealed national policies about their Sexual Orientation or Gender Identity.

The New York State Division of Veterans' Services will determine whether an individual's discharge should be amended for eligibility determination associated with approximately fifty New York State Veterans' benefits and programs. New York State's Restoration of Honor Act does not affect one's character of discharge on their DD-214 (or equivalent). New York State's Restoration of Honor Act does not affect eligibility determination for federal Veterans' benefits, nor eligibility for membership in the Veterans of Foreign Wars. The Act's intent is to ascribe an "honorable" characterization of military service for New York State purposes to individuals whose discharges were less-than-honorable (excluding bad conduct or dishonorable discharges) as result a of Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), or Military Sexual Trauma (MST), sexual orientation or gender identity.

This review process presents an opportunity to engage with Veterans about accessing a host of resources and support they may not have otherwise known about at the State level. These resources include free direct representation provided by NYS DVS in claims and appeals for federal benefits. They also include assistance with appeals to a Discharge Review Board or Board for Corrections for those seeking a discharge upgrade. Often, Veterans with a less-than-honorable discharge do not realize that they may still be eligible to receive a wide range of federal benefits, including disability compensation, non-service-connected pension, and access to VA healthcare. NYS DVS can help these Veterans obtain the federal benefits they have earned.

Many Veterans do not realize that an appeal process exists to upgrade their character of discharge. While an upgrade is difficult to obtain, memoranda issued by the United States Department of Defense improve the chances of gaining a discharge upgrade. This is particularly true if the discharge occurred because of now-repealed federal policies about sexual orientation or gender identity, or conduct as a result of PTSD, TBI or MST may have led to the less-than-honorable characterization of service. Therefore, while eligibility for New York State benefits under the Restoration of Honor Act does not alter an individual's characterization of service, NYS DVS can use the same rationale employed under the Restoration of Honor Act in preparing an application for a discharge upgrade to the Discharge Review Board or Board for Corrections on the Veteran's behalf.

As your Director of the New York State Division of Veterans' Services, I will ensure those Veterans who can benefit from these progressive programs and services know we are here to serve them and their needs. We will conduct these reviews to the highest of standards, cognizant of the entirety of one's military service record, and mindful of the intent behind the law and the facts. As Director, I will personally 'sign-off' on the results of our internal review process to ensure the full weight of the Division of Veterans' Services is behind every decision we render.

The 'reach' of our decisions will involve other state agencies that maintain a portfolio of veterans' benefits (i.e. DMV for the 'Veteran' mark available for placement on New York State Motor Vehicle Licenses and Permits and more). As such, our efforts will be committed to educating our fellow state agencies on the details of the review process and outcomes to create seamless access to the New York State Veterans' benefits affected by the Restoration of Honor Act.

Leaders within NYS DVS are already working on the application and evaluation processes under the 90-day implementation framework provided by the Restoration of Honor Act. Once completed, these processes will be publicized to all on our website, veterans.ny.gov; our social media, [@NewYorkVeterans](https://www.instagram.com/NewYorkVeterans); and through the outreach of our offices statewide.

As a fellow Veteran, a proud member of the Veterans of Foreign Wars, and tireless advocate for New York's Veteran families, I thank you for your help in spreading the message of this new legislation and our joint mission of serving all of New York's Veterans, Servicemembers, and their families.

Colonel (U.S. Army, Ret.) Jim McDonough, Director, New York State Division of Veterans' Services and,
Shannon MacColl, Deputy Director for Policy and Public Information

