



**The American Legion  
Department of New York  
112 State St., Suite 1300  
Albany, NY 12207  
518-463-2215**

## MEMORANDUM OF SUPPORT (MOS)

A8095 – M/A Barrett  
S6467 – M/S Brooks

**AN ACT** to amend the criminal procedure law, in relation to directing the division of veterans' services to maintain a discharge advisory board.

### A REASON

Veterans receiving less-than-honorable discharges are barred from receiving many veterans' benefits on the federal, State and local level. Among them is the important recognition upon their death, when with a less-than-honorable discharge, the veteran is not eligible for burial with full military honors.

Each branch of the military maintains a Discharge Review Board and a Board of Corrections of Military Records to which a veteran may appeal for a discharge upgrade. While the branch discharge review board has the authority to change, correct or modify discharges the board has no authority to address medical discharges or those issued by a general courts-martial.

Due to complexity and data required, the appeal process can take over a year. Having the opportunity to review evidence submitted by the veteran seeking to appeal their discharge and if The Discharge Review Board finds the veteran's application to be meritorious, the Board will provide a written opinion advocating for the Discharge Review Board or Board for Corrections to grant the veteran's appeal.

Providing this service in line with the federal guidelines will be extremely helpful to a veteran trying to achieve the goal of upgrading his or her military discharge.

The Department of New York American Legion Family (some 200,000 strong) urges the New York State Senate and Assembly to enact the proposed legislation and respectfully requests that Governor Cuomo sign the legislation into law.

*Frank LaMarsh*

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Frank LaMarsh, Chairman  
Department Legislative Committee

*Dorothy Button*

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Dorothy Button, Vice Chairman  
Department Legislative Committee

*James W. Casey*

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James W. Casey  
Department Adjutant

*Gary Schacher*

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Gary Schacher  
Department Commander