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Soldiers returning home on the *USS General Harry Taylor* in August 1945.

Hammocks crammed into available spaces aboard the *USS Intrepid*

Bunks aboard the Army transport *SS Pennant*

U.S. soldiers recently liberated from Japanese POW camps

Hangar of the *USS Wasp* during the operation

The crowded flight deck of the *USS Saratoga*.

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Sgt Thomas Oliver Alhberg

From the Commander

I have made my position well known on the subject of preparedness.

Unfortunately, we were reminded of this with the passing of another Veteran recently. As of this writing the individual's body still has not been released from the hospital where he passed away to be properly honored. With this being another example of what not to do I have tasked our Officers to speak of separate topics of preparedness in this newsletter. I will start off with a plea for our members to start the preparedness process with the completion of a very simple Emergency Contact Form. This form will be sent to you VIA email and through a Google form type of survey. This form will be kept confidential and only used in the case of an emergency. It is a start of our effort to gather information on our members to assist in any type of situation that the member may not be in a condition to handle themselves. I have tasked our Staff to prepare a locked and secure filing cabinet to store these documents and kept at the post. Any member needing assistance with the completion of this information please reach out to one of our Officers and they will be more than willing to assist you in the completion of this information.

From the First Vice Commander

As requested by the Commander I will continue with this month's topic of preparedness. I want to encourage all of our members to consider a fairly personal and difficult subject. I would like our members to think about what happens to our Families as a result of not knowing our preferences and wishes. I want our members to take the time to let your Family and /or friends know what to do if you were to become incapacitated. After you are unable to make these decisions it is infinitely harder for others to make sound decisions without knowing what you would want. I absolutely realize that this is an extremely personal and difficult discussion for many of us to have. However; it is imperative that you let it be known. We are too often reminded of the complications that we cause others due to the lack of communication. We saw this again with the passing of another Veteran. We all talk about these issues when a tragedy happens, but unfortunately as time passes the topic fades. Take the time to gather your thoughts, formulate a plan and execute it. Talk about this with your family and friends. Just for a moment really consider the disservice of not informing others by not having this conversation. Also, this conversation works both ways. You must also know the wishes of you significant other.

Thank you,
Joe Thomas

GRADY R LESTER Jr LANE F LEVI LEO
MILTON PEREZ-RIVERA JERRY N PHILLIPS BUNY
JOHN C SHERMAN GEORGE D SLYE D
RAYMOND N TAYLOR MICHAEL B VARNADO DONA
CARL R CHURCHILL LAWRENCE Y CONAW
LCDR HARRY C MARTIN GLENN C DUNCAN RAY F EVANS ROB
JOHN L KOTORA ARTHUR E LA CHANCE ERNEST F
THOMAS T SMITH EDWARD W STONE KENN
THOMAS O AHLBERG JAMES G ANDERSON D
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GARY W BROWN LARRY D BUFFINGTON FRANCI

From the Second Vice Commander

Comrades, Continuing the theme for this newsletter I want to take time to discuss another step in your preparedness. Up to now we have discussed steps to take with your family and friends. The truth is that if you do not document your wishes all your efforts may be in vain. We have suggested the completion of simple forms to let your wishes be known. Another step that should be taken is the writing of a Letter of Intent Expression otherwise known as a Living Will. The following information is extracted from the Ministerial Regulation.

"Letter of Intent Expression" defines the letter that a person expresses his/her advance intention on which desires not to receive the health treatment in order to prolong the final period of own life or to cease the suffering of illness.

"Public Health treatment is prolonged the final period of own life or to cease the suffering of the illness" defines the procedure of a medical profession person shall apply to a person who has made a Letter of Intent Expression to prolong the final period of own life and a declarant is unable to survive or cease the suffering of illness. And a declarant remains receive the treatment sustainably.

"The final period of life" defines the condition of a declarant caused by the injury or incurable disease and the in-charged medical profession person has diagnosed according to the medical standard and found that such condition leads to the inevitable death and also include the permanent loss conditions of Cerebral subcortex and caused the incapacity of communicate and respond permanently without the any reaction behavior showing the consciousness and only automated response.

"The suffering from illness" defines the suffering of physical and psychological of a declarant arising from injury or incurable illness.

"Public Health Practitioner" defines a person who performs the profession according to the law on Clinic.

"Medical Practitioner" defines a person who performs the profession according to the law on Medical Profession.

Clause 3- Letter of Intent Expression shall be clear enough to specify according to a declarant's desires by making guideline information as follows:

(1) The items information of a declarant specifies name, surname, age, identification number and address or contact number.
(2) The date on which a letter of intent expression is made.
(3) Name, Surname, identification number of witness and the relationship with a declarant.
(4) Specify the type of public health which a person wishes not to receive.

(5) In case that a letter written by other person than a declarant, it should specify the name, surname and identification number of writer or typist.

A Letter of Intent Expression must put the signature or fingerprint of a declarant, witness and writer or typist. A declarant may designate a name of person who will explain the real desires on which unclear definition. Such designated person must put the signature or fingerprint and identification number in the Letter of Intent Expression.

An intention expression letter may provide, other details such as where a person wishes to die, the wishes on psychological treatment and comply with the customs and religious belief and the public health clinic may cooperate as appropriate.

Clause 5- A Letter of Intent Expression shall be made anywhere as their desires. In case a declarant wishes to make a Letter of Intent Expression at the public health clinic, a medical practitioner or a concerned person may facilitate as appropriate.

Clauses 4- Upon a declarant admits to the public health clinic, such a person may present a Letter of Intent Expression to a medical practitioner of that public health clinic without delay.

A declarant may cancel or change a Letter of Intent Expression. In case there are several Letters of Intent Expression presented, it shall deem that the latest version letter on which submitted to the in-charged medical practitioner is enforceable.

Clause 6. The requirement and procedure on a letter of Intent Expression relating to the final period of life or cease the suffering of illness shall proceed as follows-

(1) In case a declarant is competence to communicate normally, the in-charged medical practitioner shall explain to a declarant related to the conditions and the likelihood of the disease at that time in order to ask for affirmation or refusal before performing according to a Letter of Intent Expression.

(2) In case a declarant is incompetence to communicate normally and there person as referred in clause 3 paragraph three or relatives of a declarant, the in-charged medical practitioner may explain the conditions and the likelihood of the disease to such person and notify the details regarding to the implementation of a Letter of Intent Expression before performing according to a Letter of Intent Expression.

(3) In case of the problem relating the implementation of a Letter of Intent Expression, the in-charged medical practitioner shall consult with a person as referred in clause 3 paragraph three or relatives of declarant by considering the intention of a declarant.

(4) In case a declarant is in pregnancy, such a person may express her intention upon the termination of her pregnancy.

From the Adjutant

Another step in the preparedness process is the establishment of a Last Will and Testament. It is strongly recommended that you have a Last Will and Testament prepared in both your home country and in Thailand. It is not a pleasant thought to think of your demise. However, you should plan in advance regarding your estate so the affairs are in order in the unfortunate event of your passing. The last thing you want to do is cause additional stress to your family during this period. Your property in Thailand becomes of value once you sign the contract and make an initial payment; hence even before the transfer of the property you will have an asset to consider for your estate planning.
The document will detail your assets in Thailand, such as property, bank accounts, vehicle, and personal items. Typically upon the death of a foreigner in Thailand, the government officer will ask the family for a copy of a Will or they will seek the deceased person's lawyer for this document. Having a Will drafted in your home country to cover assets in Thailand may be problematic and burdensome to your family as documentations will need to be translated, notarized and approved by a government body. We recommend a separate Will for your assets in Thailand.

Drafting a Thai Will for Properties in Thailand or Abroad

Thai Will and Estate planning is not something we like to think about. What Happens Upon Your Demise? This is certainly not something we would like to think about, but it is important to have good estate planning to ensure your loved ones are taken care of should you finally pass away. If there is no In a Thai will, the intestate's assets must be distributed in accordance with the classes of relations as stipulated in the CCC Section 1629 which are, in order of priority:

1. descendants;
2. parents;
3. brothers and sisters of full blood;
4. brothers and sisters of half blood;
5. grandfathers and grandmothers;
6. uncles and aunts.

Before any distribution of the estate to the relatives, half of the estate, known as Sin Somros, will belong to the spouse, if any.
The rest will be equally distributed accordingly. If there are no living relations and no Thai will, the estate will devolve on to the State. As such, we do strongly recommend making a Thai Will to cover all of your properties and assets in

Thailand. For those who own land under a company on a freehold basis, upon your demise your property would not simply be passed on to your heirs. Instead, it would be passed on in the form of shares. In the other words, your heir will receive shares of the company as opposed to the actual property itself which can involve complex legal mechanisms. It is therefore imperative that you arrange for the drafting of a Thai will.

Leasehold and Your Thai Will

For those who acquired a property under a leasehold structure, it is worth mentioning that a lease is a personal right which is not attached to the property per se and essentially terminates when the lessee dies. Therefore, if you make a renewable long term lease and have already paid the rental in advance, you should also ensure that there is a succession clause in the lease contract so as to allow you to transfer your right of the lease to your heir. Nevertheless, you should still have a Thai Will which states your clear intention to pass on such rights to your loved ones.
There are a lot of things that can happen to your property if you are not aware of your legal rights in Thailand. The entire process can become quite a tangled web and at times, very costly if certain precautions are not taken early on. One of the major concerns in any property acquisition is the minimization of risk and the security of your investment. This is even more important when you purchase properties outside of your own jurisdiction where communication can also serve as a severe impediment to your objectives. A valid Thai will eliminates much of the risk. It is always wise to seek some professional advice from a trusted professional that looks out for your interest and understands your needs.

CAN OWNERSHIP OF A CONDO BE PASSED ON TO MY CHILDREN?

Any foreigner who receives a condo in Thailand by inheritance or through a gift must separately and individually qualify for ownership under section 19 of the Condominium Act, or he must (section 19 under 7) sell the unit within one year of acquisition by inheritance. Ownership can be passed on to foreign heirs, but generally they cannot register ownership and must dispose of the apartment unit within 1 year.

Michael J Chitwood

Adjutant

From the Service Officer

VETERANS ARE OUR BUSINESS
In conclusion I want to discuss what takes place in the event of your death by the US Embassy .

The U.S. Mission Thailand is ready to assist family and friends in the event of the death of a U.S. citizen in Thailand.

The American Citizen Services unit can:
• Confirm the death, identity, and U.S. citizenship of the deceased.
• Notify the next-of-kin.
• Provide information about the disposition of the remains and personal effects of the deceased.
• Prepare documents for the disposition of the remains in accordance with instructions from the next-of-kin or legal representative.
• Provide guidance on forwarding funds to cover costs.
• Serve as provisional conservator of the estate if there is no legal representative in the country.
• Send the Consular Report of Death Abroad to the next-of-kin or legal representative for use in settling estate matters in the United States.

Notification of Next-of-Kin

Thai authorities normally notify the U.S. Embassy when a U.S. citizen dies in Thailand. The American Citizen Services unit contacts the next-of-kin of the deceased as soon as possible. Next-of-kin is established in the following order:
1. legal spouse
2. if no spouse, then all children
3. if no children, then all parents
4. if no parents, then all siblings
5. if no siblings, then all grandparents.
It is the responsibility of the next-of-kin to:
• If the deceased had a Last Will & Testament, send it to American Citizen Services by email or fax.
• If the deceased did not have a Last Will & Testament but had substantial personal effects and a number of next-of-kin, send notarized Affidavits of Next-of-Kin to American Citizen Services by email or fax. Next-of-kin in Thailand may have affidavits notarized at the American Citizen Services unit of the U.S. Embassy in Bangkok or the U.S. Consulate General in Chiang Mai free of charge.
For Bangkok: Contact: Bangkok Contact Form
Fax: +66-2-205-4103
For Chiang Mai: Contact: Chiang Mai Contact Form
Fax: +66-53-234-472

• Make arrangements for the disposition of remains and personal effects of the deceased, often with the assistance of a Thai funeral home.
• Pay for mortuary and related expenses.

Affidavit of Next-of-Kin and Letter of Instruction

The Thai forensic institute or hospital may require a letter of instruction from the U.S. Embassy to release remains of a U.S. citizen into the custody of the next-of-kin or designated representative. The American Citizen Services unit can produce a letter of instruction upon receipt of explicit written guidance in the form of a legal will or a signed and notarized Affidavit of Next-of-Kin in some cases.

Disposition and Repatriation of Remains

When a U.S. Citizen dies in Thailand, the body is usually preserved until instructions are received from the next-of-kin regarding the disposition of remains. There are normally two options:
• Cremation in Thailand and interment or scattering of ashes in Thailand, the United States or other location
• Embalming in Thailand and air shipment to the United States or other location for burial
Please note that embalming and mortuary services in Thailand may not meet U.S. standards. Families are advised to consult with a funeral director in the United States about the advisability of viewing remains and conducting an open-casket funeral.

Financial Arrangements

The next-of-kin or legal representative of the deceased is responsible for paying all funeral home expenses and costs associated with shipping the remains and any personal effects. In most cases, the next-of-kin is able to make payment arrangements directly with a funeral home.

Autopsies

In order to determine the cause of death, the medical examiner on the scene may recommend an autopsy when a U.S. citizen dies outside of a hospital setting. Autopsies are normally performed free of charge by the Forensic Institute at the Police General Hospital in Bangkok or by another forensic institute within 24 hours of receiving the remains. Thai autopsy reports take at least 45 business days to produce and may fall short of the standard expected in the United States. Next-of-kin should discuss with their Thai funeral home the cost of obtaining a copy of the autopsy report.
Autopsies are not typically performed on U.S. citizens who die in hospitals, except at the request and expense of the next-of-kin. Hospitals are normally able to provide a cause of death, which is required for issuance of a Thai death certificate.

Timing

Next-of-kin are advised to be flexible regarding dates for funeral ceremonies in the United States. It takes time to perform an autopsy, embalm or cremate the body, prepare remains for shipment, and produce the necessary documents. Please allow 10 or more days from the date of death for remains to arrive in the United States.

Return of Personal Effects

Funeral homes in Thailand can assist with itemizing and returning personal effects of the deceased to the next-of-kin or designated representative.

Consular Report of Death of an American Citizen Abroad

The U.S. Embassy and Consulate issues an administrative document called a Consular Report of Death Abroad that provides essential facts about the death, disposition of remains, and custody of the personal estate of a deceased U.S. citizen. The Consular Report of Death Abroad is based on the Thai death certificate and may be used in legal proceedings in the United States as proof of death.
In order to issue a Consular Report of Death Abroad, the American Citizen Services unit must first receive all of the following:
• The original Thai death certificate
• An English translation of the Thai death certificate, certified by a professional translator (Note: Most funeral homes in Thailand include the cost of translation in their service packages.)
• The original U.S. passport of the deceased
The American Citizen Services unit will send the following documents to the next-of-kin:
• Consular Report of Death of a U.S. Citizen Abroad (A maximum of 20 copies are provided free-of-charge; additional certified copies may be ordered from the Department of State for a fee.)
• The original Thai death certificate and English translation
• The deceased's canceled U.S. passport

Shane Curtis
VETERANS ARE OUR BUSINESS

In conclusion as some of you may or may not be aware we do have a web page for the post. The web page is in the early stages and we would like your input into what information you would like to see available on the web page.

Our page is located at- https://americanlegionpost02.wixsite.com/home

Any and all suggestion are welcome. Please provide suggestions to: michael.j.chitwood@gmail.com and I will forward these to our webmaster Shane Bentley. Take a look at the page and comment.