



Vietnam Veterans of America

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A Not-For-Profit Veterans Service Organization Chartered by the United States Congress

**Vietnam Veterans of America
National Board of Directors Meeting
January 9, 2015
Approved by Board**

President John Rowan called to order the meeting of Vietnam Veterans of America National Board of Directors on Friday January 9, 2015, at 9:12 am, at the Double Tree by Hilton in Silver Spring, MD. National Chaplain Father Phil Salois delivered the opening prayer which was followed by a moment of silence and the Pledge of Allegiance.

The National Secretary conducted the roll call of the National Board of Directors. Present were:

John Rowan, President	Sharon Hobbs *	Tom Owen
Marsha Four, Vice President	Ken Holybee	Jim Pace
Bill Meeks, Secretary	Joe Jennings	Felix Peterson
Wayne Reynolds, Treasurer	Joe Kristek	Dick Southern
Bob Barry	Allen Manuel	Dan Stenvold
Linda Blankenship	John Margowski	Herb Worthington
Dennis Cohoon	Sara McVicker	Jerry Yamamoto
Richard DeLong	John Miner	
Charlie Hobbs	Charlie Montgomery	

** AVVA President is a non-voting member of the National Board of Directors*

Also present: Joseph A. Sternburg, CFO and Mike Swift, Parliamentarian.

Motion 1

Affidavit of John Rowan, National President, Vietnam Veterans of America, Inc.

John Rowan, being duly sworn, deposes and says:

1. I am the National President of Vietnam Veterans of America, Inc. (VVA). The purpose of this affidavit is to comply with the requirements of Article I, Section 4.G. of the VVA Constitution which authorizes VVA's President to submit a question to the VVA Board of Directors for a vote in between Board meetings when he determines that the matter requires the Board's immediate attention.

2. On October 28, 2014, an E-motion was submitted to the Board for a vote with instructions that the voting period would be open and continue until 4 p.m. on Thursday, October 30, 2014.

Motion 1: To approve Holley Watts as an honorary life member (HLM) as requested by VVA Chapter 1061 (VA). Passed.

3. On October 31, 2014, the National Secretary notified me that the vote of each Board member who voted on the motion was as follows:

<u>Board Member</u>	<u>Motion #1</u>
John Rowan	No Vote
Marsha Four	Y
Bill Meeks, Jr.	Y
Wayne Reynolds	Y
Bob Barry	Y
Linda Blankenship	Y
Dennis Cohoon	Y
Richard DeLong	Y
Charlie Hobbs	Y
Ken Holybee	Y
Joe Jennings, III	Y
Joe Kristek	Y
Allen Manuel	Y
John Margowski	Y
Sara McVicker	Y
John Miner	Y
Charlie Montgomery	Y
Tom Owen	Y
Jim Pace	Y
Felix Pete Peterson, Jr.	Y
Dick Southern	Y
Dan Stenvold	Y
Herb Worthington	Y
Jerry Yamamoto	Y

<u>Results</u>	
Yes	23
No	
Abstention	
Excused	
Non Vote	1
No Response	

4. As required by Article I, Section 4.G. of the VVA Constitution, I am filing this Affidavit with the National Secretary within seven (7) days of the Board's vote on the motions.



John Rowan

Preliminary Business

Secretary Meeks submitted the following motions:

Motion 2

To accept the BOD meeting agenda as amended.

- 1) Guest Speaker Jim Knotts, CEO, VVMF was moved up on the agenda after the preliminary business and the other times were adjusted; and 2) the Vice President's luncheon for committee chairs was moved on the agenda from Saturday to Friday's lunch break.**

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Motion 3

To accept the BOD meeting minutes from October 10, 2014 in Silver Spring, MD.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Director John Miner asked for the motion number (Motion 32) from the 2014 October BOD meeting which asked that the National President write a letter to Secretary McDonald in concert with the NASVH and why the letter had not been written.

Guest Speaker

Treasurer Wayne Reynolds introduced Jim Knotts, CEO, VVMF and the Vietnam Veterans Memorial Fund (VVMF) has named Jim Knotts as Chief Executive Officer effective October 6th. Knotts previously held the position of President and CEO of Operation Homefront.

National President/J. Rowan

President Rowan has submitted a written report and gave a verbal report:

October 23-24 I was in the HQ and hired a new Membership Administrator. Then on October 24h I attended the opening of the US Vets homeless program in Southeast DC.

On October 25th I was an opening speaker on the Mental Health Association's Aging Veterans Conference.

October 27th I testified at a NYC Council Veterans Committee hearing on oversight of the mayor's Veterans Advisory Board.

On November 6th I attended a Veterans Day Ceremony at Queens Borough Hall and was presented a Citation of Honor from Queens Borough President Melinda Katz.

November 7-9th I attended a Region 6 Conference in Clinton, IA. Since I was in the area I accepted an invitation to attend Chapter 299's ninth annual Welcome Home Veterans Dance in Jumer's Casino in Rock Island, IL.

On November 10th I attended a NYC Council Veterans Committee hearing on the City's programs to eliminate homelessness among veterans.

On Veterans Day I attended a breakfast with NYC Mayor DeBlasio before going to the Veterans Day Parade.

Wednesday November 12th I traveled to DC to do an interview for Comcast cable for their Newsmakers program. It was a four and a half minute interview on Agent Orange issues.

Later that afternoon Carl Tuvin and I visited Sen. Majority Leader Harry Reid's office and spoke with his senior aide Brig. Gen. Robert Herbert, NVNG about passing S2738 in the lame duck session. We then visited Sen. Jerry Moran's office and spoke with Ms. Caroline Prosch, who helped develop S2738. It will be tough getting this bill through at this time.

The next day Carl and I spoke with staff from the offices of Sen. Richard Blumenthal (D-CT); Sen. Mike Lee (R-ID); Sen. Jerry Isaakson (R-GA); and Sen. John Boozman (R-AK). We then met with Ms. Lupe Wessel, Minority Sen. Veterans Affairs Committee staff. Lastly we met with Sen. Bernard Sanders (IN-VT), Chair of the Senate Veterans Affairs Committee.

On Friday we met with Rep. Tim Waltz (D-MN) to discuss HR 5484 and the makeup of the Veterans Affairs Committee. Later we met with the staff of Sen. Ted Cruz (R-TX) and Minority Leader Mitch McConnell (R-KY). They all agreed it was going to be tough to get the bills through at this time, although they supported the ideas.

On November 19th I traveled to DC to testify before the Health Sub-Committee of the House Veterans Affairs Committee on HR 5484 and other bills.

On November 21-23 I traveled to Portland, OR to attend an Agent Orange Town Hall at the Portland VAMC. Unfortunately, no VA staff attended.

November 25th I attended NYC Veterans Advisory Board meeting.

December 5-7 I attended a NYSC Executive Board meeting in Saratoga Springs, NY.

December 9-10 I visited HQ to work on some staff issues.

President Rowan made the following motion:

Motion 4

**To appoint Jack McManus as a Special Advisor to the President ANC to VVA.
Without objection motion passed.**

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

National Vice President/M. Four

Vice President Four submitted a written report and gave a verbal report:

National Office Visits: November 6 December 8-12 January 5-8

Security and Safety: National Office and Staff

- Evaluating security and construction costs with President Rowan and CFO, Joe Sternburg.

Personnel Policy - Employee Handbook

- Continue edits with officers, Director of Administrative and Personnel Services, and CFO.
- Draft sent to National Board of Directors for their review at January BOD meeting.
- Will begin work on the Temporary/Intern Handbook when Employee Handbook is approved by the BOD

Strategic Plan Working Group

- Meeting with working group
- Data Base development
- Working with Jim Vale, Director, VVA Benefits Department

In Memory Plaque (IMP)

- Inter-active conference call with J. C. Cummings regarding design (December 15)
- Design possibilities presented

Meetings and Conference Calls

- Veterans Initiative trip to Vietnam (January 21 – February 11)
 - Preparing for trip, organizing the official agenda
 - Reviewing protocol
- Attended Premiere of the Vietnam display at the Media PA Veterans Museum (October 16)
- Attended New Jersey State Council Meeting (October 19)
- Attended Annual International Conference of War Ministries, Boise, ID (October 21-24)
 - Presentation at no cost to VVA
- Attended National Rolling Thunder Annual Conference, Crystal City, VA (November 7-8)
 - Information table set with all VVA information
 - Agent Orange Seminar presented
- Attended Swearing In Ceremony, VA Assistant Secretary of Policy and Planning
- Veterans Day, Washington, DC (November 10-12)
 - Attended Dedication of new unit at Washington VA Medical Center

- Met with VISN 5 Director and Director of Washington VA Medical Center
- Membership Tent
- Presentation, Annual Women Veterans Rock Seminar, Women's Memorial, Arlington Nat'l Ceremony.
- Attended VVA Senate Veterans Affairs Committee testimony (November 18-20)
 - Included Toxic Exposure bill.
 - Conferred with staff on bill language
- 20th Anniversary: VA Center for Women Veterans, Washington, DC (November 19)
 - Represented VVA
 - Presented Plaque, the only VSO to do so) to the Director of VA Center for Women Veterans
- Conference Call: Dan Adelstein, National Security Policy Advisor Office of Senator Pat Toomey
Regarding question on S2738 (November 25)
- Conference Call: Tom Berger and Sara Darehshori, Human Rights Watch (December 3)
- AmeriCorps Grant
 - Investigating possibility for utilization by VVA
- VSO Women Veterans Meeting, VVA National Office (January 6, 2015)
 - Assisted with initiative/organization and attended
 - Strategic meeting, hopeful for regularly scheduled future meetings

National Secretary/B. Meeks

Secretary Meeks noted that copies of his report had been distributed.

Presented a seminar on Duties of a Secretary and co-presented with Treasurer Wayne Reynolds a seminar on Parliamentary Procedure during the VVA Florida State Council Mini-Conference in Orlando, FL on November 1, 2014.

Represented VVA during the ceremony at the Vietnam Memorial on Veterans Day November 11, 2014 and worked the VVA Information Center on The Mall during that weekend in Washington, DC.

There is one disciplinary case underway at this time in Region 4 and the disciplinary hearing will take place on January 24, 2015.

This is a convention year; reminder to all state councils/chapters to get their financial and election reports in as early as possible to the VVA Membership Department in order to seat your delegates at the National Convention in Springfield, IL.

National Treasurer/W. Reynolds

Treasurer Wayne Reynolds gave a verbal report and submitted a written report:

1. Since the last meeting I have met with and presented to the following State Councils: Florida, Wisconsin and Louisiana.
2. Contracts and agreements have been developed with AVVA for the In Memory Plaque renovation.
3. I attended the Veterans Day Programs at the White House and Arlington. I also attended the ceremonies at The Wall and assisted at the VVA tent on the Mall in DC.
4. There has been a meeting with Secretary of Veterans Affairs Robert McDonald concerning VVA and the VA.

5. Jack McManus, Jim Kuhn, and I, as representatives of VVA, have had multiple communications with members of Congress. Future visits are scheduled. The response from those who have been visited has been very supportive.
6. There has been communication and outreach with Sons and Daughters in Touch (SDIT) and Tony Cordero has been nominated for an Honorary Life Membership in VVA.
7. Jim Knotts, Executive Director of VVMF, and I have met and exchanged emails. He will speak to the VVA BOD in January 2015.
8. There has been communication with several SC leaders and National Officers concerning issues in those State Councils. Significant progress in resolving the issues has been made.
9. The process of budgeting for FY16 has begun. I have advised and communicated frequently with the Finance Committee Leadership, VVA Officers and staff. A meeting to develop the budget proposal is scheduled.

Associates of Vietnam Veterans of America/ S. Hobbs

President Hobbs submitted a written report:

HAPPY NEW YEAR!

Since returning home from the October Board meeting, the Board has conducted business and communication through the Internet. The minutes from the October meeting have been approved. The minutes and all Officer, Regional, and Committee reports can be read on the AVVA website. (www.avva.org). AVVA continues to work with Father Phil in sending sympathy cards to the families of all reported deceased members of VVA and AVVA. Unfortunately, a small percentage of cards are returned as “unable to forward” or “undeliverable” due to the time between the date of death and the date reported to the National Office.

NOVEMBER:

I had the opportunity to present a seminar at the Florida State Leadership Conference. While there, the subject of membership for permanently hospitalized veterans in AVVA was brought to my attention. I am pleased to let everyone know that the Board has now passed an Associate Permanently Hospitalized Veteran (APHV) policy. Those veterans ineligible for VVA PHV membership may now join AVVA at no cost; a DD 214 is required. The policy and application can be found on our website. Over Veteran’s Day weekend, two AVVA Officers and two Regional Directors worked alongside of VVA in the Membership/Information tent in Washington DC. Wreaths were laid at The Wall, the *In Memory Plaque*, and in Arlington Cemetery. AVVA was represented by Joanna Henshaw (National Secretary), Bill Williams (National Treasurer), Nancy Rekowski (Region 2 Director), and Penny Meinhardt (Region 5 Director). AVVA was notified that Proforma had decided to end our product vendor agreement on December 1st because the one-year results “fell short of expectations”. We now have only one vendor: Military Best. I am working with him to take over our AVVA flags, Challenge Coins, and Agent Orange Pins. His most recent addition to our product line is the Agent Orange Teardrop 2.5” patch.

DECEMBER:

The AVVA Board has passed a motion through e-vote to donate \$1,000.00 to the Winter Coat Drive for homeless veterans in Washington DC area in support of the Winterhaven Stand Down

for Homeless event. I had the opportunity to visit the 2015 Convention site with Wes Guidry and Dan Stenvold. We toured, met, and planned with two hotels and the Convention Center. It was a very quick and intense visit; much was accomplished. Thank you, Wes, for including AVVA.

JANUARY

The *In Memory Plaque* Task Force had a computer-based online meeting with Mr. J C Cummings, architect for the repair. Mr. Cummings gave us a presentation that included detailed descriptions and explanations of where the Plaque could and could not be relocated; plus, two possible redesigns of the Plaque. Those present at the meeting unanimously chose a design; however, until the governmental agencies agree, it is just our choice. I hope to give a more detailed update in April. January is budget time for AVVA. Our Finance Committee is meeting to prepare the proposed budget; the budget will be approved by the Board during the April meeting. AVVA is planning to visit The Hill with VVA in April.

Sharon

Conference of State Council Presidents/C. Montgomery

CSCP President Montgomery stated the CSCP was preparing to go to the 2015 Winter Meeting in San Diego, CA and noted that the CSCP was not Going-to-the-Hill in April 2015. The CSCP is working on their budget submittal and discussing Town Hall meetings going on around the country.

Veterans Benefits Program Director's Report/J. Rudert

1. Appellate Advocacy Statistics
2. VVA National Claims Statistics
3. Staff Changes
4. VVA Litigation
5. Service Officer Training
6. VVA Accredited Representatives List
7. VetPro Database
8. VBP Policy Change
9. Service Officer Suspensions/Revocations
10. VVA Grants

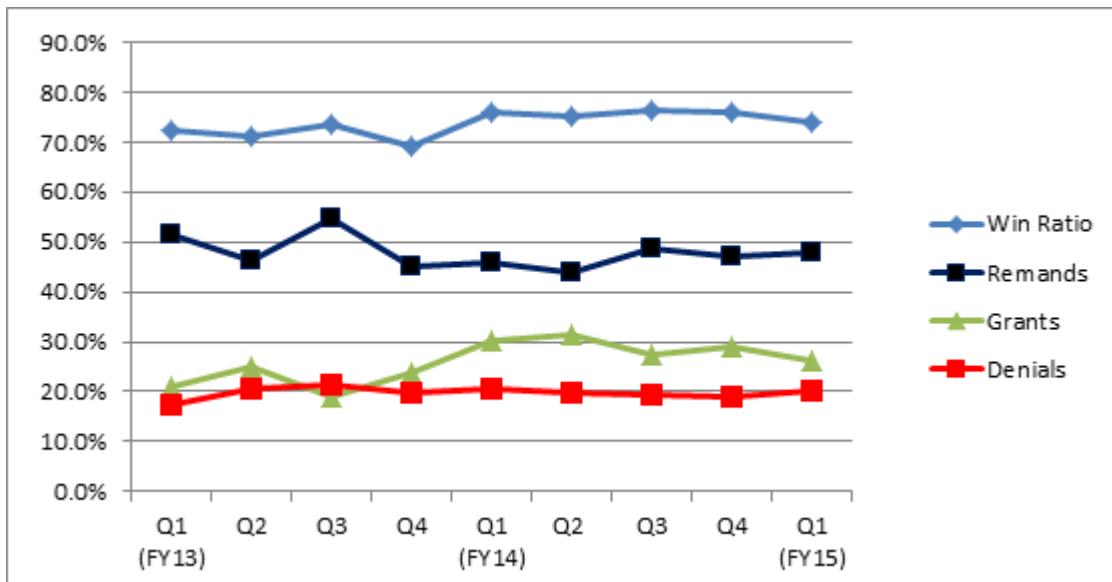
1. Appellate Advocacy Statistics

As of January 6, 2015 we have 134 cases in our inventory. The average date of receipt at the Board for our appeals is October 2014 with a median docket date of June 2013. The Median Docket Date for the Board is May 2012, but this date is outdated because the last docket date reported by the Board was made in October 2014. For Q4 FY 2014, VVA maintained its relative success at the Board. Our approval rate during this quarter for appeals is 26.1%, our denial rate is 20.2%. These statistics are based on 257 cases completed in FY'15 Q1.

VVA's Board Stats FY 2014 (Oct 1, 2013 – Sep 30, 2014)¹

	Grants	Remands	Denials	Other	Total
Q1(FY14)	78 (30.2%)	118 (45.7%)	53 (20.5%)	9 (3.5%)	258
Q2	82 (32.3%)	110 (43.1%)	51 (20.0%)	12 (4.7%)	255
Q3	88 (27.7%)	154 (48.4%)	62 (19.5%)	14 (4.4%)	318
Q4	69 (29.1%)	110 (46.4%)	45 (19.0%)	13 (5.5%)	237
TOTAL	318 (30.8%)	236 (45%)	106 (20.2%)	22 (4.2%)	1075
Q1(FY15)	67 (26.1%)	123 (47.9%)	52 (20.2%)	15 (5.8%)	257

VVA's Board Stats (Oct 1, 2013 – Dec 31, 2014)



AMC Stats

Our inclusion of two new staff at the AMC has produced limited statistics that we can provide to the Board. We plan to provide more detailed figures at the next quarterly meeting. For Q1 FY15 our AMC staff reports 768 incoming/outgoing calls, 40 scheduled appointments, and 31 walk-ins and a total of \$470,773.75 in awards for veterans directly represented by AMC staff.

2. VVA National Claims Statistics

For FY2015 1Q (Oct. '14 – Dec. '14) veterans and dependent with VVA POA received a total of **\$191.1 Million** in compensation, pension, & DIC benefits, of which **\$121.1 Million** was from states with VVA Service Programs who are receiving VVA grant funding.

¹ Note that Q1 = Oct 1 - Dec 31; Q2 = Jan 1 - Mar 30; Q3 = Apr 1 - Jun 30; Q4 = Jul 1 - Sep 30

#	GRANTEE	TOTAL FY '15 1Q
1	WA	\$18,557,004
2	MI	\$17,289,763
3	MN	\$11,582,956
4	IA	\$10,495,745
5	NY	\$10,084,494
6	CA	\$9,485,858
7	FL	\$9,209,029
8	MA	\$8,597,038
9	NJ	\$7,327,251
10	CH 317	\$6,048,679
11	BUCKEYE	\$4,572,733
12	IN	\$4,438,142
13	VT	\$1,613,090
14	CT	\$1,155,507
15	AK	\$616,305
	TOTAL:	\$121,073,594

SOURCE: Veterans Benefits Administration, 1/7/2015

3. Staff Changes

There have been no staff changes in the Veterans Benefits Department since the October 2014 Report.

4. VVA Litigation

1) CIA Case

Vietnam Veterans of America, et al. v. Central Intelligence Agency, et al.
Case No. CV-09-0037-CW, U.S.D.C. (N.D. Cal. 2009)

UPDATE:

Case continues to proceed with the assistance of the law firm, Morrison & Foster. On November 4, 2014, the Army provided a status report concerning its activities under the Court's injunction to provide information on chemical agents. The Army has contracted with a third party, an organization called *Blue Earth Marketing*, to identify information relevant to long-term effects of exposure to the chemical and biological agents identified in the Court injunction. Report will also focus on any new information published in scientific literature since June 30,

2006.

BACKGROUND:

This case remains in dispute despite an order and attempt by the Court to have the parties come to an agreement. In this case, the Department of the Army (the main party in the action) was sued in a class action (certified in August 2013) of which VVA is a party in respect to the testing of up to 400 unknown chemical agents on soldiers at Ft. Detrick, the Aberdeen Proving Grounds, the Ridgewood Arsenal and other locations from the years 1952 – 1975.

On August 7, 2013 the Court ordered the parties to submit a joint proposed injunction and judgment that complies with the terms of the Order within 14 days. As a result of the partial grant, the Dept. of the Army was ordered to let the class members know what chemical agents they were exposed to, the dosages, health effects, and if any new information on medical effects becomes available. Basically, the case is currently in a holding pattern. The parties were not able to come to an agreement despite the Court Order and VVA anticipates that the Government attorneys representing the Defendant's (CIA, Dept. of Army, etc.) are going to appeal the decision.

Trial has been vacated.

Copy of November 2014 status report:

<http://edgewoodtestvets.org/court-filed-documents/pdfs/20141104-566-Status-Report.pdf>

Copy of August 2013 Opinion and Order:

<http://www.edgewoodtestvets.org/court-filed-documents/pdfs/20130724-MSJ-Order.pdf>

2) FOIA Case

Vietnam Veterans of America Connecticut and Vietnam Veterans of America v. US Dept of Defense, Dept of Homeland Security and Veteran's Affairs

UPDATE:

There have been no substantive developments to report at this time. *But see Monk v. Mabus (below).*

BACKGROUND:

The Plaintiffs argue that the Department of Defense has violated the law by failing to release records showing that it has wrongfully discharged nearly 26,000 service members on the basis of so-called "Personality Disorder," preventing disabled veterans from receiving the disability compensation and other benefits they have earned. In October 2013, we reported that the case is currently before the U.S. District Court for the District of Connecticut awaiting a ruling. The same

holds true as of today, however, one branch of service has decided to negotiate. The Coast Guard has formally offered to negotiate in the case and has sent data to Yale University for analysis.

LAST COURT ORDER:

Grant: Court ruled that the Plaintiff's original request to provide all individual service members' separation packets who were discharged with personality disorder diagnosis imposes an unreasonable burden on the defendants.

Granted: Court ruled that Defendant's redactions of rank, dates of service, and place of last assignment were appropriate, as well as redaction of individual DoD employee's names, contact information, and other identifying information.

Denied: Court ruled that Defendants did not provide declarations that demonstrated that their search of records was adequate. Plaintiffs are permitted limited discover concerning the adequacy of the agency's searches. (Court ruled however that VHA and VBA's searches were adequate).

Link:

http://www.law.yale.edu/documents/pdf/Clinics/vlsc_VietnamVetsAmerica_66_Order_Motion_Summ_Judg_14-0331.pdf

3) Monk v. Mabus, Case No. 3:14-cv-00260 U.S.D.C. (Conn. 2014).

UPDATE:

On November 14, 2014, Judge Warren Eginton remanded the claims of the five individual plaintiffs to the Boards for Correction of Military Records so that the named plaintiffs' discharge upgrade applications could be reconsidered in light of the new guidelines issued to the boards by Secretary of Defense Chuck Hagel in September 2014 (see below). The Court ordered the boards to decide each resubmitted application of a named plaintiff within 120 days. In the same order, Judge Eginton dismissed without prejudice the claims brought by Vietnam Veterans of America, Vietnam Veterans of America Connecticut State Council, and the National Veterans Council for Legal Redress. This means that the Judge did not make any ruling on the merits of the organizations' claims, and that the organizations may refile the case in the future. The Judge dispensed with all other pending motions in the case, including plaintiffs' motion for class certification.

BACKGROUND:

On March 3, 2014, five combat Veterans and three VSOs filed a class action lawsuit in Federal District Court seeking relief for Vietnam Veterans who developed PTSD during their military service and subsequently received an other than honorable discharge. For more than 40 years, the Army Board for Correction of Military Records, the Board for Correction of Naval Records, and the Air Force Board for Correction of Military Records, have virtually ignored the claims

of Plaintiffs and tens of thousands of similarly situated veterans by categorically refusing to recognize undiagnosed Post-Traumatic Stress Disorder (“PTSD”) as the underlying cause of behavior that led to their other-than-honorable discharges.

The Secretary of the Navy (Mabus); Army (McHugh); and Air Force (James) were listed as defendants in the lawsuit. Complaint requests the following:

Vietnam veterans who suffer from PTSD and received other than honorable discharges are now elderly, disabled, and indigent. They seek the implementation of medically appropriate standards for consideration of their PTSD in the discharge upgrade review process. They also seek upgrades in their discharge statuses that will allow them, in their final years, to receive the respect, recognition, and assistance that their service long ago earned.

Copy of Complaint:

http://www.law.yale.edu/documents/pdf/Clinics/VVA_PTSD_3.3.14_complaint.pdf

Docket Entries in Case:

<http://www.plainsite.org/dockets/2c9xupjyf/connecticut-district-court/monk-et-al-v-mabus-et-al/>

Copy of Plaintiff’s Memorandum in Partial Opposition to Defendant’s Second Motion for Remand

<http://www.plainsite.org/dockets/download.html?id=184865311&z=339ce203>

4) SWAN & VVA, Petition to initiate rulemaking (2013).

UPDATES

There have been no substantive developments to report at this time.

BACKGROUND

VVA and Yale Law School (YLS) submitted a petition for rule-making to the VA seeking to reform regulations regarding disability claims filed each year by thousands of veterans suffering from PTSD related to rape, sexual harassment, or sexual assault (collectively “military sexual trauma” or “MST”). Filed in June 2013, the petition requested that VA adopt evidentiary accommodations for MST claims, as VA has done for numerous other disabilities that are difficult to prove and that disproportionately affect male service members. When VA ignored the rulemaking petition, the clinic filed suit in the U.S. Court of Appeals for the Federal Circuit to compel the agency to respond to the petition. In July 2014, VA

denied the rulemaking petition. VV and YLS filed a second suit in the Federal Circuit challenging VA's rejection of the petition and its refusal to end discrimination against MST survivors.

LITIGATION DOCUMENTS:

Petition for Rulemaking:

http://www.law.yale.edu/documents/pdf/Clinics/vlsc_SWAN_petitionRuleMakin_g.pdf

Petition for Review:

http://www.law.yale.edu/documents/pdf/Clinics/vlsc_SWAN_PetitionReview_April_29_2014.pdf

VA Denial of petition for rulemaking:

http://www.law.yale.edu/documents/pdf/Clinics/VLSC_VA_Denial_of_Petition.pdf

Second petition for review:

http://www.law.yale.edu/documents/pdf/Clinics/vlsc_SWAN_SecondPetitionReview_July_29_2014.pdf

5) McKinney v. McDonald

BACKGROUND

This is a new case to report to the Board and has to do with Agent-Orange (AO) Korean DMZ cases. Parties to the case are NVLSP, VVA, Military Order of the Purple Heart, and American Legion.

At issue is the effective date of a 2011 regulation that applied a presumption to Korean DMZ claims. *See* 3.307(a)(6)(iv). In 2003, Congress passed the Veterans Benefits Act, which authorized benefits for AO exposure, but only applied a presumption for Korean DMV vets who served from 4/1/68 to 7/1/69 (16 month window). Veterans who served from 9/1/67-3/31/68 and from 8/1/69-8/31/71 did not get the presumption and had to prove exposure on a factual, case-by-case basis. This was later changed in 2011, when the 16 month window of exposure was expanded to 41 months. This means that the presumption only applied for those who filed after 2011.

The litigation claims that potentially hundreds or thousands of veterans who filed for claims after 2003 but before 2011 were denied AO related compensation because of the regulation's February 24, 2011 effective date.

McKinney is the veteran that is the plaintiff in VVA's current case. However, the litigation is a direct result of a Korean DMV veteran by the name of Brian Mallory. Mallory took his case to the CAVC, seeking benefits for diabetes dating back to December 2006. Shortly before oral argument, the VA decided to settle the claim. In the settlement, the VA anticipated that it would similarly treat claims appealed to the CAVC that were similar to Mallory case. VVA's lawsuit seeks to change the 2011 effective date to 2003, so that all veterans would receive the same treatment afforded to Mallory.

The lawsuit was filed on October 24, 2014. The VA responded on December 8, 2014 arguing that there is no legal basis for applying an earlier effective date. VVA plans to file a reply brief on January 12, 2014.

5. Service Officer Training

The National Veterans Legal Service Program (NVLSP) will be presenting 3 advanced training videos at VVA National next month. The topics will be 1) Substitution Regulations for Survivors; 2) Gun Shot Wounds; 3) Aid and Attendance claims (with a review of VA Pension claims). These training lectures will be recorded and posted on our service officer training site.

6. VVA Accredited Representatives List

Currently there are **975** VVA accredited representatives nationwide listed on the "VA OGC Accreditation Search" database. We are continuing to update our list.

7. VETPRO Database

We have **115** service officers on VetPro, and are continuing webinar training so we can add more service officers.

8. Proposed VBP Policy Changes

The VBP committee has reviewed additional proposed changes. A revision with these changes is being submitted to the VVA Board of Directors for approval in January 2015.

9. Service Officer Suspensions/Revocations

None at this time.

10. VVA GRANTS

The 12-Month Report was due Oct. 15, 2014, and all 12-Month Reports were timely submitted. All grantees are in compliance with the MOU for the Oct. 1, 2013-Sep. 30, 2014 grant cycle.

The new grant cycle started Oct. 1, 2014. **The first report will be the 6-month report, due April 15, 2015.** Those who fail to comply with the terms of the MOU will be subject to loss of grant funding. All grant recipients have been warned.

The deadline for applications for the next grant cycle (Oct. 1, 2015-Sep. 30, 2016) is MARCH 31, 2015. Grant applicants are encouraged to contact the VBP Director or Veterans Benefits Committee Chair if they have any questions, or need assistance with preparing their application.

Government Affairs R. Weidman

Executive Director Rick Weidman spoke about a change in the cycle where there is no stoppage, the work on the Agent Orange bills and educating the legislators/other VSOs on Agent Orange.

Veterans Health Council/Dr. T. Berger

-with the assistance of the Communications Department and colleagues from the Veterans Law Clinic at Yale, developed and posted information to the VVA website re: OTH discharges

-presented at Women In Government's *Fifth Annual Healthcare Summit* on Hepatitis C, focusing on how it is impacting veterans and particularly baby boomers

-participated in webinar sponsored by the National Alliance for Suicide Risk and Prevention **entitled** *Screening and Assessment for Suicide in Health Care Settings: A Patient-Centered Approach*

-attended PCORI (i.e., Patient-Centered Outcomes Research Institute) workshop and seminar on Hep C research and funding. As a result of partnering with NVHR, PCORI will NOT fund Hep C clinical research without providing treatment to all research participants

-with VHC partners, utilized advocacy efforts in the MI state legislature that resulted in SB1130 – the HCV criminalization bill – ended with no action being taken, effectively killing it and allowing Michiganders with hepatitis C to breathe a sigh of relief

-attended meeting with CEO's of Clinical Director's Network and Anomaly42, and Minority Quality Forum re: collaborative funding proposal targeting the 6,000 postal zip codes associated with highest rates of Hep C

-attended meeting with Abbvie, Inc. execs re: funding for a national Hep C information campaign

-participated in NVHR (National Viral Hepatitis Roundtable) teleconference re: development and marketing of NVHR strategic plan for national Hep C campaign

-participated in briefing re: regulatory advocacy (i.e., an educational briefing to learn how Congress enables federal agencies to issue regulations, how regulations are developed and made available for review and comment by the public, and how the public can influence the rule-making process at every stage)

-participated in a DoD/Tricare webinar re: autism

-attended healthcare policy round table sponsored by Johnson & Johnson

-attended Rare Disease Legislative Advocates policy dinner forum; RDLA is a collaborative organization designed to support the advocacy of all rare disease groups

-attended Pfizer briefing re: Essential Health Benefits

-attended CMS briefing re: a new proposed rule that has the potential to dramatically change the prescription drug coverage protections for patients in plans that cover Essential Health Benefits

-received notice that VVA through the VHC will be participating in two research projects, one at Harvard involving peer support and mental health; the other at Stanford focusing on substance use disorders

-since my October 2014 report, the VHC has received another \$10,100.00

National Chaplain Report P. Salois

Father Phil noted that he was continuing to work with AVVA in sending sympathy cards to the families of all reported deceased members of VVA and AVVA.

Membership Department Report A. Alt

Alyson Alt gave a verbal report and submitted a written report after the meeting. These are goals to be implemented during this fiscal year.

Upgrade membership service:

- 1: Resolve individual membership problems
 - A: Follow up on complaints to make sure issues have been resolved.
- 2: Enhance membership service:
 - A: Returning calls promptly
 - B: Resolving issues promptly
 - C: Contact lapsed memberships to renew good VVA relationship and/or update our data base with change of address, or deceased notices.
- 3: Focus on the integrity of the membership data base
 - A: Implement continuity and accuracy on all entries
 - B: Develop new reports and improve on existing reports

** Example: all rosters should have a summary of membership types at the end of the roster and a percentage to the total for each membership type. If monies are included in a report, there should always be a monetary total.

We should have a report that summarizes our Chapters (example) by Chapter, membership type, out of state members within a chapter with a corresponding Regional summary with the same information and percentage.

4: When working with IMIS in developing new reports, we need to give a time frame for the review (before implementation) to make sure no charges are incurred for continuous updates to our request. Upon approval of the reports, there needs to be a time frame for implementation.

5: More IMIS training for staff, with the focus on batch/dues3004 issues

Requests for 'codes' to determine the source of new memberships were made and will be implemented. Applications presented at special events will be coded prior to distribution and coded by membership for reports and statistics. I will work on Frankie Pressley to implement this request.

Implementation of scanners for DD2-14's to enhance security and eliminate storage of hard copies will begin as soon as all scanners have been installed and staff has training. A letter to LMT will be sent out with dues information and notification of changes made by the Board.

A letter to 'pending' members will be sent out with a return envelope. This letter is a request for a copy of a DD2-14 or SF180 with a time frame for response. Those who do not respond before the deadline will be placed as inactive.

National Meetings and Special Events/W. Guidry

Wes Guidry noted the limo service list, gave the lunch menu and discussed the problems with the 2018 National Education & Leadership Conference approved by the BOD for the Rio Casino in Las Vegas.

Director Dan Stenvold made the following motion:

Motion 5

To not sign a contract with the Rio Casino in Las Vegas for the 2018 National Education & Leadership Conference. Instead, to sign a contract with the Renaissance Hotel in Palm Spring, CA.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Meeting recesses: 10:55 am

Saturday, January 10, 2015

The meeting of VVA National Board of Directors reconvened at 9:02 am on Saturday, January 10, 2015. National Chaplain Father Phil Salois officiated the opening prayer followed by a Moment of Silence.

The National Secretary conducted the roll call of the National Board of Directors. Present were:

John Rowan, President	Sharon Hobbs *	Tom Owen
Marsha Four, Vice President	Ken Holybee	Jim Pace
Bill Meeks, Secretary	Joe Jennings	Felix Peterson
Wayne Reynolds, Treasurer	Joe Kristek	Dick Southern
Bob Barry	Allen Manuel	Dan Stenvold
Linda Blankenship	John Margowski	Herb Worthington
Dennis Cohoon	Sara McVicker	Jerry Yamamoto
Richard DeLong	John Miner	
Charlie Hobbs	Charlie Montgomery	

** AVVA President is a non-voting member of the National Board of Directors*

Also present: Joseph A. Sternburg, CFO and Mike Swift, Parliamentarian.

President Rowan announced that the National Board of Directors would go into Executive Session (9:06 am) to hear a report from Q. Butcher on the MN AG complaint involving the VVA Household Goods Donation Program.

The meeting of VVA National Board of Directors reconvened at 9:24 am from Executive Session.

Finance Committee Report

Committee Chair Ned Foote presented information on budget preparation to the board members, committee chairs and department directors.

Committee – MOTIONS ONLY

Veterans Against Drugs – D. Simmons – No motions

POW/MIA – R. DeLong – No motions

Membership Affairs – C. Hobbs – No motions

Public Affairs – T. Burke – No motions

Veterans Incarcerated – D. Yezzo – No motions

Veterans Benefits – J. Margowski – No motions

PTSD and Substance Abuse – Dr. T. Hall – No motions

Women Veterans – K. O'Hare-Palmer – No motions

Homeless Veterans - S. Miller – No motions

Veterans Health Care - P. Bessigano – No motions

Government Affairs – P. Peterson – No motions

Agent Orange/Dioxin – H. Worthington made the following motion:

Motion 6

To appoint Elizabeth Bates and Stephen Bowers as members of the Agent Orange/Dioxin Committee ANC to VVA.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Constitution – L. DeLong – No motions

Economic Opportunities – F. Barry – No motions

Resolutions – D. Southern – No motions

Rules – J. Jennings – No motions

Minority Affairs - J. Yamamoto – No motions

Consent Calendar Motions/National Secretary

Secretary Meeks submitted the following motion:

Motion 7

To accept the Consent Calendar Motions:

- 1. Move to approve the revised Budget Oversight Policy from the VVA Finance Committee.**
- 2. Move to retire the following BOD motions:**

Board of Directors

October 2013

Motion #32 - Move to approve hiring Mary Stout as the part time Director of Membership Affairs to be funded from the current Salary line in the Membership Department budget.

Credentials Committee

April 1983

Non-qualifying states be appointed a non-voting delegate in the capacity of state coordinator who also chairs the state delegation.

State coordinators which are non-voting delegates at the National become voting delegates when there is one-hundred and fifty unaffiliated members not to exceed one vote.

Finance Committee

January 2001

Motion #8 - To accept the VVA Board of Directors Contingency Fund Policy as presented.

February 2013

Motion #1 – To alter the conditions of suspension for Chapters which as of the date of this motion are: 1) suspended because their tax-exempt status has been revoked by the IRS; and 2) have filed a Form

1024 requesting reinstatement with the IRS and VVA National; and 3) are otherwise in good standing with VVA; and 4) to allow such Chapters to seat voting delegates at the 2013 National Convention. This motion does not alter any other terms of suspension.

October 2013

Motion #33 - Move to approve the VVA Women Veterans Committee overspend their approved budget by \$680 authorizing them to design and print 500 posters in support of the 20th anniversary of the Vietnam Women's Memorial.

Health Care Task Force

April 2006

Motion #24 – To appoint Ned Foote as Chair of a prosthetics Utilization Task Force that will act as an advisory committee to a VA researcher. Tim Forrest and Adolph Gardner will serve as members of this Task Force at no cost.

Meetings

January 1999

It was agreed upon to go along with the recommendations of the task force. Committee reports will be limited to ten minutes. There was also a suggestion that those who did not have anything to report, to submit a written report for the minutes. All issues will be reported on should there be a need.

Submittal of committee budgets were discussed and formatting the process. It was stated that committee chairs have a responsibility to uphold as far as submitting their budget. It was suggested that a policy manual, divided by monthly obligations, be provided to the board, to include what their responsibilities are.

April 2008

Motion #8 – To authorize the Director of Meetings to negotiate and enter into contract with Crowne Plaza, Silver Spring, for BOD meetings 2011-2012-2013.

Membership Committee

January 2011

Motion #19 – To accept the newly revised online membership application.

Miscellaneous

April 2010

Motion #12 – To create a strategic planning taskforce regarding the future of VVA; members of the taskforce are Linda Schwartz (Region

1), Sandy Miller (Region 2), Joseph Kristek (Region 3), Albert Lewis (Region 4), Jack Devine (Region 5) also appointed chair of the taskforce, Dan Stenvold (Region 6), Nate Washington (Region 7), Jim Pace (Region 8), and Barry Schloffel (Region 9).

Convention Awards

March 1991

Motion #27- That the Board of Directors authorize the Special Committee on Women Veterans to present awards at the 1991 Convention to individuals who have made outstanding contributions to Women Veterans.

June 1991

Motion #13 - To increase awareness of and participation in the Department of Veterans Affairs Voluntary Services (VAVS) program. VVA institute a program to acknowledge accomplishments for (1) Outstanding State Council (2) Outstanding Chapter (3) Outstanding Volunteer; with the presentation of said awards to commence at the Fifth National VVA Convention.

March 1992

Motion #33 - To establish a community service award to be presented annually. On odd years at the National Convention, on even years at State Convention and/or the National Leadership Conference. Will have 3 categories, 0 to 50 members, 51 to 150 members, 150 members and up. Judging to be done by the National Public Affairs Committee.

MOUs/MOAs/Contracts

April 2009

Motion #15 – To approve the new MOU clarifying the relationship between VVA and VSF as presented to the board.

Motion #16 – MOU – VVA outstanding loan VVAF/VSF - \$171,500.00.

October 2013

Motion #40 - Move to approve the Proforma Marketing Agreement.

Officers & Directors

April 2000

Motion #7 - To allow Regional Directors to appoint the chair to the Regional Disciplinary Review Panel.

Policies

January 2006

Motion #8 – To accept the rewritten VVA Travel Policy.

October 2006

Motion #5 - To approve the Unbudgeted Revenue Policy.

January 2007

Motion #13 – To approve the proposed amendment to Section I.C. of the Code of Disciplinary Policy and Procedures.

April 2007

Motion #14 – To amend the Travel Policy, dated January 2006, administrative, by removing paragraph 3 in its entirety to include subparagraphs 1 and 2.

July 2007

Motion #4 – To terminate the National Gulf War Resource Center’s MOU.

October 2007

Motion #6 – to approve the addendum to the VVA Travel Policy.

Motion #7 – To amend the Officers’ Salary and Benefits Policy as indicated.

Motion #15 – That VVA adopt the E-Rules of Order and the E-Motions for consideration of specific questions submitted electronically in the intervals between board meetings as prescribed by the VVA Constitution, Article I, Section 4, Paragraph G, Votes.

July 2009

Motion #2 – To add the following language to the Code of Disciplinary Policy & Procedures, Section II – Temporary Suspension ... D. Any and all temporary suspensions imposed by a State President, Regional Director, or National Officer may not be reversed prior to the completion of the appropriate disciplinary action other than by a majority vote of the National Board of Directors at a regularly scheduled meeting of the Board.

October 2009

Motion #7 – To amend Finance Committee Policy by striking “Use of VVA’s Names, Logos, Trademarks, or Copyrights” paragraph from policy.

August 2010

Motion #6 – Bruce Whitaker moved to strike paragraph #8 – E-Rules of Order – Interval BOD Motions, adopted Oct 6, 20C to wit: “Debate

shall be in sequence, round robin, in the order in which members sign in_” – in its entirety.

October 2010

Motion #8 – To amend the National Board of Directors E-Rules of Order by adding Rule 13 – that interval motions presented and acted on between Board meetings, are to be included in the minutes of the next regularly scheduled Board of Directors meeting.

January 2013

Motion #17 – To remove sub-paragraph 2 from Section 1, Paragraph A (Disciplinary Code).

Travel

September 1993

Motion #53 – To retain the per diem rate at \$37.50/day; and to review the per diem rate annually starting with the budget preparation meeting of January 1995 for the FY 3/1/95-2/29/96.

3. **Move to approve the revised VVA Honorary Life Membership Policy and the revised HLM form from the VVA Membership Affairs Committee.**
4. **Motion to remove Tom Insley from the VVA Constitution Committee at his request.**
5. **To appoint Larry “Digger” Gillespie as a member to the VVA Convention Planning Committee and change Butch Huber’s designation to Special Advisor at his request.**
6. **Motion to remove Skip Haswell from VVA Membership Affairs Committee at his request.**
7. **To appoint Patti Dumin as Outreach Co-Chair for Veterans Against Drugs Committee.**
8. **Move to approve a donation of \$6,000, from the Presidents Cost Center, to the Associates of Vietnam Veterans of America, Inc. in support of the repairs / renovations project to the In Memory Plaque.**

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Unfinished Business

Revisions for the Leadership Handbooks: Charlie Montgomery noted that the CSCP is working on the revisions.

VVA Personnel Policy (revised): Vice President Four with second from Treasurer Reynolds made the following motion after a brief update on the revisions:

Motion 8

Move to accept the 01/10/15 revised VVA Employee Handbook Personnel Policy.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Strategic Working Group: Vice President Four stated that there were numerous short/long term goals being considered and discussion with Jim Vale about Veterans Benefits cases/files.

New Business

Honorary Life Membership Nominations: Secretary Meeks submitted the following motion:

Motion 9

Motion to approve the requests for Honorary Life Membership (HLM) that are listed below:

NAME	REQUESTED BY
Dr. Jeff Heider	1087 MT
Mayor Randell Hutto	1004 TN
Edward Cook	233 NJ
Eileen Ward	1104 KY
Anu Bhagwati	Marsha Four
Tony Cordero	Wayne Reynolds
Dreama Denver	WV State Council

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

VVA Office Security Project: After lengthy discussion President Rowan with second from Vice President Four made the following motion:

Motion 10

Move to accept security updates to reception area of National Office to include security equipment and wall construction.

<u>Board Member</u>	<u>Motion # 10</u>
John Rowan	No Vote
Marsha Four	Y
Bill Meeks, Jr.	Y

Wayne Reynolds	Y
Bob Barry	N
Linda Blankenship	ABS
Dennis Cohoon	N
Richard DeLong	N
Charlie Hobbs	N
Ken Holybee	N
Joe Jennings, III	Y
Joe Kristek	N
Allen Manuel	N
John Margowski	N
Sara McVicker	N
John Miner	N
Charlie Montgomery	N
Tom Owen	N
Jim Pace	N
Felix Pete Peterson, Jr.	N
Dick Southern	N
Dan Stenvold	N
Herb Worthington	Y
Jerry Yamamoto	N

Yes: 5
No: 17
Non Vote: 1
Not Present: 0
Abstention: 1
Motion failed.

After further discussion about the office security project Treasurer Reynolds with second from Director Southern made the following motion:

Motion 11

To direct the National Officers to prepare a specific proposal on the office security project to address specific concerns with itemized pricing and multiple price quotes. Alternates for the renovation should be included in the presentation.

Without objection motion passed.

Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Committee Reports Only

Veterans Against Drugs – D. Simmons – Verbal report

POW/MIA – R. DeLong – Verbal & written report

Membership Affairs – C. Hobbs – Verbal & written report

Public Affairs – T. Burke – Verbal report
Veterans Incarcerated – D. Yezzo – Verbal report
Veterans Benefits – J. Margowski – Verbal & written report
PTSD and Substance Abuse – Dr. T. Hall – Verbal report
Women Veterans – K. O’Hare-Palmer – Verbal report
Homeless Veterans - S. Miller – Verbal report
Veterans Health Care - P. Bessigano – Verbal report
Government Affairs – P. Peterson – Verbal report
Agent Orange/Dioxin – H. Worthington - Verbal report

Meeting recesses for lunch: 12:15 pm

VVA Film Project: President Rowan gave a brief summary on the project. President Rowan introduced John Giannini who explained that the film project was intended to express VVA’s legacy and presented a nine (9) minute viewing of the film to all present at the meeting.

President Rowan with a second from Secretary Meeks made the following motion:

Motion 12

To approve the expenditure of \$60,000 for a video by contract with Giannini Productions and the proposed contract would require approval by the BOD.

There was a lengthy discussion with Mr. Giannini about the film; he answered numerous questions from board members and President Rowan allowed comments from the gallery in attendance at the meeting.

There was a motion presented by Treasurer Reynolds with a second from Director Southern:

Motion 13

**To Call the Question.
Without objection motion passed.**

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Director Montgomery asked President Rowan to go into Executive Session and President Rowan presented the request as a motion.

Motion 14

**To go into Executive Session.
Without objection motion passed.**

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

President Rowan announced that the National Board of Directors would go into Executive Session at 2:31 pm and that the Parliamentarian Mike Swift would remain during the session.

The meeting of VVA National Board of Directors reconvened at 3:28 pm from Executive Session. Secretary Meeks recorded the results of the following motions during the Executive Session:

Motion 15

To reconsider motion 13 to Call the Question.

Yes: 16

No: 7

Non Vote: 1

Not Present: 0

Motion passed

Motion 12

To approve the expenditure of \$60,000 for a video by contract with Giannini Productions and the proposed contract would require approval by the BOD.

Yes: 11

No: 12

Non Vote: 1

Not Present: 0

Motion failed

See attachment to these meeting minutes for more details on the motions during the executive session.

Continue Committee Reports

Constitution – L. DeLong – Verbal report and noted that the committee recommends the following be proposed as an amendment to the constitution at the 2015 convention.

Article 1, Section 4, Paragraph C – currently reads:

....Any vacancy among the at-large members of the board of directors shall be filled for the remaining term thereof by the majority vote of the remaining directors....

Amend by striking the words with the strike through and replacing with the bold underlined words.

Any vacancy among the at-large members of the board of directors shall be filled for the remaining term thereof ~~by the majority vote of the remaining directors~~ **by the candidate who received the next highest number of votes at the most recent convention and who accepts the position.**

Director Montgomery with a second from Director Holybee made the following motion:

Motion 16

**To endorse the recommendation from the Constitution Committee regarding filling
a vacancy on the National Board.**

<u>Board Member</u>	<u>Motion # 16</u>
John Rowan	No Vote
Marsha Four	N
Bill Meeks, Jr.	N
Wayne Reynolds	N
Bob Barry	N
Linda Blankenship	N
Dennis Cohoon	Y
Richard DeLong	Y
Charlie Hobbs	N
Ken Holybee	Y
Joe Jennings, III	Y
Joe Kristek	Y
Allen Manuel	N
John Margowski	Y
Sara McVicker	N
John Miner	N
Charlie Montgomery	Y
Tom Owen	N
Jim Pace	Y
Felix Pete Peterson, Jr.	N
Dick Southern	N
Dan Stenvold	Y
Herb Worthington	Y
Jerry Yamamoto	Y

Yes: 11

No: 12

Non Vote: 1

Not Present: 0

Abstention: 0

Motion failed.

Economic Opportunities – F. Barry – Verbal & written report

Resolutions – D. Southern – Verbal report

Rules – J. Jennings – Verbal report

Minority Affairs - J. Yamamoto – Verbal report

After the Committee Chairs pointed out areas of change under their committee sections, Director Peterson submitted the following motion:

Motion 17

To approve the 2015 VVA Legislative Agenda with edits.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

The meeting adjourned at 4:14 p.m.

Respectfully submitted,



Bill Meeks, Jr.
National Secretary
Approved April 10, 2015

ATTACHMENT

During the VVA National Board of Directors April 10, 2015 meeting a motion was submitted by Director McVicker:

Motion 2

To amend the BOD meeting minutes from January 9, 2015 in Silver Spring, MD to include the minutes from the executive session held during the January 2015 National BOD meeting in the official minutes of that meeting.

Yes: 22

No: 1

Non Vote: 1

Not Present: 0

Secretary Meeks submits the minutes from the executive session held during the January 2015 National BOD meeting as an attachment to the official minutes of that meeting:



Vietnam Veterans of America

8719 Colesville Road, Suite 100, Silver Spring, MD 20910 • Telephone (301) 585-4000

Main Fax (301) 585-0519 • Advocacy (301) 585-3180 • Communications (301) 585-2691 • Finance (301) 585-5542

www.vva.org

A Not-For-Profit Veterans Service Organization Chartered by the United States Congress

**Vietnam Veterans of America
National Board of Directors Meeting
Executive Session
January 10, 2015**

President Rowan announced at 2:31 pm that the National Board of Directors would go into Executive Session after Motion # 14 “To go into Executive Session” was passed without objection during the regular session and President Rowan stated that the Parliamentarian Mike Swift would remain during the session.

The National Secretary recorded the members of the National Board of Directors who were present:

John Rowan, President	Sharon Hobbs *	Tom Owen
Marsha Four, Vice President	Ken Holybee	Jim Pace
Bill Meeks, Secretary	Joe Jennings	Felix Peterson
Wayne Reynolds, Treasurer	Joe Kristek	Dick Southern
Bob Barry	Allen Manuel	Dan Stenvold
Linda Blankenship	John Margowski	Herb Worthington
Dennis Cohoon	Sara McVicker	Jerry Yamamoto
Richard DeLong	John Miner	
Charlie Hobbs	Charlie Montgomery	

** AVVA President is a non-voting member of the National Board of Directors*

Many board members had questions as to how anything could be discussed since the question had been called on Motion # 12 prior to going into executive session. There was consultation between President Rowan and the Parliamentarian Mike Swift on how to proceed. The recommendation was to have a motion made to reconsider Motion # 13.

**Motion 15
To reconsider motion 13 to Call the Question.**

<u>Board Member</u>	<u>Motion # 15</u>
John Rowan	No Vote
Marsha Four	N
Bill Meeks, Jr.	Y
Wayne Reynolds	N
Bob Barry	Y
Linda Blankenship	N
Dennis Cohoon	Y
Richard DeLong	Y
Charlie Hobbs	N
Ken Holybee	N
Joe Jennings, III	Y
Joe Kristek	Y
Allen Manuel	N

John Margowski	Y
Sara McVicker	Y
John Miner	N
Charlie Montgomery	Y
Tom Owen	Y
Jim Pace	Y
Felix Pete Peterson, Jr.	Y
Dick Southern	Y
Dan Stenvold	Y
Herb Worthington	Y
Jerry Yamamoto	Y

Yes: 16

No: 7

Non Vote: 1

Not Present: 0

Motion passed

There was lengthy discussion by numerous board members pertaining to the VVA Film Project and then Motion # 12 was repeated for the board members.

Motion 12

To approve the expenditure of \$60,000 for a video by contract with Giannini Productions and the proposed contract would require approval by the BOD.

<u>Board Member</u>	<u>Motion # 12</u>
John Rowan	No Vote
Marsha Four	Y
Bill Meeks, Jr.	Y
Wayne Reynolds	Y
Bob Barry	Y
Linda Blankenship	Y
Dennis Cohoon	N
Richard DeLong	N
Charlie Hobbs	N
Ken Holybee	Y
Joe Jennings, III	N
Joe Kristek	Y
Allen Manuel	N
John Margowski	N
Sara McVicker	N
John Miner	N
Charlie Montgomery	N
Tom Owen	Y

Jim Pace	Y
Felix Pete Peterson, Jr.	N
Dick Southern	N
Dan Stenvold	Y
Herb Worthington	Y
Jerry Yamamoto	N

Yes: 11
No: 12
Non Vote: 1
Not Present: 0
Motion failed

President Rowan call for the executive session to end and the meeting of VVA National Board of Directors reconvened at 3:28 pm. Secretary Meeks recorded the total vote tally and whether the motions passed or failed during the Executive Session in the meeting minutes.

Respectfully submitted,



Bill Meeks, Jr.
National Secretary
Approved April 10, 2015