



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

VVA BOARD OF DIRECTORS MEETING

July 16, 2019

2019 VVA 19th National Convention

Spokane, Washington

President John Rowan called to order the meeting of Vietnam Veterans of America National Board of Directors on Tuesday July 16, 2019, at 4:06 pm, at the Spokane Convention Center (Room 202). Director Gumersindo Gomez gave the opening prayer which was followed by a moment of silence.

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

John Rowan, President	Skip Hochreich	Dave Simmons
Marsha Four, Vice President	Sharon Hobbs *	Dick Southern
Bill Meeks, Secretary	Francisco Ivarra	Dan Stenvold
Dottie Barickman	Allen Manuel	Kerwin Stone
Tom Burke	John Margowski	Ted Wilkinson
Spence Davis	Sara McVicker	Sandie Wilson
Richard DeLong	Charlie Montgomery	
Gumersindo Gomez	Rex Moody	
Bob Grabinski	Felix Peterson	

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

Present: Joseph A. Sternburg, CFO

Absent (excused): Wayne Reynolds, Treasurer

Preliminary Business

Secretary Meeks submitted the following motions with a second from Vice President Four:

Motion 1

To accept the 2019 July BOD meeting tentative agenda.

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

Motion 2

To approve the 2019 April 12-13 BOD meeting minutes.

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

National President/J. Rowan

President Rowan gave a brief verbal report on upcoming business and a written report.

On April 17th I attended a Press Conference convened by NY Governor Andrew Cuomo in Manhattan to announce that the MERIT program which provides college scholarships to children of KIAs will be expanded to include the children of those who die while in the military in a non-combat situation.

That same evening Mariann and I attended a town hall meeting sponsored by the National Nurses United along with Rep. Alexandria Ocasio-Cortez regarding the staffing and funding issues in VA healthcare and the concerns about privatizing VA healthcare.

April 20th Mariann and I attended the NYSC meeting in Tioga Downs.

On April 28th Mariann and I attended a 100th Anniversary Dinner Dance for the Queens County American Legion sponsored by the American Legion Auxiliary.

On April 28th I attended a meeting of the NYC Veterans Advisory Board at Queens Borough Hall.

On May 6-7th I attended the Annual Communication of the Grand Lodge Free and Accepted Masons of New York with the Masonic War Veterans.

On May 9th I attended a meeting of Post 27 of the Masonic War Veterans.

On May 13th I traveled to VVA HQs to meet up with Jack McManus and Dr. Linda Schwartz to go to the Defense Health Services HQ to discuss the future utilization of bio-samples and data taken during the Ranch Hand Study.

On May 17-19 I attended the 70th Convention of the Masonic War Veterans of New York State where I completed my term as the Commanding General for 2018-19.

On May 21st Mariann and I traveled to Albany, NY where I was inducted into the NYS Senate Veterans Hall of Fame.

On May 21st Mariann and I attended a meeting of Manhattan Chapter 126 and presented VVA Achievement Medals to long standing members Joe Graham, Vince McGowan, and Harvey Bagg.

On May 22nd I attended a Memorial Day Service at Queens Borough Hall.

On May 22nd I attended a dedication of a new Fisher House at the Bronx VAMC.

On May 22nd I attended the Navy's NYC Fleet Week Reception at the former Custom House in lower Manhattan. It was attended by NYC Mayor De Blasio and NYC Dept. of Veterans Services Commissioner Loree Sutton, Brig. Gen. USA (ret.). I met up with Ms. Ashleigh Wagner from U-Haul who introduced me to her boss VP of Communications Sebastian Reyes and several of local U-Haul colleagues.

On May 31st–Jun 1st I attended the Region 8/9 Conference in Sparks, NV.

On June 7-9 I attended the Region 5 Conference in Indianapolis, IN.

On June 11th I attended a NYC veterans Advisory Board meeting in the Bronx.

On June 13th I attended a meeting of VVA's Veterans Health Council at the Kennedy Center in DC. This was Col. Artie Shelton, MD USA ret. First meeting as VHC Director.

On June 14-16 Mariann and I attended a meeting of the NYSC in Nicholls, NY.

On June 20th I traveled to HQ to hold a staff meeting and later attended a 50th Anniversary Dinner of the League of Families of POW/MIAs.

National Vice President/M. Four

Activities for this report include the following:

- Attended and represented VVA at the 51st Annual Four Chaplains Day banquet on February 7th.
- The January board Committee Chairs Luncheon meeting included discussions related to convention, resolutions, legislatives and annual bud/narrative submissions.
- Worked with the Membership Committee and Department over Memorial Day, also attending and representing VVA as part of the Memorial Day Capitol Concert in its recognition of Vietnam Veterans. I was also able to speak briefly with VA Secretary Wilkie. On Memorial Day I represented VVA for the ceremony of Rededication of the In Memory Plaque, taking place as the result of its new design and placement. Also attending were AVVA President Sharon Hobbs and Jim Knotts, President and CEO, the Vietnam Veterans Memorial Fund. Later in the day I attended the service at the Women's Memorial at Arlington (WIMSA). VVA wreathes were placed at The Wall, the Vietnam Women Veterans Memorial and the In Memory Plaque.
- Was present on May 28 and 30, at the National Coalition for Homeless Veterans (NCHV). Sandy Miller, VVA Chair for Homeless Veterans Committee received a special award for her exceptional work and service on behalf of homeless veterans. While there I had a lengthy conversation with Pete Dougherty, NCHV BOD and former VA Deputy Assistant Secretary of Governmental Affairs and Director of Homeless Veterans Programs. We discussed the VA Homeless Program including Homeless Grant and Per Diem. We will be having a conference call with VVA Director of Government Affairs, Rick Weidman, and Sandy Miller to consider the need for a Congressional hearing on this subject.
- Met with National staff and Program Directors on May 29th.

- Invited and attended, along with Dr. Linda Schwartz, a roundtable discussion on the issues facing women veterans as organized by the VA Office of the Inspector General held on June 19, 2019.
- Spent June 18-21 in the National Office with staff, meetings with President Rowan. There will now be a regular scheduled mandatory monthly meeting of Department Directors. Samala Parker, Director of Human Resources will be the designed Recorder for this meeting. I also attended the 50th Anniversary annual meeting of the National League of Families. VVA was recognized first when VSO's were recognized as long standing supporters of the League.
- Continued packing and organizing my office for the next elected Vice President.
- Organizing agenda and handouts for Orientation Day of all Board Members, Committee Chairs and State Presidents at the upcoming October 2019, Board Meeting.
- Continue working with Dr. Schwartz on the design of a pocket card for veterans allowing them to control the health information they provide to their community care provider. The design is taking shape.
- Gathering information and materials for the transition of the Office of Vice President.

Personal Note: My activities were limited during the months of February, March and early April due to the care I was fortunate and blessed to give to my mother up until her death. Thank you all for your condolences and understanding.

National Secretary/B. Meeks

Secretary Meeks gave a brief verbal report on a reminder for chapters and state councils of making sure election and financial reports are submitted to avoid being on the upcoming VVA suspension list that will be coming out about ten days after the convention.

National AVVA President/S. Hobbs

AVVA President Hobbs had a written report.
VVA Board:

First of all, it has been a pleasure working with all of the VVA Board. AVVA has spent the last 6 weeks preparing for the Convention. A well-executed Convention just doesn't happen, it takes planning. Below is a synopsis of AVVA's 2017 – 2019 term.

-Sharon Hobbs

- Suffered the unexpected loss of the National Vice President.
- Reduced life membership dues permanently for VVA dual membership to \$50.
- Converted our IRS status to a 501 (c)(3).
- ***SPOUSAL & SURVIVORS VA BENEFITS PROGRAM:*** Our newest town hall platform program was launched during 2018.
- ***CONDOLENCE CARD PROGRAM:*** AVVA's Chaplain worked with Father Phil in sending sympathy cards to the families of all reported deceased members of VVA and AVVA. We averaged 80/month. AVVA now includes a small card in each envelope that

encourages loved ones to submit their veteran's name to the *In Memory Registry* if eligible.

- **PAPER SAFE PROGRAM:** We are distributing in our fifth (5) printing of the Paper Safe; we have budgeted for our sixth (6) printing this calendar year. AVVA continues to give them without charge to our members and to all veterans.
- **HELPING HANDS GRANT:** \$1,500 was donated to the hurricane victims in 2018. \$2,000 was given to the Birth Registry in 2019.
- **MOU:** Signed with Vietnam Veterans of America, Inc.
- **TWO PARTNERSHIPS:** (1) Military and Veteran Caregiver Network (MVCN) to provide online peer support services to caregiving members. (2) Vietnam Veterans Memorial Fund (VVMF) in the repair of the In Memory Plaque.
- **IN MEMORY PLAQUE PROJECT:** After approximately eight long years, the repair is completed. The rededication was completed on Memorial Day in 2019. VVMF paid for the production and installation of the Plaque.
- **LEADERSHIP DEVELOPMENT:**

- 2-hour Board Orientation in Oct 2017
- "At-large Elections" review (online)
- "Budgets & Finance" (online)
- Strategic Planning (classroom)
- "Electronic Motions" (classroom)
- Pre-planning for the 2019 National Convention (online)
- Chapter Elections review (online)
- **INCORPORATIONS:** AVVA now has twelve (12) incorporated states and eighteen (18) incorporated chapters.
- **TOXIC EXPOSURE COMMITTEE:** Participated in 52 Faces of Agent Orange Town Hall meetings across the US.
- **MEMBERSHIP:** Over 10,200 members; and all-time high.
- **FOUR EDUCATIONAL BROCHURES:** PTSD '2, Legislative Priorities, Spousal Benefits, and Toxic Exposure
- **DONATIONS:** \$2,000 to *Lighthouse Social Services Centers* (LSSC). (Project Friendship Palm Springs, CA). \$2000 to *Volunteers of America* Eastern Washington and Northern Idaho. (Project Friendship- Spokane, WA).

- **SPONSORED TWO SEMINARS DURING 2018 LEADERSHIP CONFERENCE** (Palm Springs, CA): “*Recognizing and Living with Secondary PTSD*” and “*Basic Parliamentary Procedure*”.
- **WEBSITE:** Over 211,000 visits since its debut in 2013. We launched our new, improved website in 2018.
- **VENDORS:** Memorandum of Understanding (MOU) with (1) ***Ideal Images*** for women’s clothing. (2) ***Military Best*** added the AVVA logo patch, Life member patch, the AVVA Membership pin, the AVVA Life Member pin and the AVVA challenge coins. (3) ***Agent Orange Store***. Regular and specialty patches, pins, and clothing.
- **VISTA PROGRAM:** Continues to thrive. Over 98,000 reported since its introduction in 2014.
- **Holiday Participation:** AVVA participated in military holidays in Washington DC. Laying a wreath at the In Memory Plaque, The Vietnam Memorial Wall, the Tomb of the Unknown Soldier, and the Women’s Memorial on both Memorial Day and Veterans Day.
- **MILESTONE:** AVVA is celebrating our 20th anniversary in 2019.

Sharon Hobbs, AVVA President

Conference of State Council Presidents/R. Moody

CSCP President Moody gave a brief verbal report on CSCP activities.

Consent Calendar

Secretary Meeks submitted the following motion with a second from Director Southern:

Motion 3

1. Move to amend the VVA BOD Motions Reference Guide – Membership Committee Section by retiring the motion indicated.

- Upgrading Active Membership to Life Membership Policy (Approved 7/19/16)

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

Unfinished Business

There was no business presented.

Veterans Benefits Program Director’s Report/Felicia Mullaney, Esq.

VETERANS BENEFITS REPORT

July 2019

CONTENT

1. Director's Note
2. VBP Activities
3. Notable Achievements
4. People & Staff Changes

APPENDIX

- New Awards Chart (October 2018 to April 2019)

1. Director's Note

Over the past year, VA has undergone massive changes because of the Appeal Modernization Act (AMA), which came into effect on February 19, 2019. First, the Board of Veterans' Appeals (BVA) announced in October 2018 that it would impose deadlines for the submission of IHPs. Second, the VBP was given an unprecedented number of new cases to complete (1,341 from October 2018 to present). Third, the VA implemented regulations for AMA, which will run parallel to the old Legacy appeals system.

The VBP is committed to providing timely **and** high-quality representation to those represented by VVA. BVA has hired hundreds of new attorneys and is on track to decide 90,000 cases this year (close to 10,000 more than last year). Between April and September 2018, the VBP was an average of 550 cases behind the BVA's docket.¹ Since then, that average has risen to 1,367. To reach this high level of production, the BVA has lowered its already questionable quality standards. Therefore, it is more important than ever that the VBP National Appeals Attorneys thoroughly review the claimant's file and explain why the benefits sought should be granted.

If the BVA were to make decisions without giving VBP staff the opportunity to advocate for the client, hundreds of Veterans may be denied their benefits or subjected to wasteful remands. In coordination with other Service Organizations, the VBP successfully advocated for the implementation of the IHP deadlines to be pushed back from April to June 2019. The VBP continues to oppose the implementation of any deadlines and will continue to fight to ensure the rights of those represented by VVA are protected.

The average number of new cases received in 2018 was 90 per month. So far in 2019, that number has risen to 145.² To meet this demand, the VBP has hired more staff and has been aggressively finding new ways to increase our own production without sacrificing quality. Thanks to these initiatives, 685 cases were processed in 2018, compared to about 340 in 2017. So far, 444 cases, have been processed in 2019, a 15% increase from this time last year and the VBP's grant rate

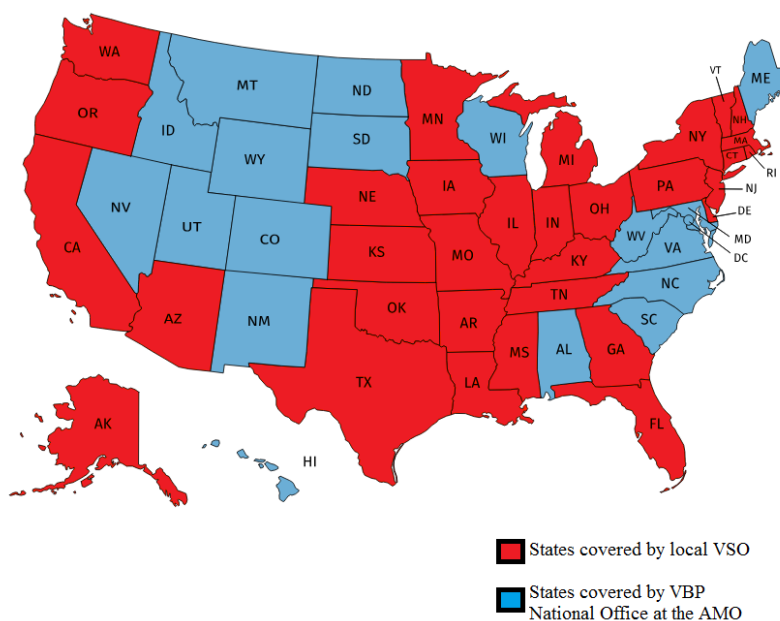
¹ This refers to the date that an appeal was initiated. For example, if a Form 9 was received on January 1, 2018, and the BVA is working on cases from December 2017 or earlier, the January 2018 case would not be worked on regardless of whether the VBP submitted an IHP.

² Data for 2017 and prior years was not recorded.

is (36% so far, this year³). In 2018 76% of all VVA cases at the BVA were processed by the VBP national staff. The remaining 24% were decided after the Veteran was represented at a BVA hearing by a VVA Veteran Service Officer (VSO) in the field.

In August 2018, the VBP reviewed and submitted comments on an advanced copy of the proposed regulations for implementation of the AMA. When VA revised its regulations and they were made available for public comment, it included 35% of the changes we requested. The VBP reviewed the second draft and submitted formal comments. The final version of VA's regulations, published in January 2019, implemented 45% of our requested changes. Since then, the VBP has provided a comprehensive three-day training program for its VSOs across the country and has been advancing VVA's interests during quarterly meetings with BVA and VBA leadership.

2. VBP Activities



The VBP represents more than 77,000 Veterans and family members of all eras. Thanks to the VBPs' advocacy, approximately \$81,556,649, in benefits are paid every month.⁴ Claimants in 30 States and Puerto Rico are represented by local VVA VSOs. Claimants residing in the 20 remaining states and the Philippines are represented by the VBP national office at the AMO.

In June 2019, 9,246 actions needed to be taken by VA adjudicators on cases represented by VVA, Nationwide. These actions

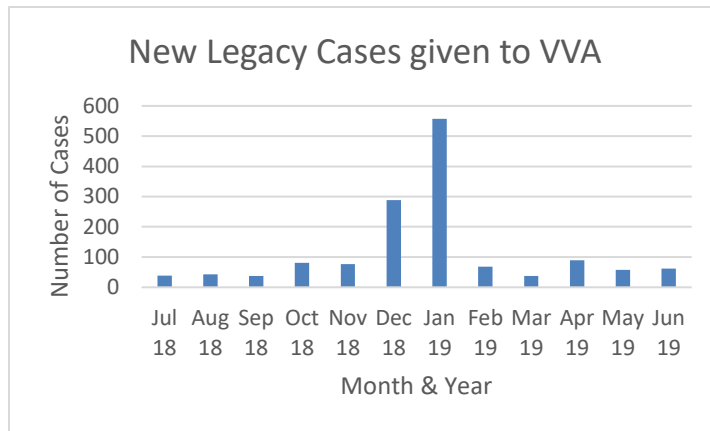
include various tasks such as: requesting new examinations; deciding a claim; processing an appeal, and; adding treatment records to the file.⁵ The average number of actions needed to be taken by VA amongst our VSO programs by state was 269. The total number of actions in states covered by the VBP national AMO office was 646.

³ VVA's average grant rate from 2008 to 2018 was 28%.

⁴ Data obtained from VA.

⁵ Since certain actions can be pending with VA for months, this number does not necessarily reflect an office's workload.

The VBP continues to achieve a “win rate” at the BVA of Veterans’ Appeals (BVA) of



nearly 80%. From May until June 2019, 35.4% of VVA cases were granted and 40% were remanded.⁶ Since the last report in April 2019, and not including hearing request cases, we have received 144 additional new cases. In addition, VBP has received 24 AMA cases; 7 of which have been completed. Due to the large influx of cases, unfortunately, VVA cases are still being held up by our office, not VA.

TOTAL APPEALS BACKLOG AT BVA OF VETERANS APPEALS

LOCATION	Number of Cases (July'18)	Number of Cases (Oct' 18)	Number of Cases (Dec' 18)	Number of Cases (Jan' 19)	Number of Cases (Apr '19)	Number of Cases (Jun '19)
Pending Attorney Review	1048	1044	1107	1751	1753	1788
Pending Travel BVA Hearing	203	185	458	211	218	224
Pending Video Hearing	715	662	631	654	572	538
Pending Central Office Hearings	15	12	9	18	20	18
TOTAL VVA BACKLOG AT BVA	1,981	1,903	1,905	2,634	2,561	2,568

Source: VACOLS; BVA of Veterans’ Appeals

As shown in the table, VVA filed over 100 NODs and nearly 100 Form 9s each month. It is unclear whether the recent dip in NODs will be a continued trend or a one-time occurrence. Most of these claims will eventually make their way up to the BVA. The below data indicates that VVA’s benefits program continues to remain highly active at all levels.⁷

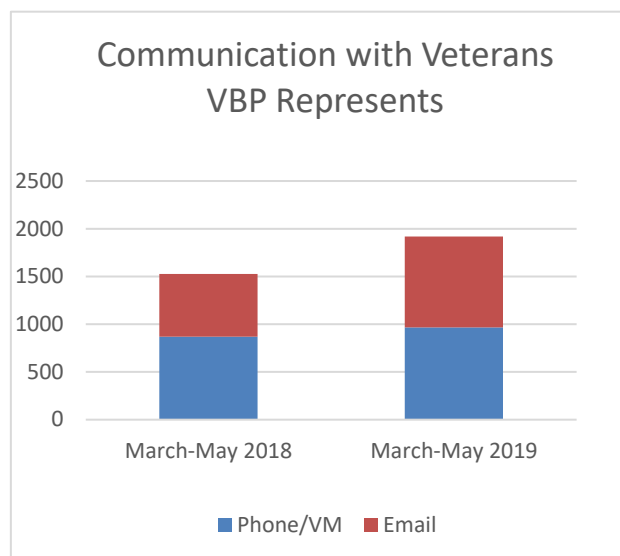
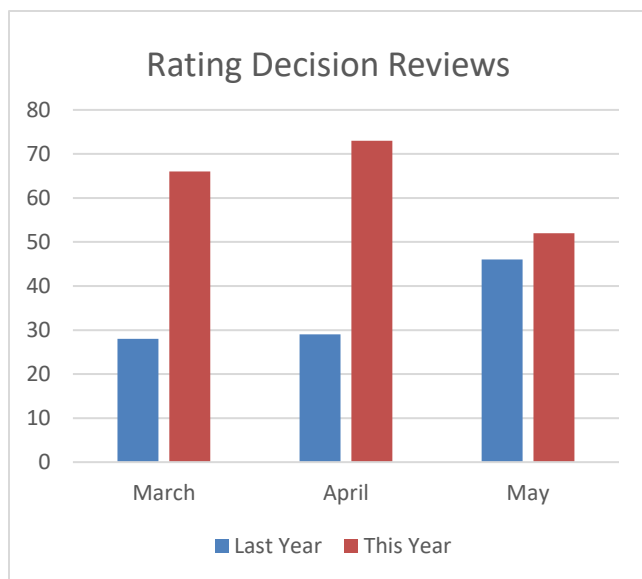
The VBP Offices at the AMO and BVA continue to be high-volume offices as we continue to experience an increased workload on almost all aspects.

VVA national VSOs reviewed **191 rating decisions** this quarter. As part of this review, our VSOs check the accuracy of the decision and effective date, review the Veteran’s C&P exam, review service records, and speak with the Veteran to craft a compelling argument disputing the rating decision. They complete all of this within the VA’s 16 business hour deadline.

VVA Appeals Filed Nationwide (May 2018-February 2019)		
	NODs Filed	Form 9s Filed
May	136	94
Jun	108	96
Jul	116	104
Aug	111	95
Sep	122	91
Oct	127	92
Nov	117	91
Dec	110	72
Jan	86	66
Feb	61	72

⁶ VVA recorded a denial rate of 21.5% and 3.2% of the cases recorded a disposition of “other”.

⁷ Source: Veterans Benefits Administration (2/2019) and VVA staff reporting



Our VBP team places priority on communication with the Veterans we represent. During this quarter, we logged **over 950 emails** and **over 950 calls** with our clients.

The VBP is committed to helping all Veterans obtain benefits and resources, even if we don't formally represent them. During this quarter, we responded to hundreds of inquiries for benefits and resources by email, phone, and in person for Veterans we do not yet represent. We responded by providing referrals to local resources, including to our VSOs in the field.

In addition to serving our Veterans, the VBP exists to support our VSOs in the field. This quarter, we sent notices to our Chief VSOs about **over 225 upcoming hearings** and **over 190 upcoming appeal deadlines**. This service helps our VSOs better serve Veterans in the field.

3. Notable Achievements

The VBP Team is busy zealously advocating for the veterans we serve. Some notable accomplishments for this quarter of the VBP team are highlighted below:

Veteran Service Officer Dee Wallace *disputed a rating decision where VA failed to provide a medical examination* and got the VA to hold the decision for the examination to be provided, **saving the veteran from the delay and hassle of an otherwise inevitable remand.**

Senior Managing Attorney Alexandra Rigby submitted an IHP for *an increased rating for Veteran's PTSD*, BVA awarded an initial rating of **70%** and granted **individual unemployability** effective September 2009. This resulted in a retroactive payment of **\$218,909.26.**

VSO Counsel Joe Scott advocated for a veteran to *receive farming equipment to allow him to live independently on his property*. VA was not processing the award in accordance to his granted award. The Veteran said he waited over 20 years to get this far with his claim.

National Appeals Attorney Fatmata Conteh successfully argued a Veteran is *entitled to a 70% rating for his PTSD* resulting in a retroactive payment of **\$107,847.38**.

Contract Attorney Joshua Leach *argued that a Veteran is unable to work due to his service connected disabilities* since 2000. The BVA agreed; resulting in a retroactive award of **\$389,739.26**.

Veteran Service Officer Ken Bouy *received a call from veteran seeking assistance for TDIU*. The vet filed the required documents but the VA needed the employer information. Ken was able to track down the appropriate office, in Florida, to have the form released to the VA. The veteran backpay for **\$3,409.74** about a month later.

Managing Attorney Heather Olson *obtained a medical expense reimbursement* for a Veteran whose claim had been denied by the VA since 1999 after he had to go to a non-VA emergency room for a fall.

Assistant to the Director Alec Ghezzi submitted an IHP requesting *service-connection for a neck, back, ganglion cyst, and left foot condition*. These were all granted, resulting in a retroactive award of **\$83,248.75**.

4. People & Staff Changes

New Arrivals at the AMO office

We welcome Yolonda Harris as our new administrative assistant for our downtown offices!



Yolonda is from NC, born and raised. She graduated from NC Agricultural and Technical State University with a B.A. in Journalism and Mass Communications. Yolonda served in the National Guard for 6 years as an administrative assistant. She has a decade of experience in customer service and administrative duties. She is a multi-tasker, very friendly, and has a big heart for her family and others. Yolonda is happily married with 3 pups (Paris, Nemo, and Dory). She loves to travel, helping others and creativity. She says she is very thankful to be a part of VVA.

New Arrivals at the BVA office

We welcome Malkia Saunders, Claire Corsey, and Priya Mehta as the newest members of our implacable team of National Appeals Attorneys!

Malkia is a May 2018 graduate of Suffolk University Law School in Boston, MA. She obtained a BA in Political Science from Hampton University in 1997 and a M.Ed. from Howard University in 2004. While in law school, she was a member of various organizations and volunteered to instruct high school students about their Constitutional Rights. She was selected to participate in a seminar that traveled to Cuba and focused on Cuba's Criminal Justice Process in Havana. Additionally, she served as a judicial law clerk in Boston's juvenile court division.





Claire graduated *cum laude* from the Michigan State University College of Law in 2016. Most recently, Claire worked as a public defender with the MD Office of the Public Defender, directly representing low-income clients facing criminal charges. Before her work as a public defender, Claire helped construct the public defense system in Michigan as a policy attorney and regional manager for the Michigan Indigent Defense Commission. Claire is barred in both the DC and in Michigan and is excited to demonstrate her dedication to serving marginalized communities as a National Appeals Attorney with VVA. In her spare time, Claire enjoys calligraphy, reading, and cooking.

Priya is a 2019 graduate of Temple Law School's dual JD/MPH program. Priya earned her Bachelor's degree from New York University, where she studied Chemistry. Prior to law school, Priya worked in clinical research in ophthalmology, where she saw the effects of the Affordable Care Act. During her time at Temple, she served as a Moot Court Honor Society member, an SBA Honor Code Representative, a Law and Public Policy Scholar, Auction Co-Chair for the Student Public Interest Network, and Physical Wellness Co-Chair for the Student Wellness Association.



Promotions



Heather Olson has been *promoted* to **Senior Managing Attorney at our AMO office**. In this capacity, she is responsible for managing all operations at the AMO office. If you see heather around, please congratulate her on the promotion or reach out to her by email at holson@vva.org.

Alexandra (Alex) Rigby (right) has been *promoted* to **Senior Managing Attorney at our BVA office**. In this capacity, she is responsible for managing all operations at the BVA office. If you see Alex around, please congratulate her on the promotion or reach out to her by email at arigby@vva.org.



Departures

Senior Managing Attorney Homer Richards and National Appeals Attorneys Mylee Sabarre and Aviana Cooper have moved on from VVA in the past quarter. We wish them well in their future endeavors!

The following chart shows how many new grants of benefits were issued by VA for Veterans represented by VVA, in each state, and the dollar amount for these benefits.

NEW AWARDS FROM OCTOBER 2018 to APRIL 2019						
State	NEW AWARDS ISSUED	NEW BENEFITS PAID		State	NEW AWARDS ISSUED	NEW BENEFITS PAID
AK	56	\$ 73,025		NC	7	\$ 10,834
AL	1	\$ 140		ND	0	\$ -
AR	2	\$ 276		NE	6	\$ 3,687
AZ	82	\$ 71,375		NH	1	\$ 879
CA	45	\$ 72,128		NJ	33	\$ 36,766
CO	1	\$ 140		NM	0	\$ -
CT	1	\$ 1,632		NV	0	\$ -
DC	0	\$ -		NY	114	\$ 102,592
DE	7	\$ 10,156		OH	23	\$ 27,418
FL	34	\$ 28,450		OK	2	\$ 2,259
GA	3	\$ 3,097		OR	6	\$ 6,724
HI	3	\$ 1,359		PA	73	\$ 69,044
IA	66	\$ 48,552		RI	5	\$ 1,697
ID	1	\$ 136		SC	1	\$ 1,404
IL	74	\$ 74,661		SD	0	\$ -
IN	49	\$ 41,671		TN	4	\$ 2,156
KS	13	\$ 13,252		TX	58	\$ 53,780
KY	2	\$ 3,851		UT	0	\$ -
LA	14	\$ 14,158		VA	6	\$ 3,571
MA	44	\$ 34,006		VT	4	\$ 3,245
MD	3	\$ 873		WA	216	\$ 170,541
ME	0	\$ -		WI	9	\$ 10,802
MI	51	\$ 47,574		WV	17	\$ 13,617
MN	68	\$ 40,126		WY	0	\$ -
MO	39	\$ 29,801		Puerto Rico	2	\$ 2,245
MS	2	\$ 662		Manilla	0	\$ -
MT	2	\$ 3,306		TOTAL	1250	\$1,137,659
KEY:	States receiving grant funds are highlighted in green					
	States covered by VVA National are highlighted in blue					

New Business

Honorary Life Membership: Secretary Meeks submitted the following motion with a second from Director Southern:

Motion 4

To approve the honorary life membership requests.

Honorary Life Member Requests

Name	Requested By
Leon Hunt	Chapter 109 (MI)
Gwen Hamel	Chapter 109 (MI)
Dale Current	Chapter 109 (MI)
Beverly (Bev) Donner	Chapter 227 (VA)
ID Governor Brad Little	ID State Council

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

Charter Revocation VVA Chapter 561 (NC): Secretary Meeks submitted the following motion with a second from Director Southern:

Motion 5

To revoke the chapter charter for Chapter 561 (NC) upon written requests from the NC State Council.

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

MOU MDVA & VVA & MNSC: Tom Burke, Veterans Benefits Committee submitted the following motion:

Motion 6

MOU between Ohio Department of Veterans Services (ODVS) and VVA and MN State Council.

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

The meeting adjourned at 5:05 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bill Meeks, Jr.", with a stylized, cursive script.

Bill Meeks, Jr.
National Secretary
Approved 10/11/2019

Appendix: MOU MDVA & VVA & MNSC

STATE OF MINNESOTA COOPERATION AGREEMENT

This agreement is between the State of Minnesota, acting through its commissioner of the MINNESOTA DEPARTMENT OF VETERANS AFFAIRS ("State" or "MDVA"), VIETNAM VETERANS OF AMERICA, INC., A NEW YORK CORPORATION, ("VVA") and VIETNAM VETERANS OF AMERICA, INC., STATE COUNCIL, SAINT PAUL, MINNESOTA, A MINNESOTA CORPORATION, ("MNSC").

Recitals

1. Under Minn. Stat. § 197.58 the State is empowered to enter into agreements with congressionally chartered veterans organizations and their auxiliaries.
2. The State is in need of office space, and direct and indirect support for a MDVA employee(s) stationed at the Vietnam Veterans of America Veterans Service Office holding responsibility of accredited representation or Power of Attorney (POA) for MDVA purposes.
3. The State, VVA and MNSC represent that they are qualified and agree to provide the services described in this agreement.

Agreement

1. Term of Agreement

- 1.1 *Effective date:* June 20, 2019, or the date the State obtains all required signatures under Minnesota Statutes Section 16C.05, subdivision 2, whichever is later.
- 1.2 *Expiration date:* June 19, 2021, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2. Duties

2.1 The MDVA will:

- i. The MDVA will station at the Vietnam Veterans of America Veterans Service Office, currently located at 1 Federal Drive, St. Paul, MN 55111, and any successor office designated by the St. Paul Veterans Administration Regional Office, one full-time MDVA employee, either a Claims or Outreach Representative, and backup employees (as needed), each of whom
 - a. satisfies the requirements of and is accredited by Vietnam Veterans of America ("VVA") under 38 C.F.R. § 14.629 as a VVA Service Organization Representative; and
 - b. maintains VVA accreditation, which VVA retains the right to suspend or revoke, by attending and satisfactorily completing MDVA service officer training and VVA service officer online training that MDVA and VVA requires and provides, and

- c. by complying with
 - i. the rules of conduct contained in VVA's Veterans Benefits Program Policies, attached hereto and incorporated by reference; and
 - ii. the ethical and professional standards and practices prescribed by applicable Code of Federal Regulations (see, e.g., 38 C.F.R. § 14.633).
- ii. Said MDVA employees are not required to attend VVA training in person, but will be provided, at no cost to MDVA, online VVA basic and advanced service office training, which shall be mandatory and will be included with MDVA training program for these employees.
- iii. Said employees will operate as VVA Service Officers, and shall keep the office open for walk-in claimants during business hours of 0800 through 1630 with reasonable office closure for lunch periods, breaks, and time off. Said employees, at their election, may keep the office open during lunch periods, provided one or more of them is present in the office. An appropriate sign and any building directory entry shall identify the office as the office of "VIETNAM VETERANS OF AMERICA."
- iv. Said employees will accept any non-frivolous claim (under 38 C.F.R. § 14.633) from a veteran or a dependent who requests representation through VVA, and will represent the claimant in seeking all of the local, state, and federal veteran's benefits that he or she is entitled to receive including, but not limited to, assistance with claims for compensation, pension, vocational rehabilitation, education, burial allowance, or any other benefit or service available to the claimant at present or in the future under Federal, state, or local laws.
- v. Such representation will proceed in the name of VVA, following the claimant's execution of a Power of Attorney (POA) in favor of VVA. The POA shall be established on a VA Form 21-22 ("Appointment of Veterans Service Organization as Claimant's Representative"). MDVA agrees to provide the VVA's Representation Notice for all new POAs. MDVA agrees to educate Minnesota County Veteran Service Officers on the practice of informing claimants and issuing them the VVA Representation Notice. Said employees shall identify VVA in all correspondence that relates to claims being prosecuted under the VVA POA.
- vi. Said employees will use VVA's information management system, or any successor to it that VVA chooses to require, for generating or updating all claims for which they provide representation under the VVA POA. Said employees shall access the information management system (or any successor chosen by VVA), which is confidential, proprietary VVA property, solely for purposes of providing representation under this Agreement and shall not disclose or afford access to the information management system (or successor) to any other persons.
- vii. MDVA will also provide appellate representation for claimants holding VVA POA at the St. Paul Veterans Administration Regional Office (VARO) for claimants under both the Legacy and Appeals Modernization Act appeals processes. Representation

under the Legacy Appeals Process include De Novo reviews, Decision Review Officer (DRO) hearings, Board of Veterans Appeals' ("BVA") Travel Board hearings, BVA Video Conference hearings for appealed adverse VA decisions. MDVA will also develop a tracking system to ensure that VVA represented claimants timely appeal (using VA Form 9 or VA Form 21-0958), if appropriate.

Representation under the Appeals Modernization Act appeals process include: Rating Decision reviews, filing supplemental Claims, appealing to the Higher Level of Review and Supplemental Claim Lanes, representing veterans in Informal Hearings, filing Notice of Disagreements to BVA, and representing in BVA video conference hearings. MDVA will also develop a tracking system to ensure that VVA represented claimants timely appeal (using VA form 20-0995, VA Form 20-0996, or VA Form 10182) if appropriate.

- viii MDVA will monitor, review, and dispute, if necessary, all rating decisions for claims submitted by MDVA on behalf of VVA.
- ix To assist with these VVA appeals, VVA will make available to said MDVA employees assistance from VVA appellate attorneys who are based at the BVA in Washington, DC.
- x VVA will not require said MDVA employees to seek approval before initiating any appeal for local, state, or Federal benefits on behalf of a VVA claimant, nor will they require MDVA to limit the quantity of appeals before the BVA, as long as the claimant is originally under a VVA POA.
- xi MDVA may accept POAs for VVA from claimants whose claims are already in appeals status at the discretion of MDVA in accordance with the current VVA VBP Policy Guidance.
- xii Said employees shall provide to the MNSC and the VVA VBP Director monthly activity reports within ten business days of the end of each quarter. The VVA Monthly Activity Report delineates the total number of VVA POAs taken during the month, as well as the number of claims (as opposed to claimants) filed there under during the month.
- xiii Said employees shall have salary and benefits paid by MDVA and shall be under the supervision and control of MDVA. The MNSC or the VVA VBP Director may request, through MDVA management, copies of documents obtained or generated by said employees in providing representation under the VVA POA, to the extent necessary.
 - a. to determine said employees' satisfaction of the requirements for accreditation as VVA Service Officers,
 - b. to determine whether said employees' VVA accreditation should be suspended or revoked, upon which notice must be provided to the MDVA authorized representative at least two business days in advance of suspension or revocation, or
 - c. to determine the need to protect claimants' interests or provide them representation in the

event of termination of this Agreement or suspension or revocation of said employees' VVA accreditation or other possible incapacitation of said employees.

- d. For the purpose of making any of these determinations or, if necessary, to protect claimants or to provide them representation, the VVA VBP Director, or his or her designee, shall have the right to enter the office and take custody of such documents, or copies thereof, as may be appropriate under the circumstances.
 - e. In the event of a said employee's voluntary or involuntary termination of employment with MDVA, the MDVA shall immediately notify the VVA VBP Director.
- xiv MDVA will provide special project services as requested by MNSC or the VVA VBP Director. Such projects requests must be approved by the MDVA authorized representative. Special projects include such examples as the electronic historical archiving of presently existing files into the information management system.

2.2 VVA will:

- i. Verify that the current VSO maintains VVA accreditation as a VVA Service Organization Representative.
- ii. Verify that the service officer training provided by the MDVA is sufficient to satisfy the VVA accreditation standards.
- iii. Provide the MDVA with online basic and advanced service officer training.
- iv. Verify compliance with the rules of conduct contained in the VVA Veterans Benefits Program Policies and in the applicable Code of Federal Regulations.
- v. Verify that the VSO is accepting only non-frivolous claims from veterans or dependents and is pursuing all local, state and federal benefits on their behalf.
- vi. Provide the VSO with access and training for the VVA's information management system and verify that the VSO is uploading all required data to that system in a timely fashion.
- vii. Provide a system that makes the VVA appellate attorneys who are based at the BVA in Washington, D.C. available to provide assistance to the MDVA employees in their prosecution of appeals of adverse VA decisions.
- viii. Provide written approval to the MDVA for any acceptable change that may be proposed for VVA POA's.
- ix. Respond to any notification from the MDVA that a case has reached form 9 status and also at the submission of a VA form 646.
- x. Review requests from the MDVA to accept a POA for VVA from claimants whose claims are already in an appeals status and provide written approval to the MDVA.

- xi Archive in digital format all quarterly activity reports from the MDVA.
- xii Work with the MN State Council Veterans Benefits Committee to develop an effective system for monitoring the day-to-day operations of the VSO office.

2.3 Minnesota State Council (MNSC) will:

- i Provide access to the MDVA VSO to the Office maintained by MNSC at the Henry Whipple Building, 1 Federal Drive, St. Paul, MN 55111.
- ii Provide all required office equipment necessary for the effective operation of that office, such as desks, chairs, files, cabinets, telephones, computers, copy machines, scanners, postage meters and necessary supplies such as copy paper, stationery and envelopes.
- iii Provide maintenance and repairs for all of the above equipment.
- iv Maintain the confidentiality of all information provided by the MDVA to the MNSC.
- v Make all payments required by the Cooperation Agreement.
- vi Seek funding each year from the MDVA Grant and from all other funding sources available.
- vii Provide day-to-day monitoring of the VSO operation as directed by the VVA VBP Director.

3. Payment

The MNSC will pay the MDVA under this Agreement as follows:

- i. MNSC will reimburse MDVA up to the total grant amount provided by MDVA in the State's fiscal year.
- ii. MNSC will seek funding from other sources, grants, donations, etc. and in any subsequent fiscal years, that amount obtained, plus the MDVA grant award, would constitute the total reimbursable amount to MDVA not to exceed actual employee cost incurred by MDVA.
- iii. MDVA will fund any amount incurred above the amount agreed upon at the beginning of the fiscal year between MDVA and MNSC.

4 Authorized Representatives

The Authorized Representative for MDVA is

Ron Quade
Minnesota Department of Veterans Affairs

Bishop Henry Whipple Federal Building
1 Federal Drive, Fort Snelling
Saint Paul, Minnesota 55111
(612) 970-5796
ron.quade@state.mn.us

or his successor.

The Authorized Representative for VVA is

Felicia Mullaney
Director of Veterans Benefits Program
Vietnam Veterans of America
8719 Colesville Road, Suite 100
Silver Spring, MD 20910
301-585-4000, Ext. 125
fmullaney@vva.org

or her successor.

The Authorized Representative for MNSC is

John Hargens
State Treasurer and Chair, State Council Veterans Benefits Committee
Minnesota State Council, Vietnam Veterans of America
20 W. 12th Street, #163F
Saint Paul, MN 55155
(612) 333-7195
John.Hargens@gmail.com

or his successor.

5. Amendments, Waiver, and Agreement Complete

- 5.1 **Amendments.** Any amendment to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- 5.2 **Waiver.** If either party fails to enforce any provision of this agreement, that failure does not waive the provision or the other party's right to enforce it.
- 5.3 **Agreement Complete.** This agreement contains all negotiations and agreements between the MDVA and the VVA and the MNSC. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.

6. Liability

Each party will be responsible for its own acts and behavior and the results thereof.

7. Data Practices

The VVA and the MNSC must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Stat. § 197.603, subd. 2, as it applies to all data provided by the State under this agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the VVAMNSC or the State.

If the VVA and the MNSC receives a request to release the data referred to in this Clause, the VVA and the MNSC must immediately notify the State. The State will give the VVA and the MNSC instructions concerning the release of the data to the requesting party before the data is released.

8. Publicity

Any publicity regarding the subject matter of this agreement must not be released without prior written approval from the State's Authorized Representative.

9. Audit

Under Minn. Stat. § 16C.05, subd. 5, the VVA and the MNSC books, records, documents, and accounting procedures and practices relevant to this agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a total of six years from the end of this agreement.

10. Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this agreement. Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

11. Termination

Either party may terminate this agreement at any time, with or without cause, upon 30 days' written notice to the other party.

APPROVED:

1. Vietnam Veterans of America, Minnesota State Council

By: _____

Title: _____

Date: _____

2. Vietnam Veterans of America

By: _____

Title: _____

Date: _____

3. Minnesota Department of Veterans Affairs

By: _____

Title: _____

Date: _____