

Testimony

of



Presented by

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Before the

House Veterans' Affairs Committee

Regarding

Draft legislation: the Military Residency Choice Act
And
H.R. 3216; H.R. 4150; H.R. 4764; H.R. 5047; H.R. 5083; H.R. 5162;
H.R. 5392; H.R. 5407; H.R. 5416; and H.R. 5420

June 23, 2016

Good morning, Chairman Miller, Ranking Member Brown, and other distinguished members of this very vital committee. Vietnam Veterans of America (VVA) is pleased to have the opportunity to present our views today regarding pending legislation before you.

Draft – The Military Residency Choice Act, introduced by Congressman Randy Forbes (VA-4), amends the Servicemembers Civil Relief Act to authorize the spouse of a servicemember to elect to use the same residence as the servicemember for purposes of taxation “regardless of the date on which the marriage of the spouse and the servicemember occurred.”

The rationale behind this amendment to this act is logical and eminently fair, and VVA endorses the introduction, and enactment, of this bill.

H.R. 3216 – The Veterans Emergency Treatment Act, or VET Act, introduced by Congressman Dan Newhouse (WA-4), attempts to “clarify hospital care furnished by the VA to certain veterans” in emergency settings.

It strikes us that although this act attempts to spell out basic procedures that are already practiced in any ER by trained clinicians, and although it may be considered by some to be prescriptive to the point of micromanaging medical practice, its provisions are sound. Hence, VVA supports enactment of the VET Act.

H.R.4150 - The Department of Veterans Affairs Emergency Medical Staffing Recruitment and Retention Act, introduced by Congressman Raul Ruiz (CA-36). This bill will allow the Secretary of Veterans Affairs to modify the hours of employment for physicians and physician assistants “to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year does not exceed 2,080 hours.”

Because of the nature of the work that they do, clinicians need flexibility in their daily and weekly work schedules, and ought not be restricted to any set number of hours they may work in a given time period. Of course, no clinician should work to the point of exhaustion on a regular basis, to the detriment of the patients they treat.

VVA supports enactment of this common-sense legislation.

H.R.4764 - Puppies Assisting Wounded Servicemembers (PAWS) Act of 2016, introduced by Congressman Ron DeSantis (FL-6), directs the VA, through the Office of Patient Centered Care and Cultural Transformation, to carry out a five-year pilot program to provide service dogs, and veterinary health insurance, to eligible veterans suffering from severe Post-traumatic Stress Disorder. Importantly, the provision of a service dog “shall not replace established treatment modalities.”

The PAWS Act requires that, to be eligible, a veteran shall “have been treated and have completed an established evidence-based treatment and remain significantly symptomatic,” and “have not experienced satisfactory improvement” after having been treated with these evidence-based therapies. Not only does this bill place a limitation on the expenditure of funds “for the procurement and training” of a canine in this pilot program, the Comptroller General of the United States is required to submit to Congress a report evaluating the effectiveness of the program.

VVA supports, with certain reservations, enactment of the PAWS Act. While it is well past time to hold clinical trials to validate the results of canine therapies, if relevant metrics can show that veterans suffering from PTSD can be helped by having a canine companion, such a pilot project will be well worth whatever costs the VA will incur in funding it. Nevertheless, Congress should see proof of the efficacy and effectiveness of these therapies.

H.R.5047 - Protecting Veterans' Educational Choice Act of 2016, introduced by Congressman Jody Hice (GA-10), would direct the Secretaries of Veterans Affairs and Labor “to provide information to veterans and members of the Armed Forces about articulation agreements between institutions of higher learning.”

As we have been both dismayed and angered by the fabrications made to veterans and active duty troops by too many alleged institutions of higher learning in a greedy grab for federal education dollars, any attempt by agencies of government to inform and counsel students about the articulation agreements of any institution of higher learning in which they may be interested is most welcome.

As such, VVA endorses enactment of H.R. 5047.

H.R.5083 - VA Appeals Modernization Act of 2016, introduced by Congresswoman Dina Titus (NV-1), is an attempt to improve the appeals process

of the Department of Veterans Affairs. We are opposed to enactment of this legislation; and let us explain, in detail, why.

OUR POSITION

VVA has been an active participant in the workgroup convened by the VA Deputy Secretary to find common ground on solutions to the VA appeals process. While the appeals process is in need of reform, VVA's position is that veterans ought not to be required to forgo their due process rights in order for VA to process their claims and appeals more quickly. VVA's greatest concerns are that this bill does not address the issue of a virtually total lack of precedent that has long plagued the claims and appeals process. Precedent is the crux of the issue. Ultimately, this is a system of laws, and without precedent, the American system of jurisprudence could not operate. With precedent, most of the claims can be automated, freeing staff for other work. In addition, we believe if this legislation becomes black-letter law, the role of the Court of Appeals for Veterans Claims (CAVC) will be significantly diminished to the detriment of veterans.

STATEMENT

I. H.R. 5083, VA APPEALS MODERNIZATION ACT OF 2016, IN ITS CURRENT FORM, DOES NOT ADDRESS THE LACK OF PRECEDENCE THAT HAS LONG PLAGUED THE VA CLAIMS AND APPEALS PROCESS

From its inception, the veterans claims and appeal process has lacked **precedence**, the legal principle by which judges are obligated to respect the precedent established by prior decisions. The never-ending churning of cases between the RO, BVA, and the CAVC, nicknamed, "The Hamster Wheel" by veterans and their advocates, has led to excessive wait times for too many veterans seeking final resolution of their appeals. The lack precedence at the BVA is the fundamental design flaw to the adjudication of veterans' claims, as prescribed under Title 38. Regrettably, the legislation proposed by VA today does not address the precedence issue.

VVA offers three solutions to addressing the precedence issue:

a) Increase the Number of VA OGC Precedent Opinions

In the early 1990s, after the CAVC's inception, the VA OGC issued approximately 80-100 precedent opinions per year. Today, VA OGC issues less than three opinions per year. Clearly, precedent opinions are no longer a priority at VA OGC, and this needs to change. Veterans Service Organizations ought to be allowed to petition VA OGC to issue precedent opinions. If VA OGC declines to do so, then VA OGC need be required to issue a written denial that can be appealed to the CAVC.

b) Possibly Allow the BVA to Issue 3-Judge Panel Precedent Opinions

Currently, the BVA is authorized 78 Veteran Law Judges (VLJs), but it lacks an effective precedence mechanism. BVA decisions are non-precedential and are not binding on future RO or BVA decisions. Consequently, the BVA is plagued by inconsistent decision-making by these VLJs. In order to improve the consistency of RO and BVA decisions, VVA recommends that VA and this committee look into the feasibility of BVA selectively issuing three-judge panel decisions to bind all future BVA decisions with the same legal issues and fact patterns, so that other veterans with these same legal issues do not have to fight the same battle repeatedly. If effectively implemented, this solution should reduce the number of appeals over time to the BVA.

c) Some believe that any precedential should only result from 3-judge panel of the CAVC.

The reasoning here is that the CAVC judges are both more qualified, and would therefore be the proper venue for such arguments. The CAVC can meet in panels now, but they do not have to do so. That should change, because the VA cannot follow the lead of the Social Security Administration to automate most of their processes if there are not clear precedents and settled law.

If one were a cynic, one could reasonably conclude that the VA is doing handstands and circus tricks to avoid having precedent set that then, of course, would be subject to judicial review.

VA Must Adopt a Social Security Administration-type of rules- based system

During the recent appeals summit, it was mentioned that the Social Security Administration (SSA) uses a rules-based system to improve the consistency of SSA decisions. This is clearly the direction that the VA must move, and move quickly.

Until the precedence issue is adequately resolved, the churning of cases will not end, continuing to waste scarce agency resources and harming veterans. VVA strongly recommends the proposed legislation be amended to mandate an effective precedence-setting mechanism in the veteran claims and appeals process. Otherwise, under the proposed framework as it is currently written, the “Hamster Wheel” remains, albeit with fewer cases at the CAVC.

II. H.R. 5083, VA APPEALS MODERNIZATION ACT, IN ITS CURRENT FORM, HARMS VETERANS BY DISINCENTIVIZING THEM FROM APPEALING TO THE CAVC, THEREBY MAKING THE CAVC IRRELEVANT

VVA has been a long-standing and staunch advocate for judicial review of veterans’ appeals, having championed the passage of the Veterans' Judicial Review Act (Pub. L. No. 100-687), which established the United States Court of Veterans Appeals (now the Court of Appeals for Veterans Claims). VVA strongly believes that veterans have the right to judicial review of their claims for benefits under Title 38, and we have significant concerns that the legislative framework proposed by the VA will undermine the CAVC by disincentivizing veterans from appealing to the CAVC. Although, technically, the current framework does allow veterans to appeal to the CAVC, in practice, it will make the CAVC irrelevant.

Today, the CAVC receives approximately 4,000 appeals per year, about 50 percent of which are remanded back to BVA via a Joint Motion for Remand (JMR). The rest of the appeals go to briefing and are decided by the court. Currently, the VA loses 70-75 percent of its cases at the CAVC. Under the proposed legislation, very few veterans will elect to appeal to the CAVC after a Board of Veterans Appeals decision, because they would risk losing the effective date of their claim if they lose at the CAVC. Instead, it is much safer for them to keep the protections provided by this proposed legislation by filing a “supplemental” claim at the Regional Office (known as the ROJ in the legislation) and skip the appeal at the CAVC. VVA believes this will drastically reduce the number of cases appealed to

the CAVC, with the consequence of reducing the pool of cases for the CAVC to choose from in order to render a three-judge panel merit decision. This drastic reduction of cases going to the CAVC will harm veterans by reducing the number of binding cases on the VA.

VVA suggests that the proposed legislation be amended by giving post-CAVC cases the same effective-date protection as post-ROJ and post-BVA decisions, thereby removing the disincentive to pursue judicial review.

In addition, veterans must be given adequate notice about all their options for appeal under this new framework, including their ability to continue to appeal to the CAVC. This notice should be explained not just when a final BVA decision is issued, but also earlier in the process, when a rating decision is issued by the RO. VVA is concerned that the VA may not provide adequate notice to veterans regarding their appeals option to the CAVC.

III H.R. 5083, VA APPEALS MODERNIZATION ACT, IN ITS CURRENT FORM, HARMS VETERANS BY ELIMINATING DECISION REVIEW OFFICERS (DROs) AND REPLACING THEM WITH “DIFFERENCE OF OPINION REVIEWS” (DOORS) WITH NO QUALIFICATION STANDARDS

It is in everyone’s best interest to have appeals decided at the lowest level possible in the appeals process, which is at the RO. The Decision Review Officer (DRO) is the backbone of the VA appeals process at the lowest level. DROs are GS-13s and come from the ranks of the most senior raters at VBA. The effectiveness of DRO reviews can vary from RO to RO, but generally, veterans represented by VVA have enjoyed successful outcomes by using the DRO process. Veterans benefit from this partnership. Unfortunately, this proposed legislation threatens this successful relationship.

This is classic “old VA” of taking something that is working and is good for veterans and proceeds to try to break it. VVA had hoped that we were moving beyond that old destructive mindset toward real problem solving, in a way that puts the “veteran experience” at the center of all that is done.

Under the proposed legislation, the VA will *eliminate* the DRO position altogether and replace the DRO function with the Difference of Opinion Reviews (DOORs).

Although senior VBA officials have stated VA will retain all existing DRO staff as senior raters, they have also indicated, in order to have a larger pool of staff to conduct DOORs, they will have to use less experienced raters from lower pay scales to perform this function.

VVA has concerns that the only requirement identified by the VA is that the rater conducting the DOOR must be one GS pay grade higher than the rater who issues the ROJ decision. The Duty to Assist (DTA) under current statute is no longer required once the rating decision is issued by the RO. VVA is concerned this will lead to less qualified decision-makers (GS-9s to GS-12s) making DRO-type decisions. DROs, especially experienced ones, have standing and political power at ROs to overturn decisions. Reassigning this work to lower grade and less experienced raters, especially without the DTA mandated under current law, may lead to the rubber-stamping of rating decisions. These may occur more frequently if the DOOR rater and the rater who issued the rating decision being reviewed are at the same RO.

The VA has not explained how much work credit will be assigned for DOORs by VBA's Work Credit System. Will DOORs be a primary or adjunct duty for raters? Will raters be given sufficient work credit for DOORs? If not, then DOORs will be undermined by the Work Credit System as raters will likely avoid them – or at least minimize the time spent on conducting a DOOR – as their primary job depends on making their rating production quota. What good is a DOOR if the rater is not provided sufficient work credit to properly review the entire record to ensure all evidence was properly weighed, and considered? VBA needs to ensure DOOR function is not undermined by the Work Credit System.

VVA is also concerned about VA's lack of detail regarding training of staff who will conduct DOORs. Will raters be given sufficient training to confidently review and overturn another rater's decision? VVA strongly believes raters, as well as all VA staff involved in the process of adjudicating veterans claims and appeals – from clerks all the way up to RO Directors and VLJs – ought to undergo recurring proficiency training.

Without adequate work credit and training provided to raters performing the DOOR function, this feature of the legislation will not achieve the desired goal of an effective, second-level review at the RO.

III. H.R. 5083, VA APPEALS MODERNIZATION ACT, IN ITS CURRENT FORM, HARMS VETERANS IF THE BVA IS ALLOWED TO UNDER-RESOURCE THE HEARING LANE DOCKET UNDER THIS NEW FRAMEWORK

Under the current legislation proposed by VA, there will be two dockets created at the BVA, one for expedited appeals (no new evidence added, and no hearings) and the other, in which the claimant can add evidence and request a hearing. Depending on how BVA is allowed to allocate resources, VVA has concerns the “hearing lane” will be under-resourced, thereby punishing those veterans who choose a hearing. Any final framework must ensure the hearing lane has adequate resources.

IV H.R. 5083, VA APPEALS MODERNIZATION ACT OF 2016, IN ITS CURRENT FORM, HARMS VETERANS BY CLOSING OF THE RECORD BEFORE A BVA DECISION IS ISSUED

For claims being appealed to the Board of Veterans' Appeals, VA's new plan allows new evidence to be submitted for only 90 days following the submission of the Notice of Disagreement and 90 days after the BVA hearing. There is no reason for the VA to restrict the submission of evidence in appealed cases, however, especially when the plan states that evidence submitted after the issuance of a Rating Decision cannot trigger VA's Duty to Assist.

This is especially important given VA's history of backlogs. Although VA hopes BVA decisions will be issued less than a year after the filing of a Notice of Disagreement, under the proposed legislation, it is not outside the realm of possibility that BVA decisions end up being decided two to three years after the Notice of Disagreement is filed. If that is the case, not allowing a veteran to submit evidence during that entire period completely defeats the idea that this system should revolve around what is best for veterans, as opposed to what makes life easier for VA administrators.

It is certainly worth noting that the overwhelming majority of evidence that comes in after the original claim is evidence that has been withheld or lost or just not provided in a timely manner by one entity or another of government. Had the VA and the federal government performed proper Duty to Assist in the first place, then the evidence would have been available at the start of the process.

Therefore, in our opinion, the record should be open until BVA issues a decision.

IV. H.R. 5083, VA APPEALS MODERNIZATION ACT, IN ITS CURRENT FORM, HARMS VETERANS BY CREATING A NEW “RELEVANT” EVIDENCE STANDARD

VA proposes to throw out entire area of case law on “new and material” evidence by implanting a “new and relevant” evidence standard. In order to prevent the need for additional litigation to define what “relevant” evidence is, the words “and relevant” should be removed from the 38 U.S.C.A § 5108, and a supplemental claim should be deemed sufficient when any “new” evidence is submitted.

The VA has argued that VA resources would be wasted by allowing veterans to reopen a denied claim with nothing more than a “picture of a horse.” This argument is without merit, however, as such, a submission requires adjudication by the VA either way, and it is hard to imagine that it would take VA too long to deny a claim on the merits when the only evidence added since the last denial is a picture of one or another end of a horse.

If the VA adjudicated the merits of every supplemental claim for which “new” evidence was submitted, it would make the system vastly more efficient, as it would get rid of the entire class of appeals resulting from preliminary determinations finding new evidence not sufficiently “relevant” to reopen a claim, much as “new and material evidence” appeals clog the system now.

Under the proposed legislation, VA’s “relevant evidence” definition is evidence “that tends to prove or disprove a matter in issue.” This language is so general as to be meaningless, and will certainly lead to the need for litigation to further define it. Why did VA make this definition so vague? VVA has significant concern that the VA is intending to make this definition more restrictive than what was promised to stakeholders during negotiations.

V. H.R. 5083, VA APPEALS MODERNIZATION ACT, IN ITS CURRENT FORM, HARMS VETERANS BY RASING THE STANDARD FOR WHAT IS ALLEGED ON THE NOTICE OF DISAGREEMENT

Under 7105(b) (4), BVA can “dismiss” an appeal if the Notice of Disagreement does not allege specific errors of law or fact. This is yet another preliminary

determination by VA that takes just as much time as a decision on the merits, and therefore serves only to complicate the appeals system. It is also unclear what a veteran's rights are after a claim is “dismissed” by BVA.

More importantly, the requirement that a veteran would be forced to provide “specific allegations of error of fact or law” when submitting a Notice of Disagreement is a much higher standard than veterans currently face. There is no good reason for the VA to require sophisticated legal reasoning for a veteran to be able to express disagreement with the denial of his/her claim. Most veterans are not lawyers or medical experts. The fact that veterans would also be forced to make irrevocable decisions about issues like hearings and the submission of evidence to BVA at the time they file a Notice of Disagreement is far too much to put on them. This change appears to be yet another scheme to allow VA to easily dismiss appeals.

VI H.R. 5083, VA APPEALS MODERNIZATION ACT, IN ITS CURRENT FORM, HARMS VETERANS BY BEING DEPENDENT ON INCREASED FUNDING FOR VBA THAT WAS EITHER NOT ASKED FOR BY VA, OR ASKED FOR AND DENIED BY OMB

Senior VA leadership proposed this legislation, but under the assumption, VBA will receive adequate funding from the Congress to adequately staff up the ROs to meet the added demands that will be created by these legislative changes. The same VA senior leadership has the responsibility to request adequate funding from Congress to ensure they have the adequate resources to carry out VA’s mission. It is unclear if VA senior leadership, knowing they were going to initiate the biggest and most radical change to the veterans’ appeals process since the creation of the Veterans Court nearly 30 years ago, requested sufficient resources for VBA to carry out these additional responsibilities. If not, why? On the other hand, if they did, but their request was denied by OMB, then why is the administration at OMB setting the VA up for failure?

The success of this new appeals framework is dependent on VBA receiving adequate funding. Without adequate resources allocated to VBA, this proposed appeals framework is doomed for failure from the start. Is VA leadership planning to make Congress the scapegoat if these needed appropriations are denied?

CONCLUSION

VVA supports modernizing the VA appeals process, so long as veterans' due process rights are not abridged, and the root causes are adequately addressed. This proposed legislation is inadequate for the reasons stated above. As VVA has stated before, veterans' rights in the VA claims and appeals processes should not be abridged, curtailed, or eliminated under the guise of "administrative efficiency."

Most importantly, this whole effort begs the crucial question of how best to establish precedent. Without precedent, the chaos and "churn" will continue. Ninety percent of claims break out in 15 to 20 basically the same claim that VA is adjudicating by hand *without precedent* ten thousand to fifty thousand times each. Moreover, of course, many of them will be wrong. The VA would have you believe that veterans will appeal, appeal, appeal for no reason. The truth is that the majority of those who are denied justice just go away, and suffer in silence. That makes the life at the RO easier, but the point here is justice for each veteran – no more, no less.

General Omar Bradley had it right when he was head of the VA and said, "*We are here to solve the veterans' problems, not our own.*"

Now if we had precedent on those above 15 to 20 basically the same claims, then it can be automated, and we stop wasting resources on that which can be best done by machine, and concentrate that staff power on the 9 or 10 percent which do not fall into the above-referenced categories, and on *really* doing "duty to assist" so that veterans might secure the information they need to advance their claim.

H.R. 5162 – The Vet Connect Act of 2016, introduced by Congressman Beto O'Rourke (TX-16), would authorize the Secretary of Veterans Affairs to disclose to non-VA health care providers certain medical records of veterans who receive health care from such providers.

This is a no-brainer: obviously, what Rep. O'Rourke's bill calls for should be the case, as long as it conforms to HIPAA regulations. In addition, VVA supports swift enactment of H.R. 5162.

H.R. 5392 - No Veterans Crisis Line Call Should Go Unanswered Act, introduced by Congressman David Young (IA-3), would direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line.

Inasmuch as the provisions of this bill are straightforward and entirely logical, it has the support of VVA.

H.R. 5407 - Introduced by Congresswoman Corrine Brown (FL-5), this bill would direct the Secretary of Labor to prioritize the provision of services to homeless veterans with dependent children in carrying out homeless veterans reintegration programs.

By now, it should come as no surprise to anyone that women veterans have become the fastest-growing segment of the homeless population. According to the Department of Defense, in 2010 more than 30,000 single mothers have deployed to Iraq and Afghanistan; and as of 2006, more than 40 percent of active duty women are in fact mothers. For any veteran, male or female, with dependent children, being identified as homeless creates a threat and fear that local youth protective services might assess their situation as dangerous and remove their children.

Homeless women veterans also face substantial barriers to employment. In FY 2010, according to the VA, 77 percent of homeless female veterans were unemployed. One of the key factors for this larger percentage is likely the lack of accessible and affordable childcare. In fact, according to the recent FY 2010 CHALENG report, the VA and community providers ranked childcare as the highest unmet need of homeless veterans from FY'2008- 2010. Additionally, many of the skills that women veterans learn during their military service may not translate back to the civilian workforce or may be skills for a predominately-male field.

VVA strongly supports enactment of H.R. 5407. We also request that funding for the program be continued through FY'2018.

H.R. 5416 - Introduced by Congressman Doug Lamborn (CO-5), this bill would expand burial benefits for veterans who die while receiving hospital care or medical services under the Veterans Access, Choice, and Accountability Act of 2014.

VVA endorses this legislation inasmuch as its purpose is both logical and obvious.

H.R. 5420 – Introduced by Chairman Jeff Miller (FL-1), this bill would authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marne-la-Coquette, France.

Monuments and memorials to our men and women in uniform speak to their service and their sacrifices and, in many cases, to their last true measure of devotion. If the commission sees a need to take responsibility for this memorial, subject “to the consent of the Government of France,” VVA stands with the commission, and with the enactment of this bill.

On behalf of VVA’s members and our families, we thank you for the opportunity to speak to these issues to you today. In addition, we thank you as well for all that you do for our nation’s veterans. I will be glad to answer any questions that you might care to pose to me.

VIETNAM VETERANS OF AMERICA
Funding Statement
June 23, 2016

The national organization Vietnam Veterans of America (VVA) is a non-profit veterans' membership organization registered as a 501(c) (19) with the Internal Revenue Service. VVA is also appropriately registered with the Secretary of the Senate and the Clerk of the House of Representatives in compliance with the Lobbying Disclosure Act of 1995.

VVA is not currently in receipt of any federal grant or contract, other than the routine allocation of office space and associated resources in VA Regional Offices for outreach and direct services through its Veterans Benefits Program (Service Representatives). This is also true of the previous two fiscal years.

For further information, contact:

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RICHARD “Rick” WEIDMAN

Richard F. “Rick” Weidman serves as Executive Director for Policy & Government Affairs on the National Staff of Vietnam Veterans of America. As such, he is the primary spokesperson for VVA in Washington. He served as a 1-A-O Army Medical Corpsman during the Vietnam War, including service with Company C, 23rd Med, AMERICAL Division, located in I Corps of Vietnam in 1969. In August of 1970 he was Soldier of the Month at Fort Dix, New Jersey, the first Medic to be so recognized in more than a decade.

Mr. Weidman was part of the staff of VVA from 1979 to 1987, serving variously as Membership Services Director, Agency Liaison, and Director of Government Relations. Rick left VVA staff in 1987 to serve in the Administration of Governor Mario M. Cuomo (NY) as statewide director of veterans’ employment & training (State Veterans Programs Administrator) for the New York State Department of Labor. In that capacity he led significant improvements in vocational employment training for veterans in New York State, helping to ensure that all veterans were able to benefit, including those in Bedford-Stuyvesant and Fort Green sections of Brooklyn, by working with Black Veterans for Social Justice. In those years he was instrumental in creation of the Veterans Bill of Rights for Employment Services in New York State, which was widely emulated around the nation.

From 1995 to 1997 he continued strong advocacy for all segments of the veteran population when he served as Senior Advisor to the Chairman of the Veterans Affairs Committee of the New York State Assembly. He returned to the National staff of VVA in Silver Spring, Maryland in 1998.

Rick has served as Consultant on Legislative Affairs to the National Coalition for Homeless Veterans (NCHV), and served at various times on the VA Advisory Committee on Readjustment of Combat Veterans, the Secretary of Labor’s Advisory Committee on Veterans Employment & Training, the President’s Committee on Employment of Persons with Disabilities - Subcommittee on Disabled Veterans, the VA Advisory Committee on Advisory Committee on Serious Mental Health, the Advisory Committee on veterans’ entrepreneurship at the Small Business Administration, and numerous other advocacy posts in veteran affairs at the national level.

Weidman has been recognized with the “Visionary Award” of the American Academy of Ophthalmology and as Regional Veterans’ Advocate of the year by the SBA, among many other awards for effective advocacy for veterans. He is

currently Chairman of the for Veterans Entrepreneurship Task Force (VET-Force), which is the consortium of major veterans' groups, as well as individual veteran and service disabled veteran small business owners, regarding expanding opportunities for veterans, particularly disabled veterans, to own and successfully operate their own small business, to include improvement of Federal procurement policies and practices. In 2006, *Inc. Magazine* named Rick as one of the "best Friends of Small Business" in Washington, and one of ten "Operatives and advocates with serious clout" for small business owners.

Mr. Weidman was an instructor and administrator at Johnson State College (Vermont) in the 1970s, where he was also active in community and veterans affairs. He attended Colgate University (B.A., 1967), and did graduate study at the University of Vermont.

He is married and has four children.