President Jack McManus to order the meeting of Vietnam Veterans of America National Board of Directors on Friday April 22, 2022, at 9:03 am, at the Double Tree by Hilton in Silver Spring, MD. NC State Council President Liz Cannon delivered the opening prayer which was followed by a moment of silence and the Pledge of Allegiance.

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

<table>
<thead>
<tr>
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<th>John Margowski</th>
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<tbody>
<tr>
<td>Jack McManus, President</td>
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<td>Ned Foote</td>
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<td>Charlie Montgomery, Jr.</td>
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<td>Tom Burke, Vice President</td>
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<td>Charlie Hobbs</td>
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<td>Linda Schwartz, Treasurer</td>
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<td>Sharon Hobbs*</td>
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<td>Francisco Ivarra</td>
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<td>Spence Davis</td>
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<tr>
<td>John Margowski</td>
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</tbody>
</table>

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

Absent: Skip Hochreich (excused) and Ted Wilkinson (excused)

Present: Mike Swift (Parliamentarian) & Pat Harris (VVA General Counsel)

Secretary Meeks conducted roll call of the State Council Presidents. Present were:

<table>
<thead>
<tr>
<th>State</th>
<th>Present</th>
<th>Neva</th>
<th>Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Present</td>
<td>Nevada</td>
<td>Present</td>
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<td>Alaska</td>
<td>Present</td>
<td>New Hampshire</td>
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<td>Arizona</td>
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<td>Arkansas</td>
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<td>New York</td>
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<td>Connecticut</td>
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<td>Present</td>
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<tr>
<td>Delaware</td>
<td>Absent</td>
<td>Ohio</td>
<td>Present</td>
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</tbody>
</table>
Affidavit of Jack McManus, National President, Vietnam Veterans of America, Inc.

Jack McManus, 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 February 28, 2022, the National Board of Directors was presented with the following motions:

Motion 1: To revoke the charter of the MN State Council as they are voluntary closing operation on February 28, 2022.

Motion 2: To approve honorary life membership for the following individuals: Dr. Romina M. Thomas (DE) 1105; Zachary Evans (DE) 1105; Phillip Plylar (DE) 1105; Daniel Matta (DE) 1105; William Vollano (MI) 310 and Khiem Pham (MI) 310.
<table>
<thead>
<tr>
<th>Board Member</th>
<th>Motion 1</th>
<th>Motion 2</th>
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<tbody>
<tr>
<td>Jack McManus</td>
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<td>Tom Burke</td>
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<td>Bill Meeks</td>
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<td>Linda Schwartz</td>
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<td>Dennis Andres</td>
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<td>Dottie Barickman</td>
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<td>Sam Brick</td>
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<td>Ned Foote</td>
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<td>Gumersindo Gomez</td>
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<td>Skip Hochreich</td>
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<td>Dennis Howland</td>
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<td>Rossie Nance</td>
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<td>Pete Peterson</td>
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<td>John Riling</td>
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<td>Dick Southern</td>
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<td>Dan Stenvold</td>
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<tr>
<td>Ted Wilkinson</td>
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<td>Y</td>
</tr>
<tr>
<td>Sandie Wilson</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

**YES** | 24 | 23  
**NO**   | 0  | 1   
**NO RESPONSE** | 0 | 0  
**NO VOTE** | 0 | 0   
**ABSTAIN** | 0 | 0   
**TOTAL** | 24 | 24

*J. McManus*

**Preliminary Business**
Secretary Meeks submitted the following motions with a second from Director Stenvold:

**Motion 3**
To seat Alternate Region 1 Director Justin Latini and Alternate Region 2 Director Carlton Rhodes on the BOD:
Without objection motion passed.
Motion 4
To approve the amended agenda:
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Motion 5
To approve the BOD Meeting Minutes from January 14, 2022:
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Officer Reports
President McManus gave a verbal report and spoke about upcoming events in November 2022.

Vice President Burke gave a verbal report.

Secretary Meeks gave a verbal report.

Treasurer Schwartz gave a verbal report.

AVVA President
The AVVA Board met face-to-face in January. Although some of the Board members were unable to attend due to illnesses or exposure to illnesses, they all attended via the telephone. The AVVA Finance Committee presented the 2023 budget to the Board; it was approved. AVVA is now an official partner with the Birth Defects Registry (BDR) located in Orlando, FL. Links to BDR can be found out the Toxic Exposure page of our website.

The Board chose and approved this year’s Project Friendship recipient through an email vote. This year’s Project Friendship is **FELLOW COUNTRYMEN.** A 503(c)(3) nonprofit committed to ending Veteran homelessness within the Upstate of South Carolina. Flyers will be passed out to all in attendance at the Board meeting. There will be extra flyers on the table in the back of the room. Please pass along to your chapters. We need VVA’s help if we are to be successful in reaching our goal.

I had the privilege and honor of placing the Wreath at The Wall with VVA President, Jack McManus, during the Vietnam War Veteran Recognition Day on March 29th. A ceremony was held on the knoll
adjacent to The Wall. Although the weather was very cold, the ceremony was well attended. Afterwards, everyone was invited to a reception at the Press Club in downtown Washington DC.

At-large Representative election time has passed. Chapter elections are taking place in April, state elections will be completed in June. I believe that the 2023 convention in Orlando, FL., will be a well-represented meeting with many eligible delegates.

There is still time to nominate that special AVVA member for a national award. Member-of-the-Year, Fellowship, and the Cathy Keister SPIRIT OF EXCELLENCE will be awarded during the AVVA Luncheon in Greenville.

AVVA will be printing new membership applications soon. Our Lock Box address at the Sandy Spring Bank will be changing. After the Board meets, I am hopeful that there will be other changes to the new application as well.

Fran Davis, AVVA past Region 6 Director, continues to work with Father Phil in sending sympathy cards to the families of all reported deceased members of VVA and AVVA. An insert with the In Memory registry information is included in each card.

AVVA have begun working on our role in the 2022 Leadership & Education Conference. If our seminar is accepted by the Conference Committee, we will be rejuvenating our current programs and possibly introducing a new one.

A special “thank you” to all VVA members who support us with your membership.

CSCP Chairman – S. Brick - Gave a verbal report on the CSCP.

HGDP – Q. Butcher - Gave a verbal report on Household Goods Donation Program status.

VVA General Counsel – P. Harris - Made verbal comments.

Veterans Benefits Department – A. Ghezzi provided written report (Appendix)

Government Affairs Department – S. Hodge provided written report (Appendix)

Communication Department – M. Porter provided written report (Appendix)

President McManus recessed until Saturday morning at 9am

Saturday, April 23, 2022
Board meeting reconvenes at 9:03am – Pinnacle Grand Room, 2nd Floor - President Jack McManus calls to order the meeting of Vietnam Veterans of America National Board of Directors.
Secretary Meeks conducted the roll call of the National Board of Directors. Present were:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>Jack McManus, President</td>
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</tbody>
</table>

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

Absent: None

Present: Mike Swift (Parliamentarian) & Pat Harris (VVA General Counsel)

Secretary Meeks conducted roll call of the State Council Presidents. Present were:

<table>
<thead>
<tr>
<th>State</th>
<th>Present/Absent</th>
<th>State</th>
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<tbody>
<tr>
<td>Alabama</td>
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<td>Nebraska</td>
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<td>Florida</td>
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<td>Georgia</td>
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<td>Idaho</td>
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<td>Indiana</td>
<td>Absent</td>
<td>Puerto Rico</td>
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<td>Iowa</td>
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<td>Rhode Island</td>
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<td>Michigan</td>
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<td>Minnesota</td>
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<td>Washington</td>
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<td>West Virginia</td>
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<tr>
<td>Montana</td>
<td>Absent</td>
<td>Wisconsin</td>
<td>Present</td>
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VAVS Report – K. Rose gave a verbal report.

Director Gomez introduced Sung W. Kim who spoke briefly about H.R. 234.

Finance Committee Report – D. Barickman submitted a written report (Appendix) and a motion were submitted for approval.

Motion 6
To approve the FYE’ 23 Budget:

Without objection motion passed.

Yes: 23
No: 0
Non Vote: 1
Not Present: 0
Motion 8
To approve FY23 Supplemental Budget request (Veteran Benefits Motion 15).
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Committee – MOTIONS ONLY

Minority Affairs – no motion
Veterans Against Drugs – D. Simmons presented the following motion:
Motion 9
To add the following VVA members to the committee, Liz Cannon and Rossie Nance; staff Gloria Johnson; and AVVA Nancy Montgomery.
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

POW/MIA – no motion
Membership Affairs – D. Southern presented the following motions:
Motion 10
Recommend approval of Korean Vietnam Veterans as Honorary Membership members as presented to the Membership Committee on 4/22/2022.
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Motion 11
To add the following VVA members to the committee, John McGinty, Perry Melvin and Andy Ledue to the committee and to remove Larry Frazee due to health reasons.
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Homeless Veterans – no motion
Public Affairs – D. Howland made the following motions:
Motion 12
To send correspondence on VVA letterhead and under signature of the National President McManus in support of the Highway 20 Coast to Coast Designation as U.S. Medal of Honor Highway. Correspondence to MOH Society and the MOH Highway Organization. Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Motion 13
To send correspondence on VVA letterhead and under signature of the National President McManus to the President of the U.S./Whitehouse in support of a State Funeral for the last living WWII MOH recipient when he passes. Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

2022 National Leadership Conference Planning Committee – no motion
PTSD and Substance Abuse – no motion
Veterans Benefits – J. Riling made the following motions:
Motion 14
Per Motion 34 (Jan 1995) to approve litigation undertaken by VBP in the following amicus briefs: Doyon v. United States; Buffington v. McDonough; Torres v. Texas Department of Public Safety; and George v. McDonough. Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Motion 15
To request supplemental funding to temporarily increase the cost of salary and professional fees (contractors) of the VBP in order to reduce the Legacy Appeals backlog to a manageable level by the end of FY24 in the amount of $200,000.00. Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Women Veterans – K. O’Hare-Palmer submitted the following motion:
Motion 16
Members of Women Vet Committee: Vice Chair Sandy Miller; Marsha Four, Tom Hall PHD, Sandy Wilson, Malkia Saunders, Dottie Barickman, Frank Armino, John McGinty, Lee Jackson. Special Advisors: Beverly Stewart, Patti Ehline, Linda Blankenship, Dr. Linda Schwartz and Cheryl Van Syckle. VVA Staff: Sharon Hodge; AVVA Special Advisor Kay Gardener. Without objection motion passed.

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

**Government Affairs** – P. Peterson made the following motion:

**Motion 17**
To send to Government Affairs Department recommending litigation against VA in non-compliance of Court order to supply all VBA letters in bilingual language to Veterans. Without objection motion passed.

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

**Agent Orange/Toxic Exposure** – S. Wilson made the following motion:

**Motion 18**
VVA proceed with legal action (sue) the VA Secretary for failure to implement the requirements of PL 114-315 Military children & grandchildren research for Toxic Exposure created December 2016. Without objection motion passed.

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

**Constitution** – L. DeLong made the following motion:

**Motion 19**
To distribute an electronic draft of “E-Standing Rules” to the National Board of Directors and Conference of State Council Presidents for review. Comments must be returned to the Constitution Committee Chair no later than 13 May 2022 for consideration for further action.*
(Draft in the Appendix)
Without objection motion passed.

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

**Resolutions** – no motion

---

* Draft in the Appendix
Economic Opportunities –no motion
Veterans Incarcerated and In The Justice System –no motion

Unfinished Business
VVoA – Director Margowski made the following motion:
Motion 20
To accept the rewrite of the recommendation section of the Report of Panel of Inquiry.
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Working Group I Plan – Director Magowski made the following motion:
Motion 21
The Board accept the Working Group I report as published on the National Website.
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

VHC Panel Report – Treasurer Schwartz made the following motion:
Motion 22
VVA Board accept findings & recommendations of Special Panel Report.* (Appendix)
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

New Business
Chapter Charter Revocation – Secretary Meeks made the following motion:
Motion 23
To revoke the chapter charters’ of Chapter 701 (AL), Chapter 825 (NJ), Chapter 618 (WI),
Chapter 1128 (TN) and Chapter 1141 (WI) at the request of the State Councils for
voluntary reasons.
Without objection motion passed.
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Alternate Regional Directors – Secretary Meeks noted that the Region V alternate had not been
named yet.
Honorary Life Memberships – Secretary Meeks made the following motions:

**Motion 24**
To approve Honorary Life Memberships: Robert G. Brand Chapter 950 (TN); Calvin Faulkner Chapter 1087 (MT); and Barry Higgins Chapter 942 (TN).
Without objection motion passed.
Yes: 23  
No: 0  
Non Vote: 1  
Not Present: 0

**Motion 25**
To approve Honorary Life Membership for Garland Hall (Andy) Barr Chapter 1066 (KY).

There was a motion to postpone, President McManus called for a roll call vote.

**Motion 25A**

<table>
<thead>
<tr>
<th>Board Member</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Jack McManus</td>
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<td>Tom Burke</td>
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<td>Bill Meeks</td>
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<td>Dr. Linda Schwartz</td>
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<td>Dennis Andras</td>
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<td>Dottie Barickman</td>
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<tr>
<td>Sandie Wilson</td>
<td>N</td>
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</tbody>
</table>

Motion failed.  
Yes: 3  
No: 20  
Non Vote: 1
Motion 25
To approve Honorary Life Membership for Garland Hall (Andy) Barr Chapter 1066 (KY). Without objection motion failed.
Yes: 0
No: 23
Non Vote: 1
Not Present: 0

Treasurer Schwartz made the following motion with a second by Director Barickman:

Motion 26
Yes: 23
No: 0
Non Vote: 1
Not Present: 0

Committee Reports Only

Minority Affairs – verbal and written
Veterans Against Drugs – verbal report
POW/MIA – verbal and written report
Membership Affairs – verbal report
Homeless Veterans – no report
Public Affairs – verbal report
2022 National Leadership Conference Planning Committee – verbal report
PTSD and Substance Abuse – no report
Veterans Benefits – verbal report
Women Veterans – verbal report
Veterans Health Care – verbal report
Government Affairs – verbal report
Agent Orange/Dioxin – verbal report
Constitution – verbal and written report
Resolutions – verbal report
Economic Opportunities – verbal report
Veterans Incarcerated and In The Justice System – verbal report

Adjourn 12:20PM
Appendix:

Motion 34 - To amend Motion #27, January 1995 to read: Litigation undertaken in VVA's name, whether as a plaintiff or as an amicus must be reviewed and endorsed by the Director, Veterans Benefits Program and Executive Director for the Policy and Government Affairs and approved by a majority vote of the National Board of Directors.

August 2021 Motion #TBD - Approval for VVA Veteran's Benefits Department to file an amicus brief in support of Petitioner, Vietnam Veteran Sailor Robert T. Doyon in Doyon v. United States

February 2022 Motion #TBD - Approval to file an amicus brief in the Supreme Court of the US on Petition for a Writ Of Certiorari to the United States Court Of Appeals For The Federal Circuit with Military-Veterans Advocacy, National Organization of Veterans' Advocates, Paralyzed Veterans of America, The Veterans of Foreign Wars, and Vietnam Veterans of America as Amici Curiae in Support Of Petitioner, Thomas H. Buffleton v. McDonough

February 2022 Motion #TBD - Approval to file an amicus brief to the Supreme Court on Writ of Certiorari to the Court of Appeals of Texas, Thirteenth Judicial District with the National Veterans Legal Services Program, Iraq and Afghanistan Veterans of America, Paralyzed Veterans of America, Veterans of Foreign Wars, and Vietnam Veterans of America as Amici Curiae In Support Of Petitioner, Post 9/11 Army reservist Le Roy Torres in Torres v. Texas Department of Public Safety.

February 2022 Motion #TBD - Approval to file an amicus brief in United States Court Of Appeals with Swords to Plowshares and Vietnam Veterans of America in Support of Petitioner, Vietnam Veteran Marine Kevin R. George in George v. McDonough.
Minority Affairs Committee Report  
April 22, 2022

The Committee met as a whole on April 22, 2022, we had a visitor from the VA Minority Committee, Mr. Gregorio Kishketon. He came to educate the committee on the issues that the Native American veterans are having throughout the Nation. The biggest issue that they are having is VA medical services, as they live in rural areas, which is difficult for them to access the services, also in getting claims for service-connected disabilities as they lack VSOs in their areas and if they have any at their reservations, they lack training. Other issues is housing as it become difficult for them to access VA loans to purchase a home for the lack of income or having no VSOs that can assist them in the process. We at the committee are looking at all these needs to see if there is a way that we can assist in these areas. The committee has divided into five regions to visit the reservations or Native American veteran’s activities within their respective region to find out their needs and if there is a way that we can assist.

Region in the Northeast is under the care of Mr. Francisco Ibarra, Southwest, Mr. Bill Garcia, Center is Mr. Pete Peterson, Southeast Mr. Chuck Odom and I on the Northeast. Do not know if we are going to be able to accomplish this mission as our budget lacks funding for these individuals to travel to these reservations or Native American veteran’s activities.

We discuss the situation of H.R. 234, and appreciate the support letter that was send to Speaker Pelosi by our Board President. We were not comfortable with last paragraph of the latter were it calls for an amendment to add others non-US veterans to the bill that served in Vietnam with us. We will like the bill to be look as is, that is what the resolution that passed at the Convention in WA call for. What the bill is asking for is that Korean Vietnam veterans that have become citizens of USA received VA medical benefits. On April 12, 2022, I was invite by the Koreans Vietnam veterans to join them on a meeting with staff of the Speaker of the House. Ms. Pelosi concerning H.R. 234, they were trying to get information for themselves on what they need to do if anything to get the bill flowing through the House. I was not there representing VVA if not as an invited guests from the Minority veterans Committee.

On Friday evening 4/22/22 at 7:00 PM, we held a meeting with the KVVA that visit with us from different states of the Country. At this meeting, we brought them up to date on the bill, also past copies of the bill to them so they knew what the bill was all about, as many of them had not seen the bill
yet. We also discussed the ways that all of them can be involve in advocating with their legislators in their state for HR 234. We also discuss the honorary membership (HM) procedures, who qualifies to be a HM, gave them copies of the form to be fill out if they would like become a HM
We discussed the Leadership Conference coming up in August, still in the planning stages on what type of workshop we want to bring to the conference. Still leaning toward a workshop on Native America Veterans and their needs.

Gumersindo Gomez
Chair MAC

Veterans Initiative Program
POW-MIA Committee
Vietnam Veterans of America, Inc.
8719 Colesville Road, Suite 100
Silver Spring, Maryland 20910

23 April 2022
Report to the Board
VVA National Board of Directors Meeting

1. **To Date: Missing** – 1,584
   - 1,584 Americans are listed by DOD as missing and unaccounted.
   - Accounted: 998 since 1975.
   - 63 US personnel were accounted for between 1973 and 1975
   - Total 1,061

2) Vietnam: There is no one at Detachment 2, Hanoi from Stony Beach. The quarantine was lifted on April 1, 2022. Colonel Hai (VNOSMP) and Defense
Intelligence Agency (DIA) Stony Beach are discussing working together on investigations outside of JFA time periods.

3) Laos: Pete Loverde (Stoney Beach) is retiring. The Defense Intelligence Agency hopes to hire someone soon. Currently there is a three month gap before someone gets there. Laos is expected to lift their quarantine.

4) Cambodia: University of Illinois – Chicago is conducting the Koh Tang investigation and recovery related to the Mayaguez incident in 1975, under the supervision of Stony Beach’s Cambodia specialist Eric Phillips who reports positively on this public/private partnership. Thirteen of the 18 Americans missing from that incident have been recovered and identified.

5) There are currently only 7-8 analysts at DPAA for the Vietnam War and this does not mean they are qualified or focused on analysis, but spending most of their preparing Case Summaries for DPAA-hosted “Family Member Updates (FMUs). There are only 3 DPAA billets that are designated intelligence analyst billets.

6) A VFW hosted VSO/National League Luncheon was held on April 1. Representatives from VVA, VFW, DAV, American Legion, Special Operations Association, Special Forces Association and the National League of Families were in attendance. The intent was to have a responsible engagement of the mainstream VSOs, including the Special Operations Association and Special Forces Association. All in attendance agreed and committed their respective organizations to continuing awareness programs to gather information from all avenues regarding the Fullest accounting of missing from the Vietnam War.

Report filed with National Secretary
Internet Meeting Platform E-Standing Rules*

1 **Login information.** The secretary must send by e-mail to every member of the [State Council, Chapter, Board, Committee], at least [insert time] before each meeting,

A. the time of the meeting, the link to the site, the codes necessary to connect to the Zoom meeting, the phone number and access code to participate by telephone, and

B. a copy of these rules.

2 **Login time.** Members must have access to the Zoom meeting at least 15 minutes before the call to order.

3 **Signing in and out.** Members must identify themselves as required to join the meeting; must maintain access throughout the meeting; and must click leave the meeting upon departure.

4 **Technical Support Personnel.**

A. The secretary must be the host

   1) monitors the chat box

   2) share screen

B. The chair must appoint a monitor who must be the co-host

   1) monitors the participants list

   2) launch polls as the teller

5 **Quorum.** The quorum must be determined by the participants list and reported to the chair by the monitor.

6 **Technical requirements and malfunctions.**

A. Each member is responsible for their connection; no action must be invalidated on the grounds that the loss of, or poor quality of, a member's connection prevented participation in the meeting.

B. For assistance call the hotline number [insert number].

7 **Forced disconnections.** The chair may direct the disconnection or muting of a member's connection if it is causing undue interference with the meeting. The chair's decision to do so is subject to an undeniable appeal.

---

Michael L. Swift PRP, CPP-T  
Constitution Committee
8 Assignment of the floor.
   A To seek recognition
      1) a member must click on the raise hand icon and wait to be
         recognized
      2) the monitor must identify the member to the chair and lower
         the hand icon
      3) the chair must recognize the member
   B To raise a point of order
      1) a member must call out “Point of Order”
      2) the monitor must identify the indicated member to the chair
      3) the chair must recognize the member
9 Motions.
   A Main motions and amendments must be submitted to the
      secretary using the chat box.
   B Procedural motions must be made orally.
10 Display of motions. The secretary must display the pending main
    motion and amendment using the share screen function.
11 Voting. The chair must take votes in the following order.
   1st By unanimous consent if there is no objection.
   2nd By raising hand icons which the monitor after counting must lower
      in gross and give the count to the chair.
   3rd By anonymous Zoom poll (available with the paid plans).
12 Video display. If there are too many participants for all to be
    displayed simultaneously the monitor must cause a video of the chair
    to be displayed throughout the meeting and must also cause display
    of the video of the member currently recognized to speak or report.

*These rules are based on a Zoom paid plan and may have to be
modify slightly when applied to a different plan or platform.

Michael L. Swift PRP, CPP-T
Constitution Committee
VVA FC BOD REPORT
Vietnam Veteran of America
Finance Committee Board Report
04.21.2022 to 04.22.2022 Meetings (2 Days)
April 23, 2022

Member Attendance -
D. Barickman, A. Cook, F. Ivarra, B. Rice, D. Stenvold and S. Miller (approved absent)

Officer Attendance -
J. McManus, L. Schwartz and T. Burke

Staff Attendance -
Andrew Powell, new Finance Department staff member

Quorum -
Yes

Guest Attendance -
John McGinty, Florida State Council President (FSCP)

Guest - Michael Hearn (Genesee Advisors); current VVA appointed Financial Advisor
M. Hearn provided an overview of the VVA Financial portfolio; and provided a packed with the most current investment figures. Life Membership Rebate (LMR) will come from the Cash Reserve Fund 2022 and again in 2023. The projected balance thereafter will be a total of 2 and 1/2 years.

Investment Policy Advisor Re-appointment -
D. Barickman motioned the FC to re-appoint Michael Hearn as the 2021-2023 VVA Financial Advisor. Motion passed.
VVA Treasurer L. Schwartz will Motion the Board for the same, during the BOD Motions agenda.

FY 2023 Budget Process - Biopsy
D. Barickman led the discussion on the review of the FY 2023 Budget Process, what we need to stop doing, what we need to keep doing and what we need to change. Improvements suggested would be to develop a 1st Annual Budget Prep Workshop that will be a joint effort between the Finance Department and the Finance Committee. Proposed roll out date will be a mandatory Workshop at the November 2022 BOD Meeting for Cost Center Managers during the week of November 4-11, 2022. Development of the project is scheduled for on or about September 1, 2022.

FC b2a Training and Process - A. Cook
D. Barickman facilitated a Virtual training on the VVA FC monthly Budget to Actual (b2a) process in March 2022. Currently due to the new administration and realignment with the VVA Finance Department, the Monthly b2a Review and Report are in arrears, and will be provided to the BOD soon.

**Bi-annual Policy Reference Guide Review - S. Miller**

- **Contracting Policy** - S. Miller reviewed the policy for updates; and edited grammar, spelling, punctuation and clarity. Pres. McManus directed that this policy be reviewed by the legal staff member P. Harris. Harris has received the policy and the accompanying FC notes and will be reviewing the policy soon.
- **Investment Policy** - S. Miller was assigned to review, update, review and add the re-appointment of Financial Advisor Michael Hearn, Genesee Advisor for 2021-2021.
- **Travel Policy** - S. Miller was assigned to review, update to include additional suggestions by V.P. T. Burke to clarify Travel expense transportation (Air, Train, or Vehicle); and lodging expenses during the travel to and from the meeting.
- **Budget Oversight Policy** - S. Miller will review and update this policy next in the queue. The goal is to review one FC Policy per month.

**Motion Reference Guide Review**

D. Barickman tasked the FC to review the FC Motions for retirement with a due date of 05.03.0222. Once completed a motion will be requested to go on the Consent Calendar.

**FY 2023 Proposed Budget**

Full FY 2023 Proposed Budget was executed by the FC, via Virtual meetings and the FY 2023 documents were provided to the BOD via email on 02.22.2022 with a note that Hard Copies would be provided upon request.

Confidential Handouts were provided to the BOD on Friday, 04.22.2022 which included: (1) FY 2023 Proposed Budget Expense History (PDF and Excel Spreadsheet) and (2) FY 2023 Proposed Operating Budget - Clarification and Explanation Notes).

Confidential Handouts will be "unclassified" once the FY 2023 Budget has passed.

D. Barickman wrapped up the FY 2023 Proposed Budget process, and a Motion was made to approve the FY 2023 Budget and to pass to the BOD for final approval. **Motion passed.**

**Proposed Supplemental Budget Project (Motion Document) - Pres. J. McManus**

President J. McManus proposed a 4 tiered project, off-budget coming from Reserve Fund:

- **Motion:** BOD approves supplemental funding for the following projects:
  A. VVA hosting expense for March 29, 2022 National Vietnam War Veterans Day - Not to exceed $30K.
  B. VVA Veterans Benefits Department to provide accelerated temporary program resources to fully address "legacy appeals" by March 1, 2024 - Not to exceed $200K.
  C. VVA to provide completion funding upgrading/modernization comprehensive structured program for Information Technology Systems, completion expected August 2022 including FY 2022 previously expensed items that were in-budget - Not to exceed $350K.
D. VVA provides funding to support robust and comprehensive participation in the “40th” Anniversary ceremonies and celebrations of Vietnam Veterans Memorial in Washington, DC during November 6-12, 2022. Allocation of funding will be as follows.

- Passing of Colors – PA Committee $200K to SC’s for color guard expense
- Membership Tent/ PA Committees and Public Relations, and includes Homeless Dinner. $25K
- VVA Anniversary Reception - Communication/Admin/ Membership - $40K
- Transportation Services - $15K
- VVA Anniversary printing etc. costs $40K - Not to exceed $300K

Motion is to utilize Cash Reserve funds for projects A, B, C and D; not to exceed $1 Million.

Motion was made to approve the Supplemental Budget Project and to pass to the BOD for final approval. Finance Committee Motioned to approve. Motion passed.

Finance Committee Motions Made - Re-cap - Internal (3)
- Appoint Michael Hearn, Genesee Advisors as the VVA Financial Advisor 2021-2022; and passed to Treasurer L. Swartz to Motion for BOD approval. This is not a Motion that the FC can make to the BOD, according to the Investment Policy. Motion passed.
- FY 2023 Proposed Budget approval, and passed by the FC to the BOD to approve. Motion passed.
- Proposed Supplemental Budget Project approval, and passed by the FC to the BOD to Approve. Motion passed.

Finance Committee Motions Made to the BOD - External (2)
- FY 2023 Budget Motion. (Documents provided)
- Supplemental Budget Project - Off Budget (Document provided)

Adjourn, 04.23.2022

Dottie Barickman, VVA Finance Committee Chair
04.23.2022
PANEL OF INQUIRY FINDINGS AND RECOMMENDATIONS
VETERANS HEALTH COUNCIL AND VETERANS HEALTH COUNCIL OF AMERICA

FINDINGS

• The original purpose for VHCA is still necessary.

• The original intent for VHCA was unfulfilled as expressed in the 2017 Memorandum of Understanding (MOU).

• VVA’s spirit and intent for a veterans’ healthcare element is still essential to VVA.

• VHCA is still an active 501c 3 organization. The latest federal tax forms are pending a 2021 filing.

• The relationship between VHC and VHCA is no longer in accordance with the MOU.

• The panel recognized that the healthcare function is still worthy of continued support by VVA.

RECOMMENDATIONS (several options to choose from):

• Continue the health care element covered by VHC within VVA.

• Discontinue VHC Department in VVA.

• Terminate the MOU between VVA and VHCA.

• Explore what needs to be done to best utilize the 501 c 3 in support of VVA’s purpose/mission.

ADDITIONAL COMMENTS

We direct you to the original intent for VHCA as expressed in the background document paragraphs in this report. VHCA 501 (c) (3) organization can and should be used by VVA for charitable purposes, including fundraising, and as a vehicle to receive donations to fund veteran related matters that comply with VVA’s overall mission. We recommend that the BOD explore the most appropriate methods to make a change utilizing the VHCA 501 (c) (3) organization.
Good morning everyone,

Under the MISSION Act, Title A of Title II (Public Law 115-182), the Asset & Infrastructure Review (AIR) Commission has until January 31, 2023, to study the Secretary’s recommendations released today and to write a report on restructuring the VA’s health care.

Recommend review: Volume II contains the recommendations by VISN, which are designed to modernize and realign VA health care facilities to improve access and outcomes for current and future generations of Veterans. VA Recommendations to the AIR Commission Home (link to report)

According to Military Times, the plan calls for closing three major medical centers and more than 170 other outpatient health facilities. This will be offset by construction of 255 new health care and community living facilities. The VA believes these changes will ensure that 200,000 more veterans live within 30 minutes of basic medical care. In addition, 370,000 more veterans will have less than an hour’s drive to reach specialty

In addition, GAO issued the following report on the VA Market Assessment; GAO-22-104604, VA HEALTH CARE: Incomplete Information Hinders Usefulness of Market Assessments for VA Facility Realignment

Also, the President released nomination for the AIR Commissioners on March 9, 2022, the Senate must confirm each nominee before the commission can begin work on the report

Patrick Murphy would chair the commission. The first Iraq War veteran to serve in Congress.

Jonathan Woodson, who was the Assistant Secretary of Defense for Health Affairs from 2010-2016, nominated as commission’s vice chair.

- William Carl Blake – Executive Director for Paralyzed Veterans of America (PVA);
- Michael Blecker – Executive Director for Swords to Plowshares;
- Christine Hill – Republican Staff Director, House Committee on Veterans Affairs (before that, she was an Executive Vice President for the Wounded Warrior Project);
- Rear Admiral Joyce Johnson, DO, MA – previously served as Coast Guard Director of Health and Safety; she has also served on the VA Commission on Care, the Advisory
Committee on Disability Compensation, and the Advisory Committee on Women Veterans;

- Lucretia McClenny, COL (ret.), USA – member of the MOAA Board of Directors; previously worked in senior VA leadership and helped establish the Center for Minority Veterans; and
- José Ramos – Vice President of Government and Community Relations for the Wounded Warrior Project, and was a Hospital Corpsman in the Navy until he was medically retired due to combat wounds. He, too, served on the Commission on Care.

After reviewing the report please send me your feedback on how the proposed recommendations outlined in your VISN will be beneficial or non-beneficial to our membership.

Sharon Hodge
Director for Policy and Government Affairs
Vietnam Veterans of America
(301) 585-4000 ext.111
www.vva.org
VETERANS BENEFITS QUARTERLY REPORT
April 2022

CONTENT
1. State of the Program
2. VBP Activities
3. Notable Achievements
4. People & Staff Changes

APPENDIX

1. State of the Program

The Benefits team has experienced significant changes in leadership this quarter. In March, Greg Nembhard moved to Florida for personal reasons and was unable to continue in his role as Director. VVA thanks Greg for his service and wishes him success in his future endeavors. Alec Ghezzi was appointed Interim Director to continue overseeing VBP operations until a new Director is selected.

Last quarter, the VBP had the pleasure of writing an amicus brief in support of Vietnam Veteran Sailor Robert T. Doyon, in Doyon v. United States, before the U.S. Court of Appeals for the Federal Circuit. The VBP highlighted VVA’s long-fought battle for recognition of PTSD to give weight to the Veteran’s argument that his character of discharge be upgraded. This quarter, the VBP was invited to join on three additional amicus briefs for cases granted certiorari before the U.S. Supreme Court. Although we did not write briefs ourselves, our team carefully reviewed the petitioner’s arguments and determined that these were positions VVA should stand behind.

In Thomas H. Buffington v. McDonough, the VBP supported the Veteran’s argument that Title 38 was written by Congress to be inherently veteran friendly. In Torres v. Texas Department of Public Safety, we stood by the Veteran’s position that his denial of reasonable accommodations by the State of Texas is an unacceptable breach of the USERRA, which VVA fought for throughout its history. Finally, in George v. McDonough, we concurred with the Veteran’s stance that the “Clear and Unmistakable Error” rule is a powerful tool to restore justice to many veterans and should not be watered down.

The VBP is grateful to Patricia Harris, VVA’s General Counsel, and National President Jack McManus, respectively, for facilitating and authorizing our participation in this important work.

Another important project for the VBP this quarter was reviewing the proposed changes to several Rating Criteria: Ear, Nose, Throat, and Audiology Disabilities; Special Provisions Regarding Evaluation of Respiratory

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1 Oral argument for this case was heard on March 29 and is available here:
(https://www.supremecourt.gov/oral_arguments/audio/2021/20-603)
Conditions; Schedule for Rating Disabilities-Respiratory System\(^2\) and mental health.\(^3\) In many areas we determined that VA’s proposed changes were extremely unfavorable to Veterans and so the VBP submitted detailed comments addressing both and providing recommendations (see footnotes for links to the comments). The language used was influenced by regular meetings with the leadership of other service organizations and NOVA, input from VVA staff, and other interested parties. We would therefore like to thank all those who helped us in this effort.

2. Goals for Next Quarter

The VBP has three important initiatives it will be working on in the next three months:

- Given that the vast majority of new Legacy appeals received are post remands, meaning that VVA has generally done work on the cases in the past, a dedicated program will be established to expedite the processing of these cases.

- Thanks to a survey prepared by Deputy Director Felicia Mullaney, we have obtained preliminary information from most of VVA’s State Council Presidents regarding the expected longevity of their state’s benefits program (if any). Over the quarter, we will follow-up with the various programs in an effort to get a more concrete picture of their status to ensure the VBP is prepared if and when it must absorb clients from closing programs.

- The Caregiver program administered by VHA offers either $2,000 or $4,000 to care for the disabled veteran who requires assistance from a relative or medical professional. This is available in addition to disability compensation benefits administered by VBA and is therefore a critical benefit for Vietnam Era Veterans.

Given VA’s failure to properly notify veterans of this program, and the serious errors made in processing claims (as exemplified by the recent lawsuit), the VBP intends to proactively assist veterans it represents in accessing the Caregiver Program. Thanks to information from VBA provided by Strategic Advisor Marc McCabe, we know that 13,199 of the veterans we represent (as of FY21) have been found to be totally and permanently disabled by VA.

Because these individuals are highly likely to qualify for the Caregiver program, and since we have their mailing information, we will initiate a process to ensure that these individuals are aware of the program and have the necessary support from their VSO to successfully obtain it. Given the large numbers of individuals involved, this initiative will likely span multiple quarters and require the collaboration of VSO’s in the field.

3. VBP Activities

According to data obtained from VBA, as of FY 2021, the VBP represents more than 101,000 Veterans and family members of all eras. Thanks to the VBP’s advocacy, over 126 million dollars in benefits are paid every month.\(^4\)

\(^4\) Data obtained from VA.
Claimants in 18 States and Puerto Rico are represented by local VVA VSOs. Claimants residing in the 24 remaining states and the Philippines are represented by the VBP national office. Claimants in 9 states are represented by a neighboring program or a VVA member volunteer.

The VBP continues to achieve a “win rate” at the BVA of Veterans’ Appeals (BVA) of nearly 75% for Legacy cases (32% were granted, 41% were remanded, and 15% were denied) and 53% for AMA cases (23% were granted, 30% were remanded, 15% were denied, and 30% were dismissed).

TOTAL LEGACY APPEALS BACKLOG AT BVA OF VETERANS APPEALS

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**TOTAL VVA BACKLOG AT BVA**

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**Source:** VACOLS, BVA of Veterans’ Appeals
Our team of VSOs at VVA national, formerly named the AMO, has rebranded as the Claims & Development (C&D) team. As of FY21, the C&D team has 405 pending cases, and maintains responsibility for an additional 11,999 POAs. The average rating of POAs represented by the C&D team is 70% with an average monthly rate of $2,246.87. The C&D team managed about 35% of the 2,523 calls handled by the VBP between January and March of this year.

4. 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:

- **Dylan Goll** wrote an Informal Hearing Presentation for a Veteran seeking service connection for his *ulcerative colitis*. His IHP persuaded the Board to finally grant service connection, securing the Veteran a 60% rating for his disability, effective back to 2005. This successful argument resulted in a retroactive benefit of $177,218.42.

- **Paula Tuero** and **Chayah Yisrael** both worked to help a Veteran receive TDIU. Ms. Tuero represented the Veteran at a hearing in 2020. Her advocacy at the hearing resulted in the reopening of the case, which then allowed Ms. Yisrael to write a persuasive IHP relying on the transcript and additional evidence in the file. This teamwork ultimately resulted in the award of TDIU back to 2018 for the Veteran.

- **Alec Ghezzi, Nicholas Millington, and Kenneth Bory** co-authored and submitted detailed comments in response to the VA’s proposed regulation changes to significant portions of the Diagnostic Code. These comments will be added to the Federal Register and strongly communicate VVA’s deep concerns with the sweeping proposed changes that are not pro-Veteran.

- **Claire Corsey** secured a victory for a New Jersey Veteran (with help from NJ VSO Margaret Wojciechowicz). After years of fighting, the Board finally recognized the severity of this Veteran’s PTSD and awarded him a 70% rating, TDIU, and permanent and total status, all back to 2014. This resulted in a lump sum award of $167,037.90 for the Veteran and his family.

- **Dani Fischer** obtained an earlier effective date for a Veteran’s PTSD and TDIU claim resulting in a retroactive payment of $162,446.18.

- **Chenae McPherson-Goodson** wrote an argument for a Veteran who was previously denied service connection for *major depressive disorder*. Her advocacy resulted in a grant and a retroactive benefit of $73,611.24.

- **Kenneth Bory** advocated for a Veteran through a Higher-Level Review conference. Through this process, several CUES were discovered, and the Veteran was awarded $45,354.47.

- **Paula Tuero** assisted a Veteran with his claim for service connection, which had been on appeal for seven years. She retrieved medical records, wrote lay statements, collected research, and made several submissions, which resulted in a grant of service connection for his *chronic kidney disease* and a retroactive benefit of $49,851.76.

5. People & Staff Changes

**Malkia Saunders** was promoted to Lead Attorney at the beginning of the quarter. She has already done excellent work coordinating BVA hearings, conducting intake of new AMA cases, and creating new uniform
procedures to increase the team's productivity. The VBP is lucky to have her skills, expertise, and perspective on the leadership team!

The VBP team hired two new remote National Appeals Attorneys to join the department, Jennifer Coburn and Kristin Smith. Both attorneys have a demonstrated commitment to public interest law and are eager to use their skills to help veterans and their families get their well-deserved VA benefits. The VBP is very excited to welcome them to the VVA staff in May.

The following chart shows how many new grants of benefits were issued by VA for Veterans represented by VVA from December 2021 to February 2022.

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**KEY:**
- States receiving grant funds
- States covered by VVA National
COMMUNICATIONS STATISTICS
SOCIAL MEDIA, NEWS, PUBLICATIONS
April 22, 2022

SOCIAL MEDIA

Our VVA Facebook pages continue to gain followers, as measured by “Likes.”

**VVA Facebook 2020-2022**

The VVA Facebook has 142,938 likes, an 8% increase in followers between January 2020 - April 2022.

We have gained 10,984 additional followers since January 1, 2020.

**Faces of Agent Orange Facebook FY 2020**

The Faces of Agent Orange Facebook page has 22,386 likes a 7.5% increase in followers between January 2020 - January 2022.

We have gained 1,535 additional followers since January 1, 2020.

**VVA Twitter**

VVA’s Twitter account, currently has 19,768 followers, up 32% from January 1, 2020. Followers often “retweet” our messages to their followers, some of whom have thousands of followers. This expands VVA’s visibility exponentially, which has reached heights of over 1,000,000 million views.
Faces of Agent Orange Twitter

VVA’s FAO twitter account, on January 1, 2022, had 1,358 followers: This is a 2% increase from January 1, 2020.

Followers often "retweet" our messages to their followers, many of whom have thousands of followers.

YouTube

Our VietnamVetsAmerica YouTube channel was launched on August 23, 2010. As of April 1, 2022, it has 686 subscribers.

Our FacesofAgentOrange YouTube channel was launched on May 17, 2011. As of April 1, 2022, it has 535 subscribers.
WEB*

(reporting period – Jan 1, 2020 – Apr 19, 2022)

Site Visits: 2,164,180
Page Views: 6,158,169

Platform:
Desktop: 48.4%  Tablet: 4.9%  Mobile: 46.7%
Many more people are viewing information on the go with a significant increase (15.7%) in mobile use.

Demographics:
Male: 41.4%  Female: 58.6%
Age Breakdown: 18-24: 7.87%  25-34: 16.05%  35-44: 14.27%  45-54: 16.85%  55-64: 20.9%  65+: 24.06%

Top 3 landing pages on vva.org
1. Home page
2. Donate
3. Pick-up Locations
Coincidental to migrating the web page, CNI was making upgrades to the network, which added another potential source of the mysterious malfunctions. Ellen Duckman and Alphie Williams persevered—and vva.org is now fully functional, and the page is loading faster on the new server.

**In Addition to Routine activities, highlights of the quarter included the following:**

**March 2:** Press Conference on The Hill
Accompanied the President to Capitol Hill for his participation in a Press conference for the PACT Act—Rep Takano, Nancy Pelosi, John Stewart.

**March 2:** Virtual Presentation of legislative priorities before the 2nd session of the 117th Conference.

**March 8:** Jack received a luncheon briefing with Generals Aylward and Christal at the Pentagon.
The 50th Anniversary of the Vietnam War Commemoration—Honorary Partner, presented with flag, and given a tour—DAR to reach out to VVA Chapters.

**March 10, 11, 12:** Puerto Rico
Fact-finding trip in which we met with our State Council and Chapters in PR—398 in Arecibo and Chapter 483 in San Sebastian—in as well as with the leadership team of the Caribbean Healthcare system and the Veterans Benefits — The veterans in PR are vocal and well organized, however they remain highly dissatisfied with the difficulty in accessing care. At the last board meeting we had heard that the clinic in Etwaño was to be closed and the staff moved to the clinic in Arecibo—a distance too far for these elderly veterans to travel. We had concerns surrounding the delivery of care and the unique obstacles that the San Juan VA is facing in PR due to the inability to compete with the private sector—you have heard and will hear about a simple remedy to level the playing feel in this ability to hire in the competitive market.

**Tuesday, March 15:** Delaware State Council
VVA Chapter 1105, in Delaware, VVA Delaware SC President, Paul Davis, Mongoose—travelled to Rehoboth Delaware with the President and Region 1 Director Ted Wilkinson to meet with the very active members of the Delaware State Council to deliver remarks, present medals, and received gifts of quilts from the Quilt of Valor society.

**Thursday, March 17:** Capitol Hill
Attended Meeting on Capitol Hill with Mark Takano—Sharon Hodge and Jack McManus to present VVA’s legislative priorities due to an interruption in the virtual meeting—which worked out very well as during the private audience, the president was able to relay VVA’s

**Tuesday, March 29:** Vietnam Veterans Memorial
Commemoration of Vietnam War Veterans Day—VVA Host Committee—Marsha Four, Dennis Howland, Wes Guidry, and myself—had an industrious 8 weeks of planning. We met often via telephone to plan the day’s activities. It was great to work with VVMF in partnership. VVMF has published an anthology in honor of the 40th Anniversary of the Wall—We were given 40 copies—Jack McManus is a contributor, as is Linda Schwartz.

**April 1:** VFW/National League of Families
POW/MIA Chair Coates, VVA Government Affairs Director Sharon Hodge, and I met with members of the National League of POW/MIA families and members of the VSO community to discuss the lack of progress on the recovery and accounting of the remains from the Vietnam War.
Web Weekly:

Between January 1, 2020, and April 15, 2022, we produced and distributed 100 editions of VVA’s Web Weekly to our 49,000+ VVA members, supporters, and members of the media. The open rate for the Web Weekly at 31.4% remains well above the industry average for non-profits, which is 20%.

AGENT ORANGE TOWN HALLS

Agent Orange Town Hall Meetings have been cancelled due to COVID-19.

341 Faces of Agent Orange Town Hall Meetings have been convened since the first on August 1, 2009.

Agent Orange Folders Sent
32,072 Agent Orange folders have been sent in past 7 years--began tracking in 2012
FY20-1,896 | FY19-2,325 | FY18-3,240 | FY17-5,283 | FY16-6,762 | FY15-7,310 | FY14-3,206 | FY13-2,050

Cases of Agent Orange Booklets Sent
126,295 Agent Orange Self-help Guides distributed over past 5 years--began tracking in 2014
FY20-14,272| FY19-9,103 | FY 18-17,640 | FY17-18,583 | FY16-29,887 | FY15-36,810
### AWARDS

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Report to the Board,