



**Compiled By  
The 2023 Resolutions Committee  
John Margowski, Chair  
Sharon Hodge, Staff Advisor  
For Consideration at the  
National Convention  
Orlando, Florida  
August 8-12, 2023**

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| <u>Adopted by Committee:</u><br>The Vietnam Veterans of America Inc. (the Corporation) has  |    |

|  |                     |
|--|---------------------|
| <p>a limited lifespan that will end in dissolution. Action is required by the National Board of Directors to identify and preserve the legacy and assets of the Corporation. ....</p> <p>The Vietnam Veterans of America Inc. (the Corporation) has a limited lifespan that will end in dissolution. Action is required by the National Board of Directors to prepare a plan of dissolution and distribution of assets in compliance with the laws of New York. ....</p> | <p>26</p> <p>27</p> |
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**Proposed Resolutions**  
**Vietnam Veterans of America, Inc.**  
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**AGENT ORANGE/DIOXIN COMMITTEE**

**Resolution Offered for Retirement**

**AO-18**

**ASSOCIATION OF HYPERTENSION TO AGENT ORANGE**

**Reason for retirement:** AO-18 is being retired because hypertension is now a service connection condition with the enactment of Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 or the “Honoring our PACT Act of 2022”. P.L. 117-168

**History**

First adopted in 2021 as AO-18

1 **Issue:** Whereas the National Academies of Sciences, Engineering and Medicine,  
2 update 11, March 10, 2021, to the 117th Congress, Veterans Affairs Committee,  
3 made the decision to change the classification from limited or suggestive to  
4 sufficient evidence of an association of Hypertension to Agent Orange.

5 **Background:** A 2016 study by VA researchers, Yasmin Cypel and colleagues,  
6 clearly showed that self-reported Hypertension rates were highest among those  
7 military personnel with the greatest opportunity for exposure to Agent Orange.

8 **Resolved, That:** Now and therefore be it resolved, by the Vietnam Veterans of  
9 America at the 2021 National Convention, assembled in Greensboro, North Carolina  
10 on November 2-6, 2021, hereby address the Congress of the United States of  
11 America, Veterans Affairs Committee and the President of the United States of  
12 America to include Hypertension to the list of presumptive diseases associated to  
13 Agent Orange.

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**GOVERNMENT AFFAIRS COMMITTEE**

**Resolution Adopted by the Committee**

**GA-XX**

**Marc Goodell– Proposed Resolution 8**

Has this Resolution been endorsed by a Chapter? Yes, Chapter 25

Has this Resolution been endorsed by a State Council? Yes, Florida

Responsible Committee: Government Affairs

**Is this a revision of an existing Resolution? No**

1 **Issue:** Naming the West Palm Beach Veterans Administration Medical Center for  
2 former VVA National President Thomas H. Corey,

3 **Background:** Thomas H. Corey, 1944-2022 Thomas H. Corey, who served as  
4 Vietnam Veterans of America’s National Secretary, Vice President, and President,  
5 died June 6, 2022, in Jupiter, Florida, at age 77. He was elected to the National Board  
6 of Directors in 1985 and two years later he began a ten-year stint as National  
7 Secretary, then went on to be elected Vice President and President, an office he held  
8 from 2001-05.

9 Tom Corey was drafted into the U.S. Army in December 1966 and served as a 1st  
10 Cavalry Division squad leader in Vietnam. On the first day of the 1968 Tet  
11 Offensive, January 31, Corey was shot in the neck and permanently paralyzed. Corey  
12 returned from Vietnam to his family in Detroit where he spent time in and out of the  
13 local VA hospital. He relocated to West Palm Beach in 1972, where he became a  
14 veteran advocate.

15 Committed to improving the conditions he had encountered while a patient in the  
16 VA healthcare system, Corey joined Vietnam Veterans of America in 1980, two  
17 years after the organization’s founding.

18 After founding and leading Chapter 25 in 1981, he became one of VVA’s most active  
19 and accomplished leaders.

20 **Continued on next page**

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21 In 1983 Corey began his long affiliation with the West Palm Beach VA hospital  
22 when he testified to a Congressional Committee, “We’ll all be dead by the time that  
23 hospital gets built,” in reference to the VA calling for an additional study of the need  
24 in the region. “If they were going to build it, then why do another study to confirm  
25 what is already known?” he questioned.

26 Tom’s list of accomplishments is lengthy and is filled with passionate advocacy for  
27 his fellow Vietnam Veterans for nearly 50 years, but perhaps nothing was as bold as  
28 Corey’s 16 trips to Vietnam heading VVA’s Veterans Initiative to work with his  
29 Vietnamese counterparts on the fullest possible account of those still missing in  
30 action from both sides of the conflict.

31 To help heal the wounds of war, Tom’s trips focused on locating POW/MIAs and  
32 Agent Orange issues with successful results. He was ultimately nominated for a  
33 Nobel Peace Prize for his efforts.

34 As president of the Vietnam Veterans Peace Initiative, Corey spearheaded the  
35 building of a maternal health clinic to provide medical support to Agent Orange  
36 victims. Tom’s record of service was the example of the criteria developed for  
37 awarding VVA’s highest award for service, the VVA Commendation Medal. He was  
38 the first recipient.

39 **Proposed Position:** Be it Resolved that Vietnam Veterans of America, assembled  
40 and in convention fully support the naming of the West Palm Beach Veterans  
41 Administration Medical Center for former VVA National President Thomas H.  
42 Corey.

**Proposed Resolutions  
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**GOVERNMENT AFFAIRS COMMITTEE**

**Resolution Offered for Amendment  
GA-17**

**PROPER USE OF REAL ESTATE AT WEST LOS ANGELES DVA  
MEDICAL CENTER**

**History:**

First adopted in 1991 as V-26-91  
Renumbered as V-21-93 in 1993  
Renumbered as V-13-95 in 1995  
Amended in 1997 as V-11-97  
Renumbered in 2003 as V-8-03  
Renumbered in 2005 as V-11-95  
Renumbered in 2011 as G-17

1 **Issue:** ~~A parcel of real estate adjoining the West Los Angeles, Department of~~  
2 ~~Veterans Affairs (DVA) Medical Center, intended by its donor to be used for~~  
3 ~~purposes of providing services to veterans, and has never been developed as~~  
4 ~~intended.~~ The construction of permanent, supportive housing for Veterans on the  
5 West Los Angeles Veterans Affairs (WLAVA) Medical Center campus comprised  
6 of approximately 388 acres located in the heart of Los Angeles.

7 **Background:** ~~The West Los Angeles DVA Medical Center is located on a parcel~~  
8 ~~of property, 547.7 acres of which were donated to the federal government in 1888~~  
9 ~~for the express purpose of maintaining a home for disabled veterans and a cemetery.~~  
10 ~~The 431.2 acres unused portion of this parcel never has been developed for its~~  
11 ~~intended purposes, and some of the medical buildings on the medical campus are~~  
12 ~~empty, are used for storage, or are leased to non-veteran groups for assorted~~  
13 ~~purposes.~~

14 ~~Over the years since this property was transferred to the federal government, land~~  
15 ~~values in the neighboring residential community have soared, reaching upwards of~~  
16 ~~\$5,000,000 per acre, making the unused DVA parcel highly desirable by both~~  
17 ~~developers and the local residential community. In recent years, plans by the DVA~~

18 **Continued on next page**

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19 ~~to make the property available to developers were legislatively blocked, leaving~~  
20 ~~the parcel in DVA hands but still without development consistent with the~~  
21 ~~purposes for which the property was originally donated.~~

22 ~~Most recently, a private group of local residents has sought to acquire the 265-acre~~  
23 ~~unused parcel of DVA property through a lease. The objective of acquiring the~~  
24 ~~property is to establish mixed-use recreational facilities for the principal benefit of~~  
25 ~~the neighboring community and for use by veterans. Unfortunately, the planned use~~  
26 ~~of this parcel continues to be inconsistent with the kinds of services for veterans that~~  
27 ~~are most in need and were intended by the original donor.~~

28 ~~Over the last several years, the availability of needed services for veterans at the~~  
29 ~~West Los Angeles DVA Medical Center has been in decline. The new use of the~~  
30 ~~property would do little, if anything, to stem this decline.~~

31 **In June 2011, Valentini et al. v Shinseki et al. was filed in U.S. District Court**  
32 **on behalf of homeless veterans, Vietnam Veterans of America, and Carolina**  
33 **Barrie (a descendant of the family that donated the land to the government)**  
34 **for misusing the WLAVA campus. The suit argued that the 388-acre**  
35 **campus, donated to the federal government in 1888 for the purpose of being**  
36 **a National Home for Disabled Volunteer Soldiers, was misappropriated for**  
37 **uses that in no way provided housing or healthcare services to veterans.**

38 **The Honorable S. James Otero ruled in August 2013 that the VA violated**  
39 **federal law when it leased portions of its WLAVA campus to 11 businesses**  
40 **and organizations for purposes unrelated to Veterans' interests. The court**  
41 **did not specify a remedy and encouraged settlement negotiations between**  
42 **the parties.**

43 **In January 2015, VA Secretary Bob McDonald and Plaintiff Partners signed**  
44 **the "Principles for Partnership and Framework for Settlement" agreement**  
45 **which called for the creation of a veterans homelessness strategy, mutual**  
46 **cooperation in the development of a Master Plan to set out the most effective**  
47 **use of the campus for veterans, development of an exit strategy for leases not**  
48 **pertaining to veteran healthcare or housing, and the creation of a non-profit**

49 **Continued on next page**



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50 entity to assist in such efforts. Both parties also agreed to file a joint motion  
51 to the District Court that would vacate its judgment in Valentini v.  
52 McDonald.

53 The Draft Master Plan was created and signed by VA Secretary Bob  
54 McDonald on January 28, 2016. Key to the creation of the Master Plan, and  
55 stipulated in the Partnership Agreement, was the solicited input from a full  
56 range of stakeholders in determining how best to use the campus in a  
57 Veteran-centric manner so that Veterans living on or visiting the campus  
58 would experience superior care, support, convenience, and customer service.

59 The West Los Angeles Leasing Act of 2016 reauthorized leasing activity on  
60 the WLAVA campus under specific Veteran-centric activities e.g.,  
61 supportive housing, health and wellness, education, vocational training, legal  
62 and federal benefits assistance, family support services, and transportation.  
63 The act also required the formation of a Federal Advisory Committee (FAC),  
64 the Veterans and Community Oversight and Engagement Board (VCOEB),  
65 assigned to three functional areas of expertise: Master Plan, Services, and.  
66 The VCOEB was established on June 1, 2017.

67 The 2016 Draft Master Plan was updated in 2022, and signed by VA Secretary  
68 Denis McDonough on April 12, provides a path forward with transparency and  
69 accountability to ensure it meets the standards of health care critical to meeting the  
70 mental and physical health needs of those experiencing homelessness. The West LA  
71 campus supports one of the largest, most complex medical centers in the VA system  
72 and provides Veterans with access to a full continuum of health care services. As the  
73 homeless problem is solved in LA it gives momentum to VA's ongoing efforts  
74 across the country.

75 Los Angeles has the largest homeless Veteran population in country with almost  
76 10% of all homeless Veterans across the U.S. located there.

77 **Resolved, That:** Vietnam Veterans of America, opposes the use of the undeveloped  
78 property at the West Los Angeles DVA Medical Center for purposes other than those  
79 consistent with the intentions of the original donor. It is the further position of VVA  
80 that any vacant or otherwise undeveloped DVA real estate or capital-plant assets  
81 should be refurbished, affording continued services for veterans and, most  
82 especially, for service-connected disabled veterans.

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**GOVERNMENT AFFAIRS COMMITTEE**

**Resolution NOT Adopted by the Committee**

**Spouse/dependent burial fees being charged at "State Veteran  
Cemeteries"**

**Submitted by Thomas Truax Proposed Resolution 9**

Has this Resolution been endorsed by a Chapter? No

Has this Resolution been endorsed by a State Council? Yes, South Carolina

Responsible Committee: Public Affairs

**Is this a revision of an existing Resolution? No**

1 **Issue:** Spouse/dependent burial fees being charged at "State Veteran  
2 Cemeteries".

3 **Background:** The Department of Veterans Affairs (VA) established a Cemetery  
4 Grants Program in 1978 that provides funds to States to build "State Veteran  
5 Cemeteries" to assist the National Cemetery Administration meet their obligations  
6 to our Nations Veterans.

7 The grants are awarded for the establishment, expansion, operations/maintenance, and  
8 improvement of the cemeteries. Standards and guidelines provided by the VA must be  
9 adhered to, and the cemeteries are to be operated solely for the interment of Veterans, and  
10 their eligible family members.

11 The administration of the State Veteran Cemetery is the responsibility of the State. A  
12 major difference between a State cemetery and a National cemetery is that there is no cost  
13 for the burial of a spouse/dependent in a National cemetery, whereas States may charge  
14 whatever they feel is appropriate. In a few States the fee may be waived under certain  
15 conditions, but this could put additional stress on the family to work through this.

16 The attached chart " State Veteran Cemeteries Spouse Interment Fee", indicates that  
17 18 States currently do not have a fee for spouse interment, and 25 do have a fee. The  
18 fee, if any in 2 States (Alaska and Massachusetts) are unknown, however  
19 Massachusetts indicates a nominal fee may be required.

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21 There are two States (Florida and Oregon) that do not have a State Veteran  
 22 Cemetery. This may be related to the number of National Cemeteries that they have  
 23 in their State (Florida - 8, Oregon - 4 ). The remaining three States (Michigan, Ohio,  
 24 and Pennsylvania) have Veteran Homes that have their own cemetery, and  
 25 regulations regarding spouse interment in these cemeteries. The National Cemetery  
 26 Administration (NCA) "FY23 Priority List of Pending State and Tribal Government  
 27 Cemetery Construction Grant Pre-Applications updated on 1/24/2023 has been  
 28 reviewed, and these five States have not requested grants for cemetery  
 29 establishment.

30 The VA is authorized to reimburse States a plot allowance (currently \$893) for  
 31 expenses incurred in the burial of eligible Veterans. There are currently no plot  
 32 allowances for spouses and dependents. The plot allowance announced by the VA  
 33 each year is based on the Customer Price Index for the 12-month period ending on  
 34 June 30th, proceeding the beginning of the fiscal year for which the increase is made.  
 35 The following plot rate table provides the rate increases effective each October 1st  
 36 since 2011.

Plot Rate Table

| <u>Date Rate</u><br><u>Changed</u> | <u>Rate</u> | <u>\$</u><br><u>Increase</u> | <u>%</u><br><u>Increase</u> |
|------------------------------------|-------------|------------------------------|-----------------------------|
| 10-01-2022                         | 893         |                              |                             |
| 10-01-2021                         | 828         | +21                          | 2.6                         |
| 10-01-2020                         | 807         | +11                          | 1.4                         |
| 10-01-2019                         | 796         | +16                          | 2.1                         |
| 10-01-2018                         | 780         | +18                          | 2.4                         |
| 10-01-2017                         | 762         | +13                          | 1.7                         |
| 10-01-2016                         | 749         | + 2                          | .3                          |
| 10-01-2015                         | 747         | + 2                          | .3                          |
| 10-01-2014                         | 745         | +11                          | 1.5                         |
| 10-01-2013                         | 734         | +12                          | 1.7                         |
| 10-01-2012                         | 722         | +22                          | 3.2                         |
| 10-01-2011                         | 700         |                              |                             |

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39 Over the 11 years reflected (2012 - 2022), there has been a total increase of \$193  
40 from 10-01-2011. Allowing that the significant increase that occurred on 10-01-22  
41 (7.9%) was an anomaly, the average increase for the previous 10 years was 1.7%.  
42 Projecting a 2% average a year, the plot allowance will be over \$1,000 in six years.  
43 However, realistically it may reach \$1000 much sooner. As is indicated on the  
44 Spouse Interment Fee chart, there are currently six States that increase their fee each  
45 October or soon thereafter based on the new VA plot allowance.

46 Proposed Position:

47 Spouses often carry as heavy a burden as the Veteran. They too, served  
48 tremendously, often while supporting their loved ones around the world, and in  
49 harms way. A grateful State must honor their service as well.

50 Each State Council, or designated Chapter where there is not a State Council will  
51 determine its States current spouse/dependent position on burial fees in their State  
52 Veteran Cemeteries.

53 -If there is a fee, work with their State's representatives to propose legislation to  
54 eliminate the fee.

55 -If there is a fee, ensure that the cost is easy to determine, and that wording like, may  
56 incur fees; small fee, minimal charge; nominal charge is eliminated

57 -If there is not a fee, determine if there are discussions to have one, and if so, work  
58 with their State representatives to lobby against it.

59 Each State Council is to work with their members of Congress to advocate for  
60 the VA to cover these fees in all States as they do with a plot allowance for the  
61 Veteran.

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**STATE VETERAN CEMETERIES SPOUSE INTERMENT FEE**

|              | <b>\$220/50</b>      | <b>\$450</b>     | <b>\$800</b>       |
|--------------|----------------------|------------------|--------------------|
| <b>\$0</b>   |                      |                  |                    |
| Colorado     | Rhode Island         | Nevada           | North Carolina     |
| Connecticut  |                      |                  |                    |
| Georgia      | <b>\$300</b>         | <b>\$500</b>     | <b>\$807</b>       |
| Hawaii       | Iowa                 | Delaware         | Arkansas           |
| Illinois     | South Carolina       | Kentucky         |                    |
| Indiana      | Washington           |                  | <b>\$893</b>       |
| Kansas       |                      | <b>\$525/225</b> | Wisconsin          |
| Maine        | <b>\$350</b>         | Vermont          | California         |
| Mississippi  | New Hampshire        |                  | Idaho              |
| Missouri     |                      | <b>\$745</b>     | Maryland           |
| Nebraska     | <b>\$375</b>         | Louisiana        | South Dakota       |
| New Jersey   | Alabama              | Minnesota        | Utah               |
| New Mexico   |                      |                  |                    |
| North Dakota | <b>\$400</b>         | <b>\$780</b>     | <b>\$950/1025</b>  |
| Oklahoma     | Virginia             | Arizona          | Montana            |
| Tennessee    |                      | West Virginia    |                    |
| Texas        | <b>\$ Unknown</b>    |                  | <b>\$1,225/553</b> |
| Wyoming      | Massachusetts Alaska |                  | New York           |

**Note: Two costs provided - 1st, Casket; 2nd, Cremation**

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**MINORITY AFFAIRS COMMITTEE**

**Resolution Offered for Amendment**

**MA-16**

**SUPPORT FOR SOUTH KOREAN AMERICAN WAR VETERANS**

**History:** First adopted in 2021

Strike the words indicated by the ~~strike through~~ and insert the **bold underlined words**.

1 **Issue:** Health care and adhering to “Never Again will one Generations of Veterans  
2 Abandon Another”

3 Today over 2800 South Korean American War Veterans are American citizens.  
4 These men and women served alongside and independently in the air. Sea and  
5 ground of South Vietnam from 1964 to 1973. They were exposed to many perils  
6 including Agent Orange related illnesses and disease. Today many of these troops  
7 are falling ill due to their Agent Orange exposure. Medical care is not available to  
8 them through the VA Healthcare system. The conventional medical community has  
9 little knowledge of the effects or treatment of Agent Orange related illnesses.

10 Today, the VA and our government have not reached out to the U.S. Korean  
11 community with any information or assistance relating to wartime illness. No  
12 treatment has been made available for Agent Orange diseases, PTSD, or other  
13 combat affiliations.

14 The United States government has been supporting the reclamation of toxic exposed  
15 land in South Vietnam. The war is long over, and we have restored the economy of  
16 the new unified Vietnam. We have embraced our former enemy, supplied technical  
17 and material aid, and free medical assistance to their population.

18 Our government has abandoned our South Korean allies and fellow veterans; but has  
19 embraced and supported a former enemy, North Vietnam: Our government should  
20 no longer abandon our South Korean allies and fellow veterans. It should instead be  
21 supporting our fellow Korean combatants in a way equal to our benefits and of  
22 course, to the embrace and support it is providing to our former enemy, North Korea.

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24 **Background:** In 1964, the Government of the United States asked South Korea to  
25 join in a coalition of allied nations for the prevention of Communism in Southeast  
26 Asia. This coalition led to the insertion of combat troops into South Vietnam. During  
27 the period 1964 – 1973, the nation of South Korea had over 330,000 troops deployed  
28 in South making South Korea second largest combat force in South Vietnam. South  
29 Korean troops had over 10% casualties with more than 5,000 KIA.

30 South Korean troops were deployed throughout South Vietnam including the  
31 waterways inland and the South China Sea. These troops supported and protected  
32 United States forces in II Corp and the Central Highlands and other places. The  
33 actions of the South Korean troops have been widely acknowledged in securing areas  
34 within South Vietnam that had been uncontrollable and had provided sanctions to  
35 enemy troops.

36 Time is not on the side of these brave men and women. The effects of Agent Orange  
37 exposures and related diseases have thinned the ranks of this aging veteran  
38 population. Medical care in the United States is not available through the VA for  
39 diagnosis or treatment. These men and are the forgotten ally who fought and died  
40 with our troops in the land, sea, and air of Southeast Asia.

41 Once we, American Vietnam Veterans, were the forgotten warriors of a war no one  
42 wanted to remember. It took us many years to have our government recognize,  
43 diagnose, and treat illnesses afflicted on us by our war time exposure. Today we are  
44 still fighting and will continue for yesterday's Veterans, today's Veterans, and future  
45 Veterans.

46 Our South Korean American Veterans are now suffering and are in the same position  
47 we were in. Are we going to abandon these Veterans? The resources to help these  
48 men and women are available now. War has no winners, but for us to ignore and  
49 abandon the South Korean warriors who fought by our side for liberty, democracy  
50 and freedom is immoral. They suffer and struggle and their families are asking WHY  
51 are they forgotten?

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53 **Resolved, That:** We ask urge the Vietnam Veterans of America to endorse ~~use~~  
54 ~~their resources to support~~ HR 234 366 (~~KOREAN AMERICAN VALOR~~ The  
55 *Korean American VALOR Act.* ~~currently in congressional committee.~~ This bill is  
56 ~~related to gaining~~ supports VA healthcare benefits for South Korean Vietnam  
57 Veterans who served in Vietnam from 1964 - 1973 and are now American  
58 Citizens. ~~These veterans need access for healthcare diagnosis and treatment for all~~  
59 ~~related illness pertaining to their service in Southeast Asia. All Congressional~~  
60 ~~representatives must be made aware of the importance of supporting this bill. Once~~  
61 enacted into law it requires the Department of Veterans Affairs (VA) to  
62 provide health care and related services to members of the armed forces of the  
63 Republic of Korea who served in Vietnam during the period from January 9,  
64 1962, to May 7, 1975. VA would provide that treatment under the condition  
65 that Korea reimburse VA for those services. Amounts paid to VA as  
66 reimbursement would be credited to the appropriation from which costs for  
67 providing that health care were spent. It is crucial to stress to all  
68 Congressional representatives how crucial it is that this bill become law.



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**PUBLIC AFFAIRS COMMITTEE**

**Resolution NOT Adopted by the Committee**

**Submitted by Sam Brick Proposed Resolution 7**

Has this Resolution been endorsed by a Chapter? No

Has this Resolution been endorsed by a State Council? Yes, South Carolina

Responsible Committee: Public Affairs

**Is this a revision of an existing Resolution? No**

1 **Issue:** Thanking Law Enforcement Personnel for Their Service

2 **Background:** One of our corporate stated constitutional purposes is to  
3 promote self-respect, self-confidence, and usefulness of Vietnam-era veterans  
4 and others. We understand coming home to a lack of respect from our fellow  
5 citizens that still exists in many ways that it undercuts our self-respect,  
6 confidence, and usefulness. Overall, we served with honor, pride, and  
7 distinction. Some of our fellow vets did not. We do not condone their  
8 dishonorable actions, but we understand. Today, our national domestic  
9 brothers who protect us at home suffer a similar lack of respect and disdain.  
10 They are the “others” referred to by our founding fathers.

11 One of the ways that has lessened the dishonor we felt from our fellow citizens  
12 is those who understand that we came when called and fought honorably and  
13 now who thank us for our service. That simple statement means a lot. It  
14 reinforces our self-confidence and usefulness. Our domestic law enforcement  
15 officials now are tainted by the few who do not serve with honor. Like us they  
16 do not condone such unlawful conduct, but they understand it. We need their  
17 self-respect, their self-confidence, their usefulness. Thanking them for their  
18 service is a small but meaningful way of letting our law enforcement brothers  
19 and sisters know that we respect them and have confidence that they will abide  
20 by their rules under terrible circumstances just like we did.

21 **Proposed Position:** Be it Resolved that the Vietnam Veterans of America  
22 appreciate the service of America's law enforcement personnel and that  
23 whenever we have an opportunity to do so we encourage all to thank them for  
24 their service .

**Proposed Resolutions**  
**Vietnam Veterans of America, Inc.**  
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**VETERANS BENEFITS COMMITTEE**

**Resolution Offered for Amendment**

**VB-31**

**PROTECTION OF THE RIGHT TO REPRESENTATION IN APPEALS**

1 **History:** First adopted in 2019

2 **Issue:** Ensure that veterans and their family members are accorded the full right to  
3 representation in all stages of an appeal for VA benefits.

4 **Background:** Under 38 C.F.R. § 20.5, “an appellant will be accorded full right to  
5 representation in all stages of an appeal by a recognized organization, attorney, or  
6 other authorized person.” In an April 1, 2019, Memorandum, the Chairman of the  
7 Board of Veterans’ Appeals (BVA) announced that BVA will be implementing 120-  
8 day time-limits for VSO Written Briefs (IHPs). ~~This 120-day time limit applies to~~  
9 ~~appeals in the legacy system and the Appeals Modernization Act system. If the IHP~~  
10 ~~is not submitted within the time limit, the case will be sent to a Veterans Law Judge~~  
11 ~~without any argument from the representative. This policy conflicts **conflicted with**~~  
12 ~~38 C.F.R. § 20.5 and deprives **deprived** appellants of their right to representation in~~  
13 ~~all stages of an appeal.~~

14 ~~Additionally, BVA interferes with an appellant’s right to representation by not~~  
15 ~~providing representatives with the necessary tools to effectively represent appellants.~~  
16 ~~For example, BVA databases have not yet been updated to provide representatives~~  
17 ~~with the proper functions to effectively work cases. Additionally, representatives~~  
18 ~~have not been provided a reader tool that would help representatives read case files~~  
19 ~~more efficiently. Finally, **After extensive advocacy from, VVA, this policy was**~~  
20 ~~**rescinded, however, VVA must guard against similar policies in the future and**~~  
21 ~~bureaucracies in BVA **still** create excessive delay in representatives gaining access~~  
22 ~~to databases and being able to resolve case specific issues within BVA.~~

23 **Continued on next page**

**Proposed Resolutions**  
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24 **Resolved, That:** Vietnam Veterans of America support the following initiatives:

- 25 1) Work with BVA, the Secretary of Veterans Affairs, and Congress to abolish  
26 policy initiatives that inhibit an appellant's right to representation in all stages  
27 of an appeal.
- 28 2) Work with BVA, the Secretary of Veterans Affairs, and Congress to promote  
29 policies that further protect an appellant's right to representation in all stages  
30 of an appeal and to ensure that representatives always have the necessary tools  
31 to effectively provide representation.

**VETERANS BENEFITS COMMITTEE**

**Resolution NOT Adopted by the Committee**

**Submitted by Thomas Ludka Proposed Resolution 2**

Has this Resolution been endorsed by a Chapter? No

Has this Resolution been endorsed by a State Council? No

Responsible Committee: Veterans Benefits

**Is this a revision of an existing Resolution? No**

1 **Issue:** VA will only provide a grave marker or medallion for Reservists or  
2 National Guard under limited circumstances.

3 **Background:** The VA already provides a burial flag and funeral honors for any  
4 Reservists or National Guard who served honorably even if their only service was  
5 Active Duty for Training and they served honorably. VA also provides eligibility  
6 for VA Home Loan program after six years of Honorable Guard or Reserve  
7 service. The members made themselves available for service and it should not be  
8 held against them if they were not activated. The VA will provide a grave marker  
9 for a Confederate Veteran then why not provide a marker or medallion for anyone  
10 those who served this country honorably. I have served at 95 funerals this year and  
11 it is ridiculous that we won't allow the families to obtain a government marker after  
12 the Rifle Salute, TAPS, flag folding and presentation by two uniformed military  
13 personnel. Apparently, the service of the deceased can be honored but never have  
14 their grave properly marked.

15 **Proposed Position:** Change 38CFR 38.360 (a)(2)(i)(B) to add "or completed at  
16 least one period of service under Honorable conditions."

**Proposed Resolutions**  
**Vietnam Veterans of America, Inc.**  
**21<sup>st</sup> National Convention – August 8 – 12, 2023**

**VETERANS INCARCERATED AND IN THE JUSTICE SYSTEM**  
**COMMITTEE**

**Resolution NOT Adopted by the Committee**

**Submitted by James Everett, Proposed Resolution 1**

Has this Resolution been endorsed by a Chapter? No

Has this Resolution been endorsed by a State Council? No

Responsible Committee: Incarcerated Veterans Committee

**Is this a revision of an existing Resolution? No**

- 1 **Issue:** Restoring withheld benefits of incarcerated veterans
- 2 **Background:** To support VIN-5 restitution of benefits
- 3 **Proposed Position:** Those titles 38 USC 3.665,5313 be repealed/revised/amended,
- 4 based upon its unconstitutional application, deprives, discriminate and
- 5 disadvantages veterans incarcerated of their deserved benefits, based upon
- 6 “sonofsam” law.

**Proposed Resolutions  
Vietnam Veterans of America, Inc.  
21<sup>st</sup> National Convention – August 8 – 12, 2023**

**WOMENS VETERANS COMMITTEE**

**Resolutions Offered for Amendment**

**WV-5**

**WOMEN VETERANS RESEARCH**

**History:**

First adopted in 2009 as WV-5-09

Amended and renumbered in 2011 as WV-5 Amended in 2013 as WV-5

Amended in 2015, 2017, 2021

Strike the words with the ~~strike-through~~ and insert the **bold underlined words**.

1 **Issue:** Specific issues pertinent to women veterans must be adequately researched.

2 **Background:** Because women veterans have historically been a small percentage  
3 of the veteran population, many issues specific to women veterans have not been  
4 researched. General studies of veterans often had insufficient numbers of women  
5 veterans to detect differences between male and female veterans and/or results  
6 were not reported by gender. Today, however, women are projected to be ~~more~~  
7 ~~than 11% of the veteran population by 2020 and 15% by 2025~~ **18% by 2040.**

8 **Resolved, That:** Vietnam Veterans of America asks the Secretary of Veterans  
9 Affairs to conduct several studies specific to women veterans and that Congress pass  
10 legislation to mandate such studies if the Secretary does not act:

- 11 • A comprehensive assessment of the capacity and ability of women veterans'  
12 health programs in VA, including Compensation and Pension examinations,  
13 **quality of VBA training and accuracy of staff review of claims,** equality  
14 in Compensation and Pension ratings, and to meet the needs of women  
15 veterans.(GAO: March 2010:VHA)
- 16 • A continued comprehensive study on the relationship of toxic exposures  
17 during military training and service on infertility rates of veterans.

18 **Continued on next page**

**Proposed Resolutions**  
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- 19       • A continued comprehensive evaluation of suicide among women veterans,  
20       including rates of both attempted and completed suicides, and risk factors,  
21       including comorbid diagnoses, substance abuse, history of sexual trauma or  
22       sexual harassment, harassment, bullying, intimate partner violence,  
23       unemployment, deployments, or homelessness.
- 24       • VA should continue to expand the use of a central directory and mobile apps  
25       for services and programs. The VA, DOD, and even local community  
26       programs should work together to create and evaluate programs to assist in  
27       the support for these women veterans.
- 28       • VA should utilize local media to promote the availability of women veterans’  
29       programs.

**WV-8**

**MILITARY SEXUAL TRAUMA (MST)**

History: First adopted in 2013  
Amended in 2017, 2019

Strike the words with the ~~strike-through~~ and insert the **bold underlined words**.

1    ~~Issue: Currently, instances of sexual assault in the military must be reported~~  
2    ~~through the chain of command. This precludes impartial decision-making and~~  
3    ~~creates a biased judicial system for the victim. The creation of a separate and~~  
4    ~~independent office to address such crimes would remove barriers to reporting and~~  
5    ~~provide additional protection and safety for the victims.~~

6    **The instances of sexual assault in the military has been a long-standing**  
7    **problem that in the past few years has increased. The reporting process has**  
8    **been improved to include implementing two reporting options: Restricted and**  
9    **Unrestricted. The major difference between these reporting options is that an**  
10   **unrestricted report will trigger an official investigation, whereas a restricted**  
11   **report will not. However, research indicates that toxic command climates**

12   Continued on next page

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13 **continue to be a breeding ground for harassment and assault and inhibits**  
14 **victims from reporting either way.**

15 **Background:** Sexual Assault and Prevention Response Office (SAPRO) has  
16 developed a Retaliation Prevention and Response Strategy, according to DoD, the  
17 majority of Military Sexual Trauma (71%) are under 24 years old and of lower ranks;  
18 whereas the majority of assailants (59%) are between 20 and 34 years old and of a  
19 higher rank than the survivor. There was an increase of 13% women reporting in  
20 2017, while there was no change for men. The FY 2019 Report on Sexual Assault  
21 in the Military showed 20,500 Sexual assaults in FY2019, up from 14,900 in 2016.  
22 The official reports of sexual assault have increased over 3% over the previous year,  
23 while fewer cases are being sent forward by Commanders to trial. Women veterans  
24 are twice as likely as men veterans to develop posttraumatic stress disorder and  
25 approximately one out of four women veterans report military sexual trauma.  
26 Survivors may fear that their own actions may be cause for punishment. The threat  
27 of retaliation or fear of being reprimanded or disruption of their career is enough to  
28 silence many survivors or have them recant their stories. SAPRO reports of 2017-  
29 2018 showed that the majority of reporters of Sexual Assault in military academies  
30 and armed forces were still subjected to harassment and abusive behaviors. Failure  
31 of the SHARP (Sexual Harassment/Assault Response Program) at the Ft. Hood, TX  
32 independent review(2020) of 136 pages(70 recommendations) found it ineffective  
33 and failed as a result of command enforcement below brigade level. Failure of  
34 leadership, transparency, and care for all soldiers reflects it likely not limited to a  
35 single installation. This showed a startling tolerance for sexual harassment and  
36 sexual assault at the unit level. Again, this creates a total lack of trust for reporting  
37 assaults among the units.

38 **Resolved, That:** VVA will pursue legislation that reassigns complaints of military  
39 sexual trauma **and harassment** by service members and all perpetrators outside of  
40 their immediate chain of command.

- 41 1. VVA request review of results of DOD Retaliation Prevention and Response  
42 Strategy FY ~~2016-2017-2019~~ **2021** be reported to the Congressional  
43 Veterans Committees as well as the President.
- 44 2. There should be ~~an~~ **a continued** increase of Victims' Advocates comprised  
45 of a hybrid of civilian and uniformed personnel at all military installations.

46 **Continued on next page**

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- 47        3. ~~Remove those perpetrators found guilty of Sexual Assault/Sexual~~  
48        ~~Harassment from service not transferred to another base assignment.~~  
49        **There is evidence that further attention is needed for those in leadership**  
50        **positions regarding sexual assault and harassment training and**  
51        **evaluation prior to consideration for promotion.**



**Proposed Resolutions**  
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**VETERANS HEALTH CARE COMMITTEE**

**Resolution Offered for Retirement**

**HC-9**

**HOURS OF OPERATION OF VA MEDICAL FACILITIES**

**Reason for retirement:** HC-9-Hours of Operations at VA Medical Centers, is being retired by directive [1231\(3\) D 2019-10-18.pdf](#) the VA currently provides evening and weekend appointments throughout the 23 VISN beyond the 8:00am-4:30 time for VA medical centers and community based outpatient clinics appointments.

**History:**

First adopted in 1993 as V-17-93 In 1995  
Renumbered as V-10-95 In 1997  
Renumbered as V-9-97  
Renumbered 2003 as V-6-03  
Renumbered 2005 as V-9-95  
Renumbered 2009 as VB-23-09  
Amended and renumbered in 2011 as HC-9  
Amended in 2019

1 **Issue:** Accessibility and timeliness of health care at Department of Veterans Affairs  
2 (VA) facilities.

3 **Background:** The hours of operation for outpatient care at many VA hospitals and  
4 clinics are generally from 8-9 a.m. to 4-5 p.m. Veterans who are employed or have  
5 personal responsibilities may find it difficult to make appointments during these  
6 hours. Saturday and evening clinics, as well as measures to decrease waiting times,  
7 would facilitate use of VA facilities by these veterans.

8 **Resolved, That:** Vietnam Veterans of America:

- 9 1. Encourages all VA hospitals and clinics to provide weekend and evening  
10 appointments for veterans through use of flexible employee scheduling; and  
11 2. Encourages hospitals and clinics to diligently evaluate and improve  
12 scheduling to decrease waiting time.

**Proposed Resolutions**  
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**RESOLUTIONS COMMITTEE**

**Resolution Adopted by the Committee**

**RC-XX**

**Submitted by John Margowski, Proposed Resolution 4**

Has this Resolution been endorsed by a Chapter? **No**  
Has this Resolution been endorsed by a State Council? **No**  
Responsible Committee Resolutions Committee  
**Is this a revision of an existing Resolution? No**

1 **Issue:** The Vietnam Veterans of America Inc. (the Corporation) has a limited  
2 lifespan that will end in dissolution. Action is required by the National Board of  
3 Directors to identify and preserve the legacy and assets of the Corporation.

4 **Background:** At the 2021 VVA National Convention the delegates rejected  
5 changing the name and membership requirements of the VVA, therefore the  
6 Corporation has a limited lifespan that will end in dissolution.

7 Feedback from the VVA membership indicates a strong interest in preserving the  
8 legacy and assets of the Corporation, which will include extending some of the  
9 Corporation's most successful veteran's advocacy and assistance programs beyond  
10 dissolution. Some actions necessary to preserve these legacy programs will take  
11 years to accomplish and preparations must begin as soon as possible.

12 The VVA Strategic Plan for Dissolution includes an action to establish a Legacy  
13 Task Force composed of three or more current members of the National Board of  
14 Directors (NBOD) specifically tasked with identifying and preserving the  
15 programs that will extend the legacy and reputation of the Corporation. This  
16 Legacy Task Force would meet at each scheduled NBOD meeting to actively  
17 investigate and develop solutions relating to preserving the legacy, reputation, and  
18 assets of the Corporation, and would report their progress and issues at each  
19 scheduled NBOD meeting.

20 **Continued on next page**

**Proposed Resolutions**  
**Vietnam Veterans of America, Inc.**  
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21 **Proposed Position:** Be it Resolved that prior to the October 2023 National Board  
22 of Directors meeting the President of the Corporation will establish a Legacy Task  
23 Force consisting of at least three (3) current members of the National Board of  
24 Directors, and others as determined necessary, to perform their duties as described  
25 in VVA Strategic Plan for Dissolution.

**RESOLUTIONS COMMITTEE**

**Resolution Adopted by Committee**

**RC-XX**

**Submitted by John Margowski, Proposed Resolution 5**

Has this Resolution been endorsed by a Chapter? **No**

Has this Resolution been endorsed by a State Council? **No**

Responsible Committee Resolutions Committee

**Is this a revision of an existing Resolution? No**

1 **Issue:** The Vietnam Veterans of America Inc. (Corporation) has a limited lifespan  
2 that will end in dissolution. Action is required by the National Board of Directors  
3 (NBOD) and the Delegates at a National Convention to prevent defaulting the  
4 distribution of assets to the State of New York. Some actions need to begin years  
5 before dissolution and must be managed effectively by the National Board of  
6 Directors.

7 **Background:** At the 2021 VVA National Convention the delegates rejected  
8 changing the name and membership requirements of the VVA, therefore the  
9 Corporation has a limited lifespan that will end in dissolution.

10 **Continued on the next page**

**Proposed Resolutions**  
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11 The Corporation is incorporated in the State of New York and must be dissolved in  
12 accordance with the laws of New York. The NBOD must commence the process of  
13 formal dissolution of Corporation by preparing a Plan of Dissolution and  
14 Distribution of Assets addressing the close of the Corporation and the distribution  
15 of assets not previously distributed, and by filing a Petition for Dissolution with the  
16 New York Attorney General or New York Supreme Court.

17 The Plan of Dissolution and Distribution of Assets must be approved by the  
18 members entitled to vote, which is generally the members who elect the board of  
19 directors. For the Corporation this occurs only at National Conventions where  
20 voting is done by delegates. To pass, there must be a quorum and a two-thirds (2/3)  
21 majority vote to adopt the Plan of Dissolution and Distribution of Assets. If the  
22 proposed plan is not approved by the delegates this path to dissolution will not be  
23 available to the Corporation, and the State of New York will determine distribution  
24 of assets. Once approved by the State of New York all assets must be distributed  
25 within 270 days (nine months).

26 Because some actions must begin years prior to dissolution of the Corporation a  
27 tentative date for dissolution must be established to allow the NBOD the time  
28 necessary to complete those actions.

29 **Proposed Position:** Be it Resolved that the Vietnam Veterans of America, Inc.,  
30 will be dissolved on or about February 29, 2028. The National Board of Directors  
31 will take the actions necessary to prepare a Plan of Dissolution and Distribution  
32 of Assets compliant with the laws of the State of New York and present that plan  
33 at the 2027 Vietnam Veterans of America National Convention for approval of  
34 the Delegates.

**Proposed Resolutions**  
**Vietnam Veterans of America, Inc.**  
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**FINANCE COMMITTEE**

**Resolution Not Adopted by Committee**

**Submitted by Sam Brick Proposed Resolution 6**

Has this Resolution been endorsed by a Chapter? No

Has this Resolution been endorsed by a State Council? Yes, The CSCP representing all state councils endorsed this proposal.

Responsible Committee: Finance

**Is this a revision of an existing Resolution? No**

1 **Issue :** Continued VVA Financial Support for Chapters and State Councils

2 **Background:** With the lowering of the Life Membership fee and the diminishing  
3 life membership account from which chapter and state councils have been receiving  
4 financial payments, the Corporation may need to find funds from other sources to  
5 continue these membership-related payments. Some chapters and state councils  
6 depend heavily on these payments. Others consider these as an integral part of their  
7 continued affiliation to the corporation. They are a bond that brings the chapters  
8 and state councils into the corporation. This is a direct connection to the  
9 membership. It also comports with the VVA Constitution's first purpose, "To help  
10 foster, encourage, and promote the improvement of the Vietnam-era veteran." The  
11 members, those in the chapters and state councils, are the object of this purpose. It  
12 should be paramount in financial decisions to continue such support. Current  
13 budgets do not delineate these payments. This proposed resolution would require  
14 that the Finance Committee, in preparing its annual budget, consider the costs  
15 associated with such continued financial support and propose to the national board  
16 a budgetary item to continue this support. The proposed resolution considers it of  
17 such importance to prioritize and require a distinct roll call vote for this item.

18 **Proposed Position:** Resolved that notwithstanding potential exhaustion of funds  
19 currently providing annual financial support to state councils and chapters, the  
20 operating budget for the corporation henceforth shall include a budgetary provision  
21 for each fiscal year to continue similar per member type financial support as  
22 provided by the corporation in 2022 to each qualified state council and chapter. The  
23 National Board shall prioritize such proposed budgetary item in any budget  
24 approval process and approve the provision by a separate distinct roll call vote.