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LEGISLATIVE DIVISION UPDATE

On the last day of legislative work for 2015, the House and Senate passed **H.R. 2029**, the *Omnibus Continuing Appropriations Act for FY 2016*. On December 18, the measure passed the House by a recorded vote of 316-113. It was then sent to the Senate, where it was approved by a 65-33 tally. The legislation was then conveyed to the White House, where the President enacted it as **Public Law (P.L.) 114-113**.

CONGRESSIONAL ACTIVITIES

Increased VA Funding Contained in FY 2016 Omnibus Appropriations Bill

P.L. 114-113 – the FY 2016 omnibus continuing appropriation bill – contains \$1.15 trillion, including increased funding for programs of the Department of Veterans Affairs (VA), as compared to FY 2015 amounts.

The \$162.7 billion appropriated for VA operations in fiscal 2016 includes \$71.4 billion in discretionary funding, an almost 10 percent jump in that account from fiscal 2015 levels.

The total includes:

- \$7.5 billion for mental health care services;
- \$7.5 billion for institutional and other long-term support of aging veterans;
- \$6.7 billion in homeless veterans' treatment, services, housing, and job training;
- \$4.9 billion to cover medical costs of Iraq and Afghanistan war veterans;
- \$4.7 billion for female veteran-specific health care programs;
- \$2.7 billion to address the backlog of first-time disability claims, with nearly \$700 million in additional funds targeted for this problem;
- \$1.5 billion to the White House budget request for new Hepatitis-C medications, treatments that have proven to be lifesaving for VA patients but significantly more costly than officials predicted earlier this year; and,
- \$1.24 billion for major construction projects and \$406 million for minor projects, matching department requests after months of lawmaker complaints about mismanagement and waste in the construction programs.

The new law also includes FY 2017 advance appropriations: \$63.3 billion for VA discretionary accounts; and – for the first time – \$102.5 billion for mandatory programs.

Representative Coffman Introduces Guard and Reserve Equal Access to Health Act

On December 16, Representative Mike Coffman (CO), with twenty-nine House colleagues, introduced **H.R. 4251**, the *Guard and Reserve Equal Access to Health Act*. This bill is Legion-initiated and is based upon the legislative mandate found in Resolution 182 to require the Department of Defense to provide end-of-service physical examinations to all retiring and separating servicemembers within ninety (90) days of their end of military service. Active component servicemembers already have this earned benefit, and this bill, if passed, will ensure servicemembers of the Guard and Reserve will also obtain an end-of-service physical at completion of military service.

When he introduced the bill Rep. Coffman, a Marine Corps combat veteran who was mobilized and deployed twice to the Middle East, said, "These reservists are often deployed and endure many of the hardships of war....Citizen soldiers deserve the same consideration as their active duty counterparts when they transition out of the military and this legislation is a further step in that direction." Rep. Coffman serves on both the House Armed Services and House Veteran's Affairs committees, where he is the Chairman of the Subcommittee on Oversight and Investigations. He is the only member of Congress to have served in both Iraq Wars.

Today, both reservists and active duty military are required to complete a physical examination when they are processed into the military, but, under current law, only active duty servicemembers are required to complete an end-of-service physical. Providing reserve component servicemembers with an end-of-service physical will document those health conditions that may be service connected to determine eligibility for Department of Veterans Affairs health care and these end-of-service health records will also help expedite the disability compensation claims process for these veterans.

The American Legion has endorsed Coffman's legislation. National Commander Dale Barnett said, "Ask anyone in the U.S. active-duty military today, and they will tell you that our National Guardsmen and Reservists have served shoulder-to-shoulder with active-duty troops around the globe defending freedom. The Guard and Reserves share the burden of military service and hazards of combat equal to our active-duty service members fighting to secure our freedom. The care they receive needs to be equal as well."

Representative Coffman was joined by House Veterans' Affairs Committee Chairman Jeff Miller (FL) along with Rep. Matt Cartwright (PA), Rep. Mark Pocan (WI), Rep. Bill Pascrell (NJ), Rep. Robert Latta (OH), Rep. Mike Honda (CA), Rep. Elizabeth Etsy (CT), Rep. Richard Nugent (FL), Rep. Steve Israel (NY), Rep. Dave Loebsack (IA), Rep. Tom Cole (OK), Rep. Sean Maloney (NY), Rep. Julia Brownley (CA), Rep. Jim Costa (CA), Rep. Tim Ryan (OH), Rep. Mia Love (UT), Rep. Steve Palazzo (MS), Rep. Ryan Zinke (MT), Rep. Gus Bilirakis (FL), Rep. Walter Jones (NC), Rep. Kathleen Rice (NY), Rep. Mark Walker (AL), Rep. Mike Bost (IL), Rep. Steve King (IA), Rep. Lee Zeldin (NY), Rep. Raul Ruiz (CA), Rep. Ryan Costello (PA), Rep. Dina Titus (NV), Rep. Mark Takano, and Rep. Madeleine Bordallo (GU) to introduce this important, bipartisan-supported legislation.

If your Representative is a cosponsor of this bill, please contact them and thank them for their support and encourage them to pass this legislation. If your Representative is not cosponsor, please contact them and ask them to become a cosponsor.

Work Opportunity Tax Credit Extension Signed into Law

On December 18, President Obama signed the *Protecting Americans from Tax Hikes (PATH) Act* into law. The law extends and modifies the Work Opportunity Tax Credit (WOTC) through December 31, 2019, a five (5) year extension. The PATH Act language was included in the text of the omnibus continuing appropriation for FY 2016 (**P.L. 114-113**). The American Legion has been a longtime supporter of WOTC.

Defense Department Announces Results of Military Decorations and Awards Review

On January 6, the Department of Defense (DOD) announced the results of its review of the military decorations and awards program to ensure appropriate recognition of the service, sacrifices, and actions of servicemembers while maintaining the historical legacy of the awards program.

DOD's review focused on combat and valor recognition utilizing lessons learned over 14 years of combat operations. Among the key changes were:

- Implementation of new goals and processes to improve timeliness of the Medal of Honor and other valor awards;
- Standardization of the meaning and use of the "V" device as a valor-only device to ensure unambiguous and distinctive recognition for preeminent acts of combat valor;
- Creation of a new combat device (e.g., "C" device) to distinctly recognize those servicemembers performing meritoriously under the most arduous combat conditions;
- Adoption of a common definition of Meritorious Service Under Combat Conditions to determine eligibility for personal combat awards; and,
- Introduction of an "R" remote impacts device to recognize servicemembers who use remote technology to directly impact combat operations.

The complete list of changes to the military decorations and awards program is at: <http://www.defense.gov/Portals/1/Documents/Military-Decorations-and-Awards-Review-Results.pdf>. These changes will be implemented over the next 12 months.

LEGISLATIVE DIVISION UPDATES

On January 4, Executive Director Verna Jones, Legislative Director Ian de Planque, and Assistant Director Matthew Shuman along with Veterans Employment & Education Director Joe Sharpe, Assistant Director Davy Leghorn and Assistant Director Dan Smith held a meeting at The American Legion's DC office with the Department of Labor's Veterans Employment and Training Service (VETS) Assistant Secretary Mike Michaud and staff. The meeting focused on the Legion's working relationship with VETS and ensuring better results from the services for veterans in the field.

On January 6, Legislative Division Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Sam Fletcher, Military and Veterans Policy Director from the office of Representative Doug Lamborn (CO), to discuss issues and concerns affecting veterans as well as supporting **H.R. 4251** entitled the *Guard and Reserve Equal Access to Health Act* sponsored by Rep. Mike Coffman (CO) .

On January 6, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Joe Dallas Lim Millado, Legislative Assistant from the office of Rep. Gus Bilirakis (FL), to discuss issues and concerns affecting veterans.

On January 6, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Jean Fundakowski, Legislative Assistant from the office of Rep. Julia Brownley (CA), to discuss issues and concerns affecting veterans.

On January 7, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Alexander Large, Legislative Assistant, from the office of Rep. Phil Roe (TN), to discuss issues and concerns affecting veterans, as well as supporting **H.R. 4251** entitled the *Guard and Reserve Equal Access to Health Act* sponsored by Rep. Mike Coffman (CO) .

On January 7, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Jordan Vivian, Legislative Assistant from the office of Rep. Dr. Dan Benishek (MI), to discuss issues and concerns affecting veterans, as well as supporting **H.R. 4251** entitled the *Guard and Reserve Equal Access to Health Act* sponsored by Rep. Mike Coffman (CO) .

On January 7, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Frank Broomell, Legislative Assistant from the office of Rep. Ann McLane Kuster (NH), to discuss issues and concerns affecting veterans, as well as supporting **H.R. 4251** entitled the *Guard and Reserve Equal Access to Health Act* sponsored by Rep. Mike Coffman (CO) .

On January 7, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Davin Combs, Legislative Assistant from the office of Rep. Beto O'Rourke (TX) to discuss issues and concerns affecting veterans, as well as supporting **H.R. 4251** entitled the *Guard and Reserve Equal Access to Health Act* sponsored by Rep. Mike Coffman (CO) .

On January 7, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Mike Wakefield, Legislative Assistant, and Sindi Connell, Defense Fellow from the office of Rep. Mike Coffman (CO), to discuss issues and concerns affecting veterans.

On January 7, Legislative Assistant Directors Warren Goldstein and Matt Shuman held a Congressional Meet and Greet meeting with Juliana Heerschap, Legislative Director from the office of Representative Tim Huelskamp (KS), to discuss issues and concerns affecting veterans as well as supporting **H.R. 4251** entitled the *Guard and Reserve Equal Access to Health Act* sponsored by Rep. Mike Coffman (CO) .

Update on Flag Amendment Bill

On January 7, 2015, **House Joint Resolution (H.J. Res.) 9** was introduced by Rep. Steve Womack (AR). This legislation is a proposed constitutional amendment to protect the American flag from physical desecration. Its text states simply: *"The Congress shall have power to prohibit the physical desecration of the flag of the United States."*

Staff from the Legislative Division met with staff of Sen. Orrin Hatch (UT) to discuss the re-introduction of the flag protection amendment in the 114th Congress. Sen. Hatch has long been a champion of the amendment. Our efforts finally came to fruition on July 30, when Sen. David Vitter (LA) introduced **Senate Joint Resolution (S.J. Res.) 21**, prior to the August district work period.

In addition to Rep. Womack and the five original co-sponsors of the House joint resolution there are now a total of **37** cosponsors. Additional cosponsors continue to be sought for both measures. [A listing of all cosponsors for both flag amendment bills is attached to the end of this report.]

Ian de Planque, Director
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For Week Ending 1-8-2016

HOUSE JOINT RESOLUTION 9

Rep. Steve Womack (R-AR-3) [Sponsor]
Rep. Jeff Fortenberry (R-NE-1)
Rep. Kevin Cramer (R-ND-At Large)
Rep. Bill Johnson (R-OH-6)
Rep. David Roe (R-TN-1)
Rep. Marsha Blackburn (R-TN-7)
Rep. Walter Jones (R-NC-3)
Rep. Steve Palazzo (R-MS-4)
Rep. Scot DesJarlais (R-TN-4)
Rep. Bob Latta (R-OH-5)
Rep. Rob Bishop (R-UT-1)
Rep. Jeff Miller (R-FL-1)
Rep. Michael Simpson (R-ID-2)
Rep. Patrick Tiberi (R-OH-12)
Rep. Ralph Abraham (R-LA-5)
Rep. Tim Huelskamp (R-KS-1)
Rep. Frank LoBiondo (R-NJ-2)
Rep. Daniel Lipinski (D-IL-3)
Rep. Brad Ashford (D-NE-2)
Rep. Mark Amodei (R-NV-2)
Rep. John Kline (R-MN-2)
Rep. Jason Smith (R-MO-8)
Rep. David Young (R-IA-3)
Rep. Adrian Smith (R-NE-3)
Rep. Joe Wilson (R-SC-2)
Rep. Steve King (R-IA-4)
Rep. Charles Boustany (R-LA-3)
Rep. Brian Babin (R-TX-36)
Rep. Pete Olson (R-TX-22)
Rep. John Duncan (R-TN-2)
Rep. Rodney Frelinghuysen (R-NJ-11)
Rep. John Fleming (R-LA-4)
Rep. David Rouzer (R-NC-7)
Rep. Tom Cole (R-OK-4)
Rep. Vicky Hartzler (R-MO-4)
Rep. Bill Flores (R-TX-17)
Rep. Greg Walden (R-OR-2)
Rep. Pete Sessions (R-TX-32)

SENATE JOINT RESOLUTION 21

Sen. David Vitter (R-LA) [Sponsor]
Sen. Orrin Hatch (R-UT)
Sen. Lindsey Graham (R-SC)
Sen. Jeff Sessions (R-AL)
Sen. Chuck Grassley (R-IA)
Sen. John Cornyn (R-TX)
Sen. Dean Heller (R-NV)

1/8/16

National Security Division Weekly Report

1. DoD Releases Annual Report on Sexual Harassment and Violence at the United States Military Service Academies (MSA)

This week the Department of Defense released its Annual Report on Sexual Harassment and Violence at the United States Military Service Academies (MSA) for academic program year (APY) 2014 - 2015. As part of a comprehensive review, DoD officials conducted site visits at the U.S. Military Academy, U.S. Naval Academy and the U.S. Air Force Academy, held focus groups with cadets and midshipmen, and reviewed academy policies, training, and procedures.

Maj. Gen. Camille Nichols, the director of the Department of Defense Sexual Assault Prevention and Response Office stated, “We are encouraged by the steps the academies have taken to eliminate sexual assault. All three academies are taking innovative approaches to improve both respect and safety of cadets and midshipmen. These future leaders are being armed with the knowledge that military units operate best in climates of dignity and respect – where sexual assault, sexual harassment, and other inappropriate behaviors and attitudes are not tolerated.”

The MSAs received a total of 91 reports for allegations of sexual assault that involve cadets or midshipmen as either victims or subjects in APY 14-15, compared to a total of 59 reports in the prior APY. When a crime like sexual assault is underreported, it is a strategic objective to encourage reporting as a way to connect victims with support and to hold offenders appropriately accountable.

Official crime reports only represent a portion of the incidents that occur. Every two years, the department conducts scientific surveys to estimate how many cadets and midshipmen experience sexual assault in a given year. The 2014 survey of cadets and midshipmen showed that rates of sexual assault had decreased significantly for women and trended downward for men. The next Congressionally-required survey will be conducted in the spring of 2016.

Department officials found that all academy programs met the requirements of existing DoD policies and public law, based on information obtained during site visits. This year’s assessment identifies suggested program enhancements and action items for each academy to further prevent sexual harassment and sexual assault at the MSAs.

The Annual Report for APY 2014 – 2015 is available online at www.sapr.mil/index.php/annual-reports. Additional information about the department’s sexual assault prevention efforts can be found at www.sapr.mil.

Members of the DoD community who have been affected by sexual assault can access 24/7, confidential, anonymous support through the DoD Safe Helpline at safehelpline.org, or by calling 877-995-5247.

2. US timeline sees Assad as Syria leader until at least March 2017

The Obama administration's best-case scenario for political transition in Syria does not foresee Bashar Assad stepping down as the country's leader before March 2017, outlasting Barack Obama's presidency by at least two months, according to a document obtained by The Associated Press. An internal timeline prepared for U.S. officials dealing with the Syria crisis sets an unspecified date in March 2017 for Assad to "relinquish" his position as president and for his "inner circle" to depart. That would be more than five years after Obama first called for Assad to leave. The timeline is based on a broad U.N.-endorsed plan that was initially laid out at an international conference in Vienna in November. Syria, according to that strategy, would hold elections for a new president and parliament in August 2017 -- some 19 months from now. In the interim, Syria would be run by a transitional governing body.

3. DoD to Review Awards and Decorations Criteria

18 months ago, the Secretary of Defense Chuck Hagel directed a review of the criteria to issue combat related medals to servicemembers. On Thursday Freddy Gessner participated in a conference call with Mr. Kurta and accompanying DoD staff discussed implementation plans and legislative proposals.

DoD is currently reviewing the following information: the criteria for the Silver Star Medal will require the service member's heroic actions to occur while in actual combat. The "V" for valor device will be rewritten to be uniformed across all services for the purpose of clarification. A "C" device will be incorporated across all services to note combat for the purpose of elevating the prestige of the issued medal. More than 1,000 medals issued since the 9/11 terror attacks have been poised to be review for possible upgrade to the Medal of Honor. Former Defense Secretary Chuck Hagel insisted that DoD ensures the awards system appropriately recognizes the service, sacrifices and action of our service members. Feedback from VSOs has convinced DoD to not make any changes to the issuing criteria for each branches' Medal of Honor and Purple Heart in order to uphold their prestige. However, to improve the timeline for the processing of these two Medals to their recipients, DoD will evaluate this process.

4. POW/MIA Update

Thursday, Freddy Gessner participated in a conference call with the Defense POW/MIA Accounting Agency (DPAA) to receive a cumulative review of calendar year 2015 and plans for 2016. In accordance with the 2015 mandated reorganization of the accounting community, Director Mike Linnington submitted to Congress a report stating DPAA is now fully operational with the new headquarters and identification laboratory completed. 97 identifications were accomplished in 2015 with 48 in the last quarter of the year. This significant increase is attributed to the new facility and ended hiring freeze. DPAA is planning to accomplish more than 200 identifications by the end of 2016. This news shows a very positive turn for the accounting community that the families of the missing can be excited for.

5. Missing Identified

Army Sgt. 1st Class Billy D. Hill, 21, of Wichita, Kan., was buried Dec. 17, in Killeen, Texas. Hill was assigned to the 282nd Aviation Company, 14th Aviation Battalion, 17th Aviation Group, 1st Aviation Brigade, as a gunner on a UH-1D helicopter. On Jan. 21, 1968, the helicopter he was in with five other soldiers was struck by enemy fire and crashed near Khe Sahn, Vietnam. One of the two crew members who survived the crash stated he believed Hill was struck by enemy fire just prior to the crash. Hill was declared missing in action following the crash.

On April 8, 1968, soldiers searched the crash site area and recovered the remains of two of the soldiers of the helicopter. The remains of Hill and one other soldier remained unrecovered. On Dec. 12, 1975, a military review board amended Hill's status to deceased.

Between 1993 and 2014, seven investigations were conducted regarding the whereabouts of Hill, but no remains were attributed to him.

In 2014, members of DPAA's predecessor organization, the Joint Personnel Accounting Command, reanalyzed unknown remains returned from Vietnam during a unilateral turnover in 1989, which were reportedly recovered in the vicinity of Khe Sahn.

To identify Hill's remains, scientists from DPAA and the Armed Forces DNA Identification Laboratory used circumstantial evidence and two types of DNA analysis, including mitochondrial DNA analysis, which matched two cousins, and Y-chromosome Short Tandem Repeat DNA and autosomal DNA analysis, which matched his father.

The support from the government of Vietnam was vital to the success of this recovery mission. Today there are more than 1,600 American service members that are still unaccounted for from the Vietnam War.

VETERANS AFFAIRS AND REHABILITATION COMMISSION

Health Policy Unit

For the week of January 4, 2016, Ed Lilley responded to (30) emails, (14) calls, and (2) letters from veterans.

On Monday, January 4, 2016, Mark Walker, Deputy Director for Veterans Employment and Education, and Edward Lilley, Team Leader for Health Policy, participated in a conference call with representatives from the Brentwood Village Business Improvement District (BID) regarding their plan to help veterans in West Los Angeles. The BID is requesting The American Legion's assistance in connecting them with local Legionnaires so they can further discuss their plan. The BID has submitted a number of ideas to the VA that they believe would be beneficial to veterans within the community and ameliorate the aforementioned issue with the parking. Below are some of their suggestions:

- 1) Promote health and wellness by working with the VA to implement a Food Donation Program for all West LA VA, especially homeless and disadvantaged veterans – Participating Brentwood Village restaurants to provide unused/unsold food to veterans.
- 2) Provide skill building and employment by working with the VA to change the Playing field/South parking lot to a Veteran's Park and potentially create licensing fees for people who bring dogs to the park – this will offer socialization, physical recreation and volunteerism. Implement a “companion dog” program to help veterans who may be suffering from a TBI or PTSD.
- 3) Participating Brentwood Village Merchants to provide training/employment for Veterans through Mentorship/Internship programs. We will expand our “Veterans First” hiring policy.
- 4) Work with the VA to update the ticketing hardware/software and pricing for both parking lots to ensure better access for veterans, increased revenue for beneficial veteran programs and offer potential employment opportunities to elderly and service connected disabled Veterans. Create Shuttle service, which will transport Veterans from the VA lot in Zone 4 to the WLA Campus in areas of Zone 1, 2 or 3 and back again. This shuttle can potentially ease the commute for Veterans coming from Ventura by way of the Sunset Blvd exit. This eliminates some of the 405 drive time and makes parking more convenient for the Veteran.
- 5) Participating Brentwood Village Merchants will continue to offer veterans discounts on goods/services to help promote health, wellness and socialization.
- 6) Raise funds for scholarship programs/housing and for veterans currently housed at the Domiciliary who will be transitioning to their first year of independent living.

The American Legion has been fighting to correct the situation in West LA for more than 30 years and with Resolution No. 154: Department of Veterans Affairs Enhanced-Use Leasing (<http://archive.legion.org/bitstream/handle/123456789/3512/2014N154.pdf?sequence=1&isAllowed=y>), we urge Congress to restrict the Enhanced-Use Leasing (EUL) capabilities to a priority list of services that will meet the needs of the veteran community and opposes any EUL that does not specifically provide any obvious and permanent benefits, resources or services to the

veterans' community. If we are willing to assist BID with remaining on the West LA Campus, we must consider if their plan is sufficient enough to "meet the needs of the veteran community."

On Monday, December 21, 2015, Rebecca Davila, Assistant Director for TBI & PTSD Programs, attended a film screening and discussion on "Warriors at Ease: Healing Strategies for Veterans with Post Traumatic Stress Disorder (PTSD)", led by Robin Carnes, co-founder and executive director of Warriors at Ease. As a follow-up, Rebecca, along with Roscoe Butler, Deputy Director for Health Care; LaRanda Holt Assistant Director for Women and Minority Veterans Outreach Coordinator; and Edward Lilley, Team Leader for Health Policy, conducted a preliminary phone conference with Robin Carnes on Tuesday, January 05, 2016 to gain a brief overview of the Warriors at Ease (WAE) organization. Robin Carnes stated that WAE has trained over 600 yoga teachers to deliver yoga and meditation service programs to military members and veterans with TBI, PTSD, and other trauma injuries at various military bases, VA hospitals, Veteran Centers, and Veteran Service Organizations. WAE has not conducted any research up to this point; however, Robin offered to send Rebecca the WAE white Paper once it was completed. Robin requested an additional meeting to explore possible collaboration between WAE and the American Legion.

On Wednesday, January 6, 2016, a one hour phone conference was conducted with the Chair and Vice Chair of the TBI Committee to discuss the agenda for the upcoming February 20, 2016 TBI/PTSD Committee meeting to be held during the 2016 Washington Conference. Attendees for the phone conference call included Rebecca Davila, Assistant Director for TBI/PTSD; Edward Lilley, Team Leader for Health Policy, Roscoe Butler, Deputy Director for Health Care; Lou Celli, Director Veterans Affairs & Rehabilitation Division; PNC William Detweiler, Chairman of the TBI/PTSD Committee; and Ralph Bozella, Vice Chairman for the TBI/PTSD Committee. Per PNC Detweiler, due to his schedule, the start time for the TBI/PTSD meeting at the Washington Conference was changed from 08:30 a.m. - 6:00 p.m. EST to 12:00 p.m. - 5:00 p.m. EST. Determination was also made that the agenda would include topics on caregivers and barriers to researching medicinal marijuana. In addition, the TBI/PTSD committee will discuss the PTSD survey results and future 2016 symposium.

On Thursday, January 07, 2016 at 10:00 a.m. EST, a conference call was held with the VA&R Commission to further discuss whether the Commission should explore developing a position on the need for further research on medicinal marijuana. Lou Celli invited Dr. Sue Sisley, who specializes in Internal Medicine and Psychiatry, to address the Commission regarding her research and perceived barriers to obtaining approval to conduct research on medicinal marijuana. The VA & R Commission, as well as PNC Detweiler, had the opportunity to ask questions and share their opinions concerning a future position and possible resolution. It was decided that Dr. Sisley would attend the 2016 Washington Conference and make a formal presentation to the TBI/PTSD committee.

Claims Unit

Department Service Officer School

The annual Department Service Officer (DSO) School will be conducted February 17-19, 2016, at the Washington Hilton. As of January 5, 2016, 69 individuals have made their reservations for

DSO School; final day to reserve for the school is January 8, 2016. Kimberly Mitchell will be emailing a reminder to department adjutants of the impending closing date for reservations.

Beyond the scheduled training conducted by the National Veterans Legal Services Program, on February 17th, attendees will listen to presentations from the following individuals:

- Scott Blackburn (MyVA)
- Laura Eskanazi (Board of Veterans' Appeals)
- Ron Burke (National Work Queue)

Regional Office Action Review

Zachary Hearn and Ron Abrams will be travelling to St. Petersburg, Florida, to conduct a Regional Office Action Review (ROAR) of the VA regional office (VARO) from January 11-14, 2015. The St. Petersburg VARO was selected based upon the high inventory of appealed claims within the facility. The department adjutant and DSO have been notified of the visit. Upon return from the VARO, an after action report will be completed to be used for the annual report.

House Committee on Veterans' Affairs

A hearing will be conducted by the House Committee on Veterans' Affairs on January 12, 2016. The hearing will be discussing the implementation and success of the Veterans Benefits Management System (VBMS); VBMS was conceptualized in 2009 after former VA Secretary Eric Shinseki called for a modernization of the claims processing system.

VBMS is used in each VA regional office and the Board of Veterans' Appeals. Though it has increased efficiencies in the process, it has been plagued with difficulties. National Headquarters staff have monitored the implantation and struggles with VBMS; in September 2015, requests for feedback were made to DSOs/accredited representatives. Information gathered from the request will be included in the testimony.

Veterans Benefits Administration Statistics:

1. Completed **1.4M** claims in FY15 – nearly **67K** more than last year – highest ever in our history – sixth year in a row of more than **1M** claims; fourth year in a row we set new records again!
2. Reduced backlog **87%** from a peak of 611K in March 2013 to historic lows – currently **80,160**; reduced inventory **59%** from 884K peak in July 2012 to **362,379** – **30%** lower than FY14; claim quality at **90.3%**; issue quality at **96%** and above **98%** in 7 of 8 categories where we measure quality – several above **99%** – one at **97.5%**
3. Average days a Veteran is waiting for a claims decision (pending) is **94** days – a 188-day reduction from a peak of 282 days in March 2013; average days to complete is **128** days – a 57-day reduction from FY14
4. Increased claim productivity per FTE by **25%** since 2011 and medical issue productivity per FTE by **81%** since 2009 – helped mitigate effects of a **132%** increase in workload (2.7M medical issues in 2009, **6.35M** medical issues in 2015); added estimated **1.8M+** Veterans to compensation rolls since 2009 (**1.2M** net), and **28%** more Veterans and Survivors to compensation and pension caseload (from **3.9M** to **5M**)

5. Went from touching **5,000 tons of paper annually** to processing **99.8% of disability compensation claims electronically**, with **336K claims** in electronic inventory – only **27K** pension and DIC in paper, completed **4.1M** rating decisions and over **2.3M** claims in VBMS
6. Enabling Veterans to file claims online through eBenefits – over **5.3M** registered users, **212M** contacts with Veterans in FY15 (**96%** online) – **211%** increase over FY14 – vs. **9M** contacts (majority by phone) in 2009
7. Expediting Veterans claims: **46%** of receipts from VSOs in FY15 were Fully Developed, up from **3%** in 2012; received over **2.8M** completed exam templates from VHA in FY15
8. Dedicated non-rating workforce completed **3.1M non-rating end products** in FY15 – **15%** more than the 2.7M completed in FY14 – and **71%** more than FY11
9. More automation: **1 in 4** Veterans submit their dependency requests online – **more than 64 percent** of these receive payments in **under 1 day**; automatic burial allowance payments to surviving spouses within **6 days** (down from **190**)
10. Appeals actions increased **30%** from 135K in 2011 to **176K** in FY15; held appeal rates steady amidst increased production – nearly **1.4M** completed claims in FY15, **11-12%** (historical rate) appealed, **4-5%** reached Board of Veterans Appeals, **1.2%** decided in Veteran's favor, often based on additional evidence
11. Reduced Veterans Pension backlog by **93%** from peak of **15.3K** to **1K**; inventory by **55%** from peak of **36.4K** to **16.5K**; reduced Survivors' Dependency and Indemnity Compensation backlog by **79%** from peak of **8.8K** to **1.8K**; inventory by **48%** from peak of **19.1K** to **9.9K**; improved DIC timeliness by **104 days** from peak of **182** to **78 days** while maintaining **99%** accuracy
12. Provided nearly **\$59B** to send **1.5M** Veterans and dependents to school under the Post-9/11 GI Bill since 2009; now processing reenrollment claims in **average of 9.7 days** at **99.8% accuracy**
13. Over **2.4M** total loans on the books; guaranteed a record **631K** loans in FY15 (**44%** more than FY14) totaling **\$153B** and helped **90K** Veterans avoid foreclosure, while maintaining the lowest foreclosure rate (**1.39%**) in the industry for **25 of the last 30 consecutive quarters**
14. Paying insurance death claims in an average of **2.5 days** at **99% accuracy**
15. Paid an estimated **\$1.2B** in VR&E benefits to nearly **100K** Veterans in FY15

Military Evaluation Board/Physical Evaluation Board (MEB/PEB)

Gerardo Avila, Deputy Director, MEB/PEB & DoD submitted two applications (DD Form 293) to the discharge upgrade board, one application (DD Form 149) to the correction board and one written rebuttal to the Medical Evaluation Board. Held a meeting with Mr. Thompson the incoming executive director of the Board for Correction of Naval Records, the purpose of the meeting was to focus on methods to improve the application process for future applicants. He was also able to assist over 30 veterans and service members by answering questions about VA benefits eligibility.

Board of Veterans Appeals Unit (BVA)

During the week ending January 1, 2016 the Board of Veterans' Appeals reached dispositions on **127** American Legion represented appeals. Of those dispositions **74.8%** of the denials were overturned with outcomes favorable to the veteran. In **31** cases, the Board granted benefits outright after considering The American Legion's arguments. In **64** cases, The American Legion was able

to point out errors in the development of the veteran's claims which mandated corrective action under the law. Of the total number of dispositions, **24 (18.9%)** were outright denials.

Also during this period, the American Legion Appeals Unit reviewed, prepared written Informal Hearing Presentations (IHP), and/or orally argued **27** veteran's appeals. These claims included originals, remands, as well as specialty cases (Advance on Docket, Independent Medical Opinions, Court Remands, etc.). The unit handled telephone inquiries and provided consultations with veterans, VSO's, and Congressional Offices. The administrative team fielded 89 phone inquiries during this period. The appeals representatives conducted no Central Office Hearing during the shortened Holiday week.

Insurance, Pension and Debt Management

The VA&R VA Insurance unit began review and processing of 177 applications for new insurance coverage, of which 6 were for Supplemental insurance for totally disabled veterans in the Service-Disabled insurance program, along with 114 disability and settlement claims on other veteran's VA policies. Further case development included 29 phone calls with veterans, family members and VSOs, 84 further insurance inquiries or transactions, and 76 veteran insureds were contacted by mail on their policies, insurance options and action deadlines. There were also 49 direct contacts with VA personnel in regards to correcting or having additional actions taken on veteran's accounts.

The Philadelphia VA&R Pension unit processed 34 new claims for Veterans or Death pensions, along with reviewing and preparing 659 case actions for support of on-going pension benefits. Casework included processing 298 additional transactions and case inquiries to VA, 13 rating reviews, and 28 phone contacts with claimants and VSOs, plus 9 personal contacts.

The VA&R Pension offices in St. Paul processed 295 new claims for Veteran's pensions and Death pensions, and presented supporting casework material on 206 claims already in progress, while also processing 382 inquiries and pension transactions, and 137 rating review audits. Contacts with claimants and VSOs amounted to 337 calls and e-mail contacts, and 5 Appeals were handled for the weeks December 17, 2015 to January 6, 2016.

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Week Ending 1-8-2015

NATIONAL VETERANS EMPLOYMENT & EDUCATION COMMISSION

TOPIC 1: ECONOMY

The U.S. economy added 292,000 jobs in December, the government announced Friday morning, meeting analysts' predictions for strong and steady growth. The unemployment rate held at 5 percent. The new data provides the first complete measuring stick for the labor market in 2015, a year in which the nation contended with volatile oil prices, a major slowdown in China and modest growth at home. The labor market for several years has been the bright spot in the U.S. economy, even though wage growth has remained tepid.

The December report marks the U.S. economy's second-best year of job growth since 1999, adding roughly 210,000 new positions per month. Only in 2014, when the nation's payroll expanded monthly by an average of 260,000, was the mark higher. Meantime, the unemployment rate stands at its lowest point in more than seven years. In a sign of confidence in the economy, the Federal Reserve in December raised interest rates for the first time in nearly a decade, removing the easy terms of borrowing that had helped stimulate the economy since the Great Recession. The Fed's 10-member voting committee said in meeting minutes released this week that the labor market, though still shy of its full potential, showed "further improvement" and "confirmed that underutilization of labor resources had diminished appreciably since early this year."

Still, there are signs from farther afield that are causing concern among economists and investors. New information about a Chinese economic slowdown, coupled with Beijing's currency devaluation, this week caused a collapse in global markets. The Dow Jones Industrial average has tumbled more than 5 percent in the first four days of trading this week.

HOUSEHOLD		DATA					
Table A-5. Employment status of the civilian population 18 years and over by veteran status, period of service, and sex, not seasonally adjusted							
[Numbers in thousands]							
Employment status, veteran status, and period of service	Total		Men		Women		
	DEC 2014	DEC 2015	DEC 2014	DEC 2015	DEC 2014	DEC 2015	
Gulf War-era II veterans							
Unemployed	162	131	124	93	38	38	
Unemployment rate	6.9	5.7	7.0	5.9	6.6	4.6	

National unemployment rate is 5.0 percent (December 2015). Gulf War II veterans unemployment rate is 5.7 percent.¹ Currently, the unemployment rate for Gulf War II women veterans is 4.6 percent (down from 7.2 percent in November).

¹ U.S. Department of Labor. *Economic News Release: Employment Situation Summary, November 2015.*

TOPIC 2: MEETINGS

On Monday January 4, the National Veterans Employment & Education Division met with the Assistant Secretary for the Department of Labor's Veterans' Employment and Training Service (DOL-VETS) Michael Michaud, and his staff, to discuss the transfer of the Jobs for Veterans State Grants (JVSG) grants to the Department of Veterans Affairs. DOL-VETS' mission is to prepare America's veterans, service members and their spouses, for meaningful careers, provide them with employment resources and expertise, protect their employment rights and promote their employment opportunities.

On Tuesday, January 5, the National Veterans Employment & Education Division met with the Texas Delegation/Veterans Commission to discuss the transfer of the JVSG grants to the Department of Veterans Affairs.

On Tuesday, January 5, the National Veterans Employment & Education Division attended the VSO working group for the API and Vets4Energy release of the Militarypipeline.us website. This website seeks to provide job opportunity information to unemployed or underemployed members of the military as well as guide members through a customized process that uses available resources, educational programs, credentialing, and high touch techniques such as job counseling and coaching to achieve results.

On Tuesday, January 5, the National Veterans Employment & Education Division attended the Sixth Annual State of American Energy event held in Washington, DC. API President and CEO Jack Gerard delivered the [keynote address](#). Mr. Gerard also released the [State of American Energy 2016 report](#) and highlighted the energy issues that will shape America's economic and political news this year. It was noted that the United States begins this New Year leading the world in energy production, economic growth, and lowering our greenhouse gas emissions – a trifecta unmatched by any other country today.

On Wednesday, January 6, the National Veterans Employment & Education Division participated on the U.S. Chamber of Commerce's (USCC) Hiring Our Heroes (HOH) conference call for the Austin (TX) event. Additionally, we participated in another HOH call for a hiring event in Cleveland (OH).

On Wednesday, January 6, the National Veterans Employment & Education Division met with Easter Seals to receive an update on the progress of the Veterans Staffing Network and preview new curriculum in development for their veterans employment programs in 2016. Easter Seals has been helping individuals with disabilities and special needs, and their families, live better lives for more than 90 years. From child development centers to physical rehabilitation and job training for people with disabilities, Easter Seals offers a variety of services to help people with disabilities address life's challenges and achieve personal goals.

On Thursday, January 7, the National Veterans Employment & Education Division participated on the USCC HOH conference call for the San Antonio event.

On Thursday, January 7, the National Veterans Employment & Education Division met with David Muir, Veteran Employment Specialist, Easter Seals, to discuss veteran training and employment issues for 2016.

On Friday, January 8, the National Veterans Employment & Education Division attended/manned a table at the 2016 Hiring Our Heroes DC NBC4 Health and Fitness Expo held at the Walter E. Washington Convention Center in Washington, DC.

On Friday, January 8, the National Veterans Employment & Education Division met with staff from Representative Elizabeth Esty's (CT) office to discuss proposed legislation creating a TAP course for infantry related military occupational specialty (MOS) codes.

TOPIC 3: SMALL BUSINESS UPDATE

Before the holidays, The [U.S. Supreme Court](#) put off oral arguments in a case to ask if the specific contract in dispute has been completed, rendering moot the suit alleging the [Department of Veterans Affairs](#) disregards federal legislation mandating the consideration of veteran-owned small-business contractors.

The court dropped the arguments, previously scheduled for November 9, in [the dispute](#) between contractor Kingdomware Technologies Inc. and the VA over the Veterans Benefits, Health Care and Information Technology Act of 2006, and the depth of its requirement to prefer veteran-owned and service-disabled veteran-owned small businesses. Instead, the court gave the parties until November 20 to file supplemental briefs answering "whether the Department of Veterans Affairs procurements at issue in this case have been fully performed, and if so, whether the case is moot."

Kingdomware is the second federal procurement case over the last year to make it to the nation's highest court. This is an anomaly, as federal acquisition cases rarely make it before the nine justices. Though no dates have been officially assigned, all signs point to a rescheduled oral argument as opposed to some who have predicated a dismissal before the holidays.

TOPIC 4: VETERAN HOMELESSNESS UPDATE

Army veteran Russell Bowman lived homeless, sleeping in the woods and at the Chattanooga Community Kitchen for nearly a year until social services helped house him just days before Christmas. "I didn't believe there was any hope at all of getting housing," Bowman said. "After you live my life ... you wouldn't have much hope, either." With the help of the Chattanooga Housing Authority and other agencies, Bowman got a job at Burger King, landed a housing voucher, and moved into a one-bedroom duplex in Ridgedale. Now the 38-year-old artist looks forward to getting a library card and displaying his drawings and sculptures at the Hart Gallery on Main Street. Housing Bowman brings the city one step closer to its goal of ending chronic homelessness for all veterans here before the end of 2016. Chattanooga Mayor Andy Berke wanted to end veteran homelessness by 2015, but didn't reach that goal. He vows to keep working until he does. "We're not going to spike the ball until we're in the end zone," he said.

Chattanooga stands with 75 cities across the nation participating in the Zero: 2016 initiative to end veteran homelessness. Community Solutions Zero: 2016 spokesman Adam Gibbs said the city is moving in the right direction. "The mayor is really invested in the people of Chattanooga, and that's the biggest, most important thing," Gibbs said. "When you have the support and the drive to make ending veteran homelessness a reality, you're going to do it, it's just a matter of time." Phoenix, Arizona, declared an end to chronic homelessness among veterans in December 2013, becoming the first city to reach its goal, three years after President Barack Obama unveiled a 10-year federal plan to prevent and end homelessness. Salt Lake City was the second city to declare an end in January 2014.

The city and service providers are housing homeless veterans more rapidly than ever before, dramatically decreasing the amount of time a homeless veteran has to live on the street, said Lacie Stone, the city's communications director. Chattanooga agencies worked with nearly a dozen partners including the Department of Veterans Affairs, Relevant Hope and the Chattanooga Housing Authority to house 117 veterans in 2015. "The cool thing is that almost all the agencies in Chattanooga that are housing and our homeless service providers at this point are connected," said Heather Cook, the city's homeless program coordinator. "That's exactly how it should be." The 117 veterans housed in 2015 is more than the 80 homeless veterans counted during the 2015 Point In Time count, but housing the homeless is a moving target because a person housed today could become homeless tomorrow, said Jens Christensen, executive director of the Chattanooga Community Kitchen. Because the count of homeless veterans fluctuates, Community Solutions Zero: 2016 advises cities they can declare an end to veteran homelessness when they have a system to house a veteran within 30 days after he or she becomes homeless.

Before the city started its effort in January 2015, it took 168 days to house veterans. That number dropped to 51 days by December 2015. But it's still 21 days away from the goal, Berke said. The big deal about establishing the system for ending homelessness is that it can be applied to end all homeless populations, including the chronic and family homeless, Gibbs said. Establishing a system includes bringing all agencies together that have a role in fighting veteran homelessness. The system also includes documenting veterans by name and location so that those people may be tracked and contacted when housing comes available. Veterans most at risk for death or injury by living on the street are housed first. "The first goal is to get them housed as quickly as possible," Christensen said. "The second goal is to keep them housed."

To keep veterans housed, agencies have to match the veterans' income with the cost of housing. Then case workers have to find services that address the challenges that led to homelessness, Christensen said. Nationally, half of homeless veterans suffer from serious mental illness, more than half are disabled, and 90 percent are single males from disadvantaged communities, according to the Disabled Veterans National Foundation. Housing veterans means fighting the bigger issue of poverty and helping veterans find the income to sustain housing, Christensen said. "There's a lot of compassion in this city," he said. "But there is a greater amount of need right now."

TOPIC 5: EMPLOYMENT

Despite a long-running government-wide push to hire veterans, only 13 percent of the top officials managing Department of Veterans Affairs (VA) healthcare system medical facilities are veterans and only two of those facilities are operated by doctors who served in the military, according to an analysis by the Daily Caller News Foundation (DCNF).

The DCNF analysis examined the biographies of the 300 top employees who run VA's 75 medical centers and regional offices, including directors, chiefs of staff and associate and assistant directors. The original Veterans Preference Act in federal employment became law in 1944. Viewing the 13 percent figure, it's almost as if the VA wants to ensure that, if veterans do work for the agency, they don't have the power to make changes.

Over and over, the DCNF heard veterans say they want the chance to fix VA by taking the reins, noting that officials could then blame them if they failed. But they also believe that career administrators fear an influx of veterans in top jobs would end the careers of VA's many apathetic and low-performing employees and managers, cutting them off from their federal civil service salaries.

But the DCNF analysis made clear that few of VA's current bosses are irreplaceable. Only six directors and three associate directors are medical doctors. Associate and assistant directors commonly have master's degrees in public health, public administration or business, but their degrees were often obtained after the employee had been with VA for many years. The associate director of the West Texas VA Health Care System, Manuel Davila, for example, never attended classes in a brick and mortar college, instead receiving his degrees from an online institution.

In response to a Freedom of Information Act request in July 2015, VA said its own data showed that 15.5 percent of the top three administrators at its hospitals were veterans. This figure is similar to the DCNF's numbers, but takes credit for the jointly operated Chicago hospital. Even though top VA leaders often claim hiring veterans is a priority for them, the department was unable to say how many veterans it presently employs in high, mid and low-level jobs. The DCNF asked for those numbers in December.

An undated American Federation of Government Employees union document produced during the Bush administration said "58 percent of all blue collar employees at the VA have veterans' preference status" and do jobs such as "housekeeping, laundry, plant operations, grounds maintenance and food services." The union which represents the majority of VA workers said it did not have updated numbers. But given that one-third of employees overall at the VA are veterans, blue-collar jobs have a far higher portion of veterans than white-collar ones. All VA employees who have engaged in high-profile instances of manipulation, incompetence and theft have been non-veterans. By contrast, many of the whistleblowers who have been fired from the VA, seemingly out of retaliation, have been veterans.

TOPIC 6: CAREER FAIR

This week, work continued on The American Legion's upcoming hiring events to be staged in Austin, Cleveland, Glendale (AZ), Houston, San Antonio, St. Paul (MN), Denver and Washington, DC. The mission of The American Legion's National Employment & Education Commission is to take actions that affect the economic well-being of veterans, including issues relating to veterans' education, employment, home loans, vocational rehabilitation, homelessness and small business.

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Week Ending: 1/8/16