

SD MI 250: M 668/2006/ Feb 6-7

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SD VETERANS COMMISSION MEETING
6-7 February, 2006 Ft. Pierre, SD
Holiday Inn Express

The South Dakota Veterans Commission Meeting was called to order at 1:00 PM at the Holiday Inn Express in Ft. Pierre, SD, by Commission Chairman Paul Evenson. He led the Pledge of Allegiance and then asked State Adjutant (American Legion) Ron Boyd to offer an Invocation. Introductions around the room were made. Dennis Foell introduced new Commissioner Mike Birnbaum who will soon be retired as the State Command Sergeant Major, SD National Guard.

Changes to the tentative agenda will include the following:

Item 5. MG Gorman had to be in Washington, DC; Andy Gerlach will fill in for him.

Item 8. Earl Schultz is not able to attend.

Item 16. Jerry Muhs is not able to attend.

It was moved the minutes of the October 12-13, 2005 Veterans Commission Meeting be accepted as printed by D. Loudner, second M. Birnbaum. Motion carried.

Andy Gerlach was called upon for the report from the Department. MG Gorman is attending Force Structure meetings in Washington, DC. These have a great impact on National Guard as well as the structure of the other branches of service.

The 238th and 239th Aviation Units have returned from deployment. The Guard is planning to hold the demob briefings in the near future. Unfortunately since the last meeting three SD Soldiers have been killed. There are currently 156 Soldiers from the SD National Guard serving in theater (Iraq and Afghanistan). There are 23 on alert from a Public Affairs unit and the Sioux Falls Artillery Unit is also on alert.

For the Budget Hearing there is good rapport with the Appropriations Committee. This rapport is the product of the Department "producing", i.e. The Guard with emergency help as with the blizzard, ice storm; Dennis and his division reaching out to serve veterans; and Larry to care for the veterans at the SD Home; the National Guard with their infrastructure monies and assistance with bonus money for recruiting.

There are 13 Bills that are of interest to our Department. Some of them are:

- 1) To appropriate \$100,000 to the SD Vietnam War Memorial Committee for the Dedication;
- 2) To change statutes regarding surviving spouse and children of Guard Personnel on Active Duty;
- 3) Armory construction in Mobridge and Watertown;
- 4) Bill to limit picketing of funerals;
- 5) Motor Vehicle veteran license plate that is distinctive-indicating branch of service;
- 6) Provides that individuals will be informed of their right to medical exam after exposure to depleted uranium, heavy metal, etc., in Iraq-"Persian Gulf Exam". There is no protocol set up by the VA;
- (7) Change to the one year residency requirement for application to SD Veterans' Home.

Gerlach had a Report on the bonus for Soldiers in the "War on Terrorism". Since the bonus was begun there have been 4,011 claims for a monetary outlay of \$1,756,120. The average claim is \$437.83.

Gerlach also mentioned there is a new National Guard position funded in each of the States to assist with benefits, veteran and Guard issues, etc. The Commission Members wish to have this person invited to the Veterans Commission Meeting to share.

There was some concern voiced, too, for the family support of families of Guardsmen deploying with other State Guard units-locating/identifying these people in South Dakota and then providing outreach to them.

Gerlach was asked to thank MG Gorman for his leadership of the Department.

The VA Directors' reports began with Steve DiStasio, Acting Director of VA Black Hills while Peter Henry is in Iowa as an interim director. (See attached report.) Other information included a nationwide VA recruitment effort among the Category 1, 2, and 3 to find out if any should or want to be enrolled. S. DiStasio thanked the "partnerships" within South Dakota that produce: the best performing VA employees in the nation; low "no-show" rates for appointments; 10% higher rate of appointment keeping than even the private sector. The percent captured or enrollment total is due partly to the C/TVSO's.

Questions fielded about Category 8 Veterans-this change comes from Central Office; availability of lists of Category 1, 2, 3 for the C/TVSO's to contact; new van at Crow Creek; MCCF Collections as part of budget; FY 04 Bail-out now must be repaid; outplacement of 28 veterans from Domiciliary due to mission changes in VA; PTSD among the current new veterans-are the veterans offered the option of the telecommunication therapy or seeing in person doctors, psychiatrists; IRS still refusing service to Indian Veterans; returning veterans needing some readjustment assistance; CARES Commission and declining "Uniques".

Joe Dalpiaz had the report from Sioux Falls VAMC. (See attached report.) He has been able to fill several positions. They have a new Compensated Work Therapy Program at Sioux Falls. The funding is for 3 years. Sioux Falls finished the year "in the black" due in part to MCCF collections and a workload increase. Most veterans are being seen for dental care, with about 20% coming in for readjustment issues. Sioux Falls will participate for the first time in a "Veterans Benefits Fair" on the Rosebud Reservation in April. There will be C&P exams, etc. done on-site. Right now because of staff vacancy the C&P backlog of 64 days = perhaps 400 cases.

A question fielded about whether the 2 VA facilities could implement/add the "depleted uranium" exam. They should notify the Commission yes or no.

John Smith from the Dakotas Regional Office reported good service to SD veterans over FY 2005. The staffing level is up with new hires (down for State Division of VA, however). They are able to assist other state offices with case load in their "slow time." The C&P exam backlog has caused VARO not to reach their established goals.

He fielded questions dealing with the "Help Line"--"Toll Free Number" survey that was done by mystery callers with specific questions to ask--the questions often did not pertain to the focus of the office called, i.e. veteran education questions addressed to the adjudicating office. The "Help Line" did not do well in the "test" when they answered questions outside their focus area.

George Summerside wanted to know what could be made available to better notify offspring of deceased Vietnam Veterans of the REPS and Chapter 35 benefits. These are easily obtained benefits that can provide excellent income for those preparing for college attendance.

There was a break of 15 minutes before Daniel Cassidy from the Black Hills National Cemetery presented his report. (See attached report.) There was an extra information sheet regarding a cost study on private versus national cemetery costs. He fielded questions pertaining to the Bureau of Land Management acquisition that has been in the works for several years; the FY06 budget which is under a continuing resolution but will be increased; and bathroom facilities at the Visitors' Center at the Black Hills National Cemetery.

A motion was made by B. Locken and seconded by G. Murphy for the SD Veterans Commission to write a letter in support of acquiring land from BLM to the South Dakota Congressional Delegates. Motion carried.

Rob McDivitt from VISN 23 had a report. (See attached report.) He fielded questions about the CARES Commission report in particular the CBOC's. McDivitt said the commitment to open the proposed CBOC's is there, but the funds are not always available. They are very hopeful that one of the CBOC's scheduled for 2005 would be placed in the 2006-7 budget. There are negotiations on-going with TriCare and TriWest, on the military health care programs.

The National Delegate representative for Senator Tim Johnson was Sharon Stroschein, the NE Area Director. She had several pieces of correspondence regarding the Congressional issues of interest to the Veterans Commission. Some are bi-partisan. Senator Johnson is working on mandatory funding, and there is still more to be done on concurrent receipt. He is also trying to push the Code Talkers Bill out of Committee. The reduction of National Guard numbers or units in the force structure meetings being held is of growing concern. Johnson is opposed to the enrollment fee of \$250 yearly plus raising the co-pay for prescription drugs for VA Health Care.

Ben Ready was the representative for Senator John Thune. Although this is the highest amount of funding ever budgeted for the VA, it is still not enough he will continue to work on that issue. Mandatory funding did not pass in this session. It will possibly come up in the second part of the Session. He believes the President's Budget is a starting point.

Maeva King was the spokesperson for Representative Stephanie Herseth. She mentioned the recent GAO study questioning VA savings assumptions over the last few budget cycles--they did not exist. The DOD is proposing an increase in TriCare co-pays and premiums which would raise fees for retirees. HR 4597 is Code Talkers Bill which was reintroduced by Representative Granger and it is being worked in the House. Two other bills deal with granting a federal charter to the American Indian Veterans, Inc.--the chairman of the committee is generally opposed to federal charters so this is not guaranteed; and the Native American Housing Bill which is

working its way through the House. Representative Herseth is opposed to cutting funding or numbers for Guard or the Military. King pointed out three issues on which SD Delegates are unified: Mandatory Funding; Concurrent Receipt; Code Talkers Bill.

Todd Kolden was asked to wait until Tuesday morning to give his report. Mike Rothenbuehler had no report. The meeting was recessed at 5:30 PM to reconvene at 8:00, Tuesday morning.

On February 7, 2006, 8:03 AM the meeting was called to order by Paul Evenson who then led the Pledge of Allegiance. He then called on Todd Kolden of the SD Dept. of Labor for his report. Kolden covers another side of veterans benefits-employment and employment training. He said that on January 18th new federal regulations were in effect to require a posting in all businesses telling of USERA. This is written in laymen's language and the Department of Labor will provide this free of cost-a number of scams are out threatening legal action if the business does not order its poster.

The TAP (Transition Assistance Program) is held at Ellsworth, which is looking at a 30% reduction of Captains and below. Approximately 60% of all personnel participating in this 3-day program are transitioning back to non-military life. A number of Guard personnel have taken the workshop as well, and MG Gorman is very supportive of it.

In the Jobs For Veterans Act there is implementation of a new law and there have been lots of improvements over the first years, but the funding formula remains inequitable, i.e. SD and RI are equal. In South Dakota unemployment among newly separated Veterans is about 3% but nationwide, there is high unemployment of this group. Policy is being developed with 3 goals: build on the success of Jobs For Veterans Act; transition work (TAP); and focus on the special or disabled veterans because of the barriers for employment.

The representatives in DOL recommend membership in veteran organizations and they also make the clients aware of the C/TVSO's for assistance. They are hoping for flexibility that would put the state in control of but responsible for the Veteran Programs. They are also working for increased participation in the TAP program, education for USERA and Veterans Preference, and institutionalizing Veterans First Program.

Real & Recovery Life Lines are established in-hospital during recovery from major debilitating accidents or injuries. There is one on one attention to help find new career or training, etc. when the injury or disability is forcing them to make major changes. When they leave the hospital, they will be "job ready" with training for a new job, etc.

Veterans Preference was discussed and there is some discrimination against military veterans. ESGR has found it, too, and in governmental circles especially.

The Hire Veterans First is a program supported by Governor Rounds and November, 2005 was proclaimed as Hire A Veteran First Month. Kolden encouraged people to be thinking of nominations for the several veteran organization awards for people supporting and working for veterans' issues.

D. Foell announced that the Veterans Council Meeting would convene in the same room at 1:30 that afternoon. Another schedule change would be to have Gary Knudson, State VFW Commander address the Commission so he could go on to his State VFW meetings. He introduced John McNeill from the National VFW Office who is visiting the State. He also introduced Rick Barg who gave an update and listed what the VFW is doing for troops and in the communities.

Wayne Vetter, President of the C/TVSO Association, had a report. The Association is continuing to work on a proposal to increase the state salary supplement for C/TVSO's. They are basing their proposal on compensation and pension increases for the last few years. With the \$6 million plus brought into South Dakota through Division of Veterans Affairs, the C/TVSO's are valuable to a county as well as the State. If anyone has a problem with C/TVSO's, they should contact Wayne or the Division. He spoke highly of the Veterans Forums and is pleased that the Service Officers are actively participating. With the Vietnam War Memorial Dedication coming up, the service officers are being asked to assist by helping to organize bus trips to the Dedication as for the World War II Dedication.

G. Murphy felt the Commission should be involved with the base salary supplement issue.

Larry Wilcox, Superintendent of the SD Veterans Home had a report. (See attached report.) The fuel budget is short, but winter has been mild. He is again seeking nursing personnel. Right now he has 30 empty beds/rooms and he needs the help of the C/TVSO's for outreach. According to the GAO report, long-term care within the VA has become for recovery time only-then they are put into private care. If the VA changes their policy, this could be major concern for future nursing/retirement home funding.

The craftsmen/women at the Home will provide raffle items to anyone; they would only request that you eventually use one for the Home. Wilcox just finished a short food survey. 75.8% found the food service in general average. His goal is 85%. He would like to introduce a "biofuel system" to the Home for heating. The Department of Energy has a loan program to establish such a system and he would make his budget request the same and use some of that money to pay off the loan.

There was a question about the Veteran Honorary Interment Program. It is still in effect. The caskets meet all requirements for the State. Wilcox needs help/volunteers-veterans from the Hills region, who will help in roughing caskets which the residents then finish. There is also a cremation urn and they are ready for all veterans and spouses who would request them. There is a suggested donation for the casket or urn, some can pay that, some can pay more, some cannot pay. At the next meeting in April, a tour of the cemetery was requested and perhaps also the VA cemetery in Hot Springs.

The Legislature has been working on a residency change for the Veterans Home this session. The change would go from "live one year prior to application to the Veterans Home in South Dakota" to "live one year within the last five years in the State of South Dakota."

Dave Wherry was asked for his report on the SD DVA Claims Office in Sioux Falls. (See attached report.) He is looking for two new VSO's and within the next six months will need two more-one due to retirement and one for extended maternity leave. Wherry had thank yous to the VFW and American Legion for the financial support received for VSO's to attend national training sessions.

Following the annual Benefits School letters were sent to the respective County Commissions to notify them of how "their" CVSO had done on the test. They wanted them to know they are being trained.

The Commission requested that Foell get salary information from the surrounding states for positions similar to VSO's in SD. They feel increases in base salary for the VSO's which have been attempted in the last several years are vital to keeping a well-trained staff that does not just benefit the Federal hiring process.

George Summerside spoke about Veterans Education. For his program a self-evaluation is mandatory. The increases in FY05 are attributed to the returning Guard Personnel. The Veterans Education program also regularly updates brochures and pamphlets including the "Welcome Home" booklet which goes to Guard Personnel and the families. They provide "technical advisories" to the C/TVSO network in the State. A ListServe is operational and can be used for mass mailings to veteran service-related persons across the State. Summerside reminded everyone that education is a big selling point for enlistment in any and all branches of the service or Guard.

Larry Person is Field Operations Supervisor. He reported that there are four new CVSO's and one more CVSO covering 3 counties is retiring. Consolidation of the Veteran Service positions between counties is a valuable tool. The C/TVSO network personnel are requested to be sensitive to the needs of veterans or families of the MIA/KIA's of Vietnam, checking to be sure they know of the activities specifically for them, and any travel needs.

There has been concern expressed recently about flag etiquette especially on the local and county level. There are veteran organization "flag education" programs on the local level, but people may contact either Larry or Dave Wherry at the Claims Office for outreach and information for use.

Larry also mentioned that with over 4,000 bonus claims paid out, there are many more active duty people "out there" that need to be encouraged to get enrolled in the VA Hospital System.

Dennis Foell had the next report on the Division of Veterans Affairs.

- 1) In the budget hearing before the Appropriations Committee, it looked good with a \$13,000 increase in travel budget primarily for the Field Officers and Outreach Programs.
- 2) The Demob & Family Briefings will be continued as Guard Units return. We need to be proactive to get the Active Duty people identified. They are welcome at any of the Briefings.
- 3) The Distinctive License Plate has been well presented by Ron Boyd. There is still work to be done working with Deb Hilmer of Motor Vehicles (Licensing).

- 4) VWMD-they are talking huge numbers of guests. If names are given to us we'll try to help with housing, working with the Chamber, etc. For the concerts on Friday and Saturday evenings, the tickets are free to "registered" veterans first and for purchasing as well for family members. Whatever is left over will go on sale to the general public on a specific date.
- 5) There was a bonus report handed out (see attached report), that is broken down by county. The estimate was about 8,000 bonuses to be paid and we just passed 4,000.
- 6) With the Guard moving to individual mobilizations as opposed to unit mobilizations, the demob and family briefing format will probably have to be altered.

G. Murphy requested that the deaths of service members attributed to effects of Agent Orange, PTSD, or from other contributing factors after service in Vietnam be acknowledged in the Vietnam Memorial Book, program and ceremony, if not by name at least with a paragraph or notice. This suggestion should go to John Moisan for consideration.

Phil Anderson, State Commander of the American Legion had greetings and a report on their activities. These include the Christmas parties at the Veterans Home, VA Facilities, and at the Yankton Human Services Center; participation in the Town Hall Meeting in Sioux Falls; the Veterans Forums; the State Oratory contest; the State Veterans License Plate; membership down slightly. He wanted to suggest including veteran organization leadership representation on the VWMD Committee.

The American Legion Auxiliary report was from Marsha Boyd, State President. She reported on the Christmas Gift Shops they provide for the veterans at the Home and other VA facilities 2,500 gifts (about \$31,000 worth) were available for these veterans for themselves or to give to family members (wrapped and mailed if need be). They are also providing "pocket flags" for troops in the field; the units get credit for making or donating toward these flags. Now there are "pocket soldiers" which go to the membership to encourage a focus of thoughts and prayers on the deployed troops. One of her main interest areas is the Creative Arts Festival. This is a way to encourage veterans who are artists in their work. There will be one of these festivals in Rapid City October 13-22" ^a, 2006. The Hospitality Room is to be handled by the SD American Legion Auxiliary.

The DAV report was from State Commander Roger Andal. He talked about the Town Hall Meeting with the Congressional Delegates; the Van or Transportation Program which is going well. The new van is to be placed at Crow Creek. The van in Winner has just gotten going. These vans go west to VA Black Hills and east to Sioux Falls VAMC-the coordination is there so all may be served. There are over 40,000 volunteer hours and they are on target for getting to a million miles. Drivers are not often a problem-except perhaps in Sioux Falls (larger urban areas). There is concern about the "homeless veteran" program, they are trying to expand the program because these persons need health care. Perhaps now with an address supplied at "The Banquet" in Sioux Falls, that is a possibility. Through the Katrina Fund several thousand dollars from South Dakota were handed out to veterans. The 100% Disabled Veteran license plate is \$11. Some counties charge an additional wheel tax and this needs to be "addressed".

Dave Jungemann had a report from TREA. They make donations to a number of programs including the Shelter at Rapid City which has a dorm wing for homeless veterans. The major recipient is the Children's Home. He has told Daniel Cassidy to provide them with projects for which they can volunteer at Black Hills National Cemetery. One of their community involvement/outreach programs is flag etiquette in the schools which includes demonstrating flag folding. They would ask support in promoting Senate Bill 191 to allow card games for service, charitable organizations. It would provide another source of revenue for them. They have approximately \$20,000 worth of scholarships available. The Auxiliary has provided lap robes and quilts to residents of the SD Veterans Home at Christmas and Thanksgiving baskets, too.

North Central Chapter of PVA was represented by Jim Foster. They distributed calendars and gift cards at the Sioux Falls VA and the veterans' nursing home in Luverne, Minnesota at Christmas. He provided a list of upcoming events and projects. (See attached list.)

The National Commander of the National American Indian Veterans, Inc. is Don Loudner and he reported on that organization. They still encourage membership in other veteran service organizations, too, for the additional benefits then available. He is back from Las Vegas where the national meeting is in session. There is concern on the state level due to the IHS refusing service to registered members of the tribe just because they happen to also be veterans. Congressional concern is the HB 1035 to recognize the rest of the "Code Talkers"; SB 154 which the national charter for National American Indian Veterans, Inc.; and HB 1772 which is National American Direct Money for Home Loans which was introduced by Herseeth. This should be a permanent program.

He was asked by the Standing Rock Chairman to thank the Commission for having their October meeting on the Reservation. Loudner also mentioned the Memorial to the SD Code Talkers. Funds to be built by the National American Indian Veterans, Inc. and they are hoping the several casinos will be donors. He suggested that the three living "Code Talkers" in South Dakota have their stories taped so they are not lost. *He also requested a written statement on the sharing program with the VA on CBOC's, so the Veterans Commission can formulate a policy.*

The next order of business was future meetings which are now scheduled:

April 5-6, 2006	SD Veterans Home, Hot Springs
July 12-13, 2006	Sioux Falls, will check with PVA for location.
October 18-19, 2006	Fort Meade
January/February, 2007	Pierre, date to be in conjunction with American Legion Legislative Reception.

Under New Business a motion was made by G. Murphy with a second by M. Birnbaum to send the resolution below, signed by the Members of the SD Veterans Commission, to the SD Legislature. Motion carried.

"Whereas: South Dakotans returning from all conflicts since the 1991 Gulf war were potentially exposed to depleted uranium used in weapons. And

Whereas: The health effects of exposure to depleted uranium, although not conclusive, have shown possible major or minor medical abnormalities. And

Whereas: South Dakota veterans strive to provide current and full information to their fellow veterans. And

Whereas: The DOD currently does not screen returning military personnel for levels of heavy metal and signs of elevated levels of uranium. And

Whereas: The Veterans Administration's policy of screening for heavy metals is not mandatory and does not happen automatically for those returning from these areas of conflict. And

Whereas: The returning military personnel may be left out of important screen tests for future use in medical care and/or compensation by the VA.

Therefore: We resolve to ask the South Dakota Legislature to support and make law the provisions of Senate Bill 184, to provide for information that will lead to full or nearly full screening of returning military personnel for results of their possible exposure to depleted uranium."

South Dakota Veterans Commission:

Date: February 7, 2006

[s] Paul A. Evenson, Chairman

[s] Mike Birnbaum

[s] Donald Clarke

[s] William J. Locken

[s] Donald E. Loudner

[s] Gene A. Murphy

Motion made by G. Murphy, with second by M. Birnbaum, to adjourn. Motion carried, and the meeting was adjourned at 12:30 PM.



Dennis Foell, Director SD DVA



Beverly Mickelson, Recording Secretary

16 February 2006
Date

Veterans Commission Meeting, 6-7 February, 2006, Holiday Inn Express, Ft. Pierre, SD

Paul Evenson, Chairman	SD Veterans Commission--Sioux Falls/Renner
Michael Birnbaum	SD Veterans Commission--Rapid City
Steve DiStasio, Acting Director	VA Black Hills Health Care System, Ft. Meade
Bill Locken	SD Veterans Commission--Spearfish
Jerry Lolley, CVSO	Meade County, Sturgis
Phil Anderson, State Commander	American Legion, Piedmont
Dennis G. Foell, Director	SD Division of Veterans Affairs, Pierre
Todd Kolden, Division Director	SD Department of Labor, Aberdeen
Wayne Vetter, President	C/TVSO Association, Cresbard, SD
Gene Murphy	SD Veterans Commission--Sioux Falls
Donald Clarke	SD Veterans Commission--Wessington
Don Loudner	SD Veterans Commission--Mitchell
Roger L Andal, State Commander	DAV, Brandon
Dave Wherry, Supervisor	SD DVA Claims Office, Sioux Falls
Richard Steams	VFW, Madison
Larry Person, Supervisor	SD DVA, Pierre
George Summerside	SD DVA, SAA, Pierre
Glenn Green	American Legion, Pierre
Dave Jungemann	TREA, Rapid City
Bob Voeltz	DAV/VFW, Pierre
Marsha Boyd, State President	American Legion Auxiliary, Watertown
Ron Boyd, State Adjutant	American Legion, Watertown
Warren L. Aas, DSO	American Legion, Watertown
Larry L. Wilcox, Superintendent	MJF SD Veterans Home, Hot Springs
Andy Gerlach, Deputy Secretary	Department of Military & Veterans Affairs
Delbert "Jim" Foster	PVA/SD Veterans Council
Francis "Grundy" Grundhoffer	DAV
Maeve King	Office of Congresswoman Stephanie Herseth
Sharon Stroschein	Office of Senator Tim Johnson
John Smith, Director	Dakotas Regional Office, VARO, Sioux Falls
Paul Gremse, CVSO	Butte County, Belle Fourche
Robert McDivitt	VISN 23, Minneapolis, MN
Benjamin Ready	Office of Senator John Thune
Daniel Cassidy, Director	Black Hills National Cemetery, Sturgis
Joe Dalpiaz, Director	Sioux Falls VAMC, Sioux Falls
Mike Rothenbuehler, NSO	PVA, Sioux Falls
Martin Skye	United Sioux Tribes of SD Development Corp, Pierre
Gary Knudson, State Commander	VFW, Pierre
John McNeill, Asst Adj General	VFW National Headquarters
Rick W. Barg, State Adjutant	VFW, Sioux Falls
Hal Weber	VFW/SD Veterans Council (secretary/treasurer)
D.R. Mason	American Legion, Platte
Beverly Mickelson	Recording Secretary, M&VA, Pierre