

NATIONAL ECONOMIC COMMISSION

Topic 1: Economics Division Testifies to Congress in support of Veteran and Service Disabled Veteran owned businesses

BACKGROUND: Assistant Director Ron Chamrin testified to the House Small Business Committee on September 19, 2007. **ACTION:** The Office of Veterans' Business Development within the SBA remains crippled and ineffective due to a token funding of \$750,000 per year. This amount, which is less than the office supply budget for the SBA, is expected to support an entire nation of veteran entrepreneurs. The American Legion feels that this pittance is an insult to American veteran business owners, that it undermines the spirit and intent of Public Law 106-50, and it continues to be a source of embarrassment for this country. The following agencies have failed to meet the 3 percent goal for FY 06 for service disabled veteran owned businesses that has been established since 1999 and enhanced by the executive order in 2004. Agriculture, Homeland Security, Transportation, Justice, Labor, Nuclear Regulatory Commission, Treasury, Defense, Interior, Education, Environmental Protection Agency, GSA, Health and Human Services, NASA, State, National Science Foundation, OPM, Social Security Administration, and USAID. Once again, these 19 agencies did NOT meet the 3 percent goal. SDVOB's had the potential to be awarded approximately 7 to 8 billion dollars for FY 06 and about the same for FY 07. **POLICY:** The American Legion strongly supports increased funding of the SBA's Office of Veterans' Business Development to \$2 Million. This will provide enhanced outreach and community based assistance to veterans and self employed members of the Reserves and National Guard. Additionally, The American Legion supports allowing this same office to enter into contracts, grants, and cooperative agreements to further its outreach goals. The Office of Veterans' Business Development must be authorized to develop a nationwide community-based service delivery system specifically for veteran and members of Reserve components of the United States military. <http://www.house.gov/smbiz/hearings/hearing-09-19-07-contracting/hearing-09-18-07-contracting.htm> and 3 videos http://www.youtube.com/view_play_list?p=958647C5A6BC3F1C

Topic 2: Economics Division Testifies to Congress in support of Licensing and Credentialing of military service to the civilian sector

BACKGROUND: Assistant Director Ron Chamrin testified to the House Veterans' Affairs Subcommittee on Economic Opportunity on September 20, 2007. **ACTION:** The American Legion asserts that veterans have been trained, educated, disciplined, and molded by the greatest military the world has ever seen and yet a large number of these skills are deemed non-applicable in the civilian sector. The Department of Labor's Hire Vets First lists attributes that make veterans marketable to the civilian section. The American Legion strongly agrees that veterans have attributes to make them extremely productive in the civilian sector. These attributes include an accelerated learning curve, leadership, teamwork, diversity and inclusion in action, efficient performance under pressure, respect for procedures, technology and globalization, integrity, conscious of

health and safety standards, and the ability to triumph over adversity. With all of these abilities, a casual observer would assume that veterans are easily employed and can transition their military experience to the private sector with ease. Unfortunately, that is not the case. Some civilian skills are very similar in nature to those duties performed while in the military, yet taxpayers may be funding training twice for the same individual through DoD and then the VA. This is financially irresponsible and counterproductive to individual veterans who must use their earned MGIB education benefits to take civilian proficiency tests. Most licenses or certifications have fees associated with them that are charged by the credentialing board. Some of the typical fees paid directly to a credentialing board include: Application Fees – from \$20 to \$200 Exam Fees – from \$20 to \$200 Renewal Fees – from \$10 to \$150 (typically renewed every 1 to 3 years) POLICY: The American Legion supports efforts to eliminate employment barriers that impede the transfer of military job skills to the civilian labor market and that the Department of Defense take appropriate steps to ensure that servicemembers be trained, tested, evaluated and issued any licensure or certification that may be required in the civilian workforce. The American Legion supports making the Montgomery GI Bill eligibility available to pay for all necessary civilian license and certification examination requirements, including necessary preparatory courses. We also support efforts to increase the civilian labor market's acceptance of the occupational training provided by the military.

Topic 3: SBA Veterans Advisory Committee Meeting attended

BACKGROUND: Staff of the Economic Division attended the SBA Veterans Advisory Committee quarterly meeting to discuss veteran and service disabled veteran owned businesses. **ACTION:** Small Business Set Asides: The GAO sustained a bid protest challenging a U.S. Air Force solicitation for portable chemical toilet services because the agency failed to make reasonable efforts to determine whether the acquisition was suitable to be set aside for service-disabled veteran-owned small business concerns (SDVOSBCs). MCS Portable Restroom Service, Comp. Gen. Dec. B-299291, Mar. 28, 2007. FAR 19.1405 provides that, to set aside a procurement for SDVOSBCs, an agency must have a reasonable expectation that offers will be received from two or more SDVOSBCs and that award will be made at a fair market price. Although its market research indicated that there were several SDVOSBCs that could perform the work, **and although** two SVOSBCs (the protester and a Florida company) expressed interest in the work in response to Air Force e-mails, the Air Force decided to issue the solicitation as a small business set aside, and not as a narrower, SDVOSBC set aside, because only one SDVOSBC (the protester) responded to a subsequent "sources sought" notice that the agency posted on FedBizOpps. The GAO concluded that the Air Force should have followed up with the Florida SDVOSBC to clarify the company's interest in the procurement in order to determine whether there was sufficient SDVOSBC interest to allow for an SDVOSBC set aside. The GAO further stated that a procuring agency has the discretion to make a sole-source award to an SDVOSBC if the agency does not have a reasonable expectation that two or more SDVOSBCs would submit offers for the work. Separately, the GAO also recently sustained a bid protest regarding two Department of Homeland Security (DHS) procurements for guard services that were set aside for small business concerns because the DHS improperly awarded the contracts before referring

pre-award size protests to the Small Business Administration, which determined that the awardee was not a small business and, therefore, was ineligible for the awards. Alliance Detective & Security Service, Inc., Comp. Gen. Dec. B-299342, Apr. 13, 2007. <http://www.gao.gov/decisions/bidpro/299291.pdf>

Topic 4: Veteran and Service Disabled Veteran Owned Small Businesses are continued to be denied contracts with the DOD.

BACKGROUND: The Department of Defense (DOD) recently issued a report identifying the 100 companies, and their subsidiaries, receiving the largest dollar volume of DOD prime contract awards during fiscal year 2006. **ACTION:** The top five DOD contractors were Lockheed Martin Corporation (\$26.6B), The Boeing Company (\$20.3B), Northrop Grumman Corporation (\$16.6B), General Dynamics Corporation (\$10.5B), and Raytheon Company (\$10.1B). The report also identifies the top 50 prime contractors for each of the DOD's reporting components. Lockheed Martin headed the list for both the Navy and the Air Force, while Halliburton Company led the way for the Army, Public Warehousing Company for the Defense Logistics Agency, and Humana, Inc. for "Other Defense Agencies." The report is available at http://siadapp.dmdc.osd.mil/procurement/historical_reports/statistics/p01/fy2006/top100.htm. **POLICY:** The American Legion supports veteran business development assistance should include funding to assist Federal agencies in reaching their 5% veteran procurement goals; seek to develop a user-friendly veteran procurement database for use by all Federal government agencies; support that the Federal government and the Department of Defense utilize its available technology to create, fund and support a veteran procurement-spending database within the Department of Defense that would finally bring veteran-owned and service-disabled veteran-owned businesses on equal footing with all other small business special interest groups when it comes to Federal procurement opportunities; encourages the Congress of the United States to require a reasonable set-aside of federal procurements and contracts for businesses owned and operated by Veterans and for those Veteran businesses affected by base closings and reduction in our military forces.

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NATIONAL SECURITY SUMMARY

Topic 1: Confrontation Over War Begins Anew

Background: Senate Democrats will forge ahead with votes on anti-war measures later this week, even though most the proposals lack the Republican support needed to advance. The Iraq debate occurs as the Senate works on a \$646.8 billion defense authorization. Iraq measures are being mulled as amendments, although Senate leaders are considering the possibility of moving freestanding Iraq-related legislation as well. On Wednesday, the Senate voted on whether to cut off debate on an amendment that would restore the right of terrorism suspects to contest their incarceration or treatment by going to US courts. After those votes, the Senate intends to move to an amendment by Senator Jim Webb that would require that US troops be given at least as much time at home as they spend deployed to Iraq and Afghanistan. The Webb measure is significant because its supporters and critics say it could reduce the number of troops available to fight in those countries. The White House has indicated already that it would veto the measure which is far from the votes needed to override a veto. There are three other Democratic amendments on deck which stand even less chance of overcoming filibusters, let alone overriding vetoes. There are also several non-binding proposals for withdrawing the troops from Iraq.

Action: The American Legion stands firmly behind Resolution 169 which calls for support for the War on Terrorism as well as support for the troops. While valuable Senate time will be expended in these combative fireworks, such measures as the 3.5% payraises for the troops, the denial of proposed increased Tricare fees, the approval of over 92,000 endstrength increases for the Army and Marine Corps, the long-sought elimination of the SBP/DIC offset ("widows' tax"), Combat-Related Special Compensation for military disability retirees, etc., as well as Defense Appropriations, which are contained in the FY 2008 National Defense Authorization and Appropriations bills which are awaiting Senate consideration and approval.

Topic 2: Army Updates Policy on War-Zone Exemptions

Background: For the first time in two years, the Army has updated its primary directive governing which soldiers are eligible for exemption from serving in a war zone. There are four major categories that offer soldiers exemption from duty, or restricted duty, in hostile-fire areas where imminent-danger pay is authorized. One of those is sole surviving son or daughter in a family where the father, mother, brother or sister was killed or died as a result of military service or was captured or missing in action or is 100 percent physically or mentally disabled because of service. Secondly, a soldier who has a family member who dies as a result of military duty, or is captured, declared missing in action or determined to be 100 percent physically or mentally disabled because of service. Thirdly, soldiers hospitalized for a month or more outside a hostile-fire area as a result of combat duties will not be required to return to such duties during the same tour. However, if medically fit, they may request to be returned to the combat zone. Finally, soldiers who sincerely object to serving as a combatant in any form, but whose convictions permit military service in a non-combat role, may be approved for such status as determined by a general court-martial convening authority or the Army Conscientious

Objector Review Board. Once placed in such status, the soldier may be assigned to any unit that does not require the use of arms.

Topic 3: Military Retention Bonuses Are Expanded

Background: Pressed to not only recruit but also retain quality soldiers, the Army will enter a new fiscal year with the largest and most diverse menu of retention incentives in the history of the all-volunteer force. The incentives range from a few thousand dollars to \$150,000. Bonuses are paid lump-sum and are tax-free if paid in combat zones. One initiative, called warrior pay, would establish a new kind of compensation for soldiers who serve repetitive deployments in combat zones. Similar to sea pay available to sailors, Marines and Army mariners, warrior pay would recognize the cumulative time a soldier spends deployed over the course of a career. Congress would authorize up to \$1,500 per month. Another incentive will feature a first of its kind critical skills bonus for captains who have completed their initial service obligation and must decide if they want to make the Army a career. Another major feature of the Army's 2008 retention campaign will be critical skills bonuses for senior NCOs and warrant officers who are nearing 20 years of service or are already eligible for retirement. Within the NCO corps, bonuses of \$8,000 to \$150,000 are target at soldiers in the Special Forces career management. Army aviators are also eligible for bonuses.

Topic 4: Senate Bill to Cut Funds for Troops Fails

Background: The Senate overwhelmingly rejected a bill that would have cut off funds for US combat troops in Iraq, as Democrats said that staging repeated failed votes for a pullout is a worthwhile exercise. The lopsided 70-28 votes was predicted even by those who backed the bill by Senator Russ Feingold, Wisconsin Democrat, because it risked criticism for not supporting the troops at the battlefield. The Feingold legislation, an amendment to the \$648 billion Defense Authorization bill, drew "no" votes from 51 Republicans, 18 Democrats and one independent. Republicans argued that the abrupt pullout of most US troops and shift of the mission to noncombat operations would surrender recent military gains and hand a victory to terrorists and other rogue fighters. The Senate then took up legislation by Democratic Senators Levin and Reed that would start a large-scale pullout in 120 days and limit remaining US forces to training Iraqi troops. This amendment is also expected to be defeated. Democrats plan next week to debate a handful of other bills challenging the President's war policy and vote on a continuing resolution to fund the federal government past the end of the fiscal year September 30. Meanwhile, the Senate overwhelmingly condemned the liberal anti-war group MoveOn.org for its newspaper ad that last week accused the top US general in Iraq of lying and misrepresenting the situation on the group

FOREIGN RELATIONS SUMMARY

Topic 1: Vietnam Human Rights Bill HR 3096 passes in the House

Background: HR 3096, introduced by Rep. Chris Smith (NJ) passed in the House of Representatives by a vote of 414-3.

Smith's bill, the "Vietnam Human Rights Act of 2007" (H.R. 3096), prohibits increased U.S. non-humanitarian assistance to the Government of Vietnam unless there is verifiable evidence that the Vietnamese Government has made substantial progress towards the release of its political and religious prisoners, respecting the right to freedom of religion, returning properties, allowing free and open access to refugee programs, respecting the human rights of members of all ethnic minority groups, and taking appropriate steps to end trafficking in persons. Additionally, Smith's bill authorizes \$4 million over two years for organizations and individuals that promote human rights in Vietnam, authorizes over \$10 million to help stop the Vietnamese Government's jamming of Radio Free Asia, and requires the State Department to issue an annual report on the progress of human rights reform in Vietnam. The "Vietnam Human Rights Act of 2007" does not restrict any humanitarian assistance to the people of Vietnam—including assistance to combat the spread of HIV-AIDS—in any way. In a letter of support distributed to Members of Congress, American Legion National Commander Martin "Marty" Conatser wrote, "This legislation makes clear the position of the Congress and the people of the United States to have the government of Vietnam take steps to ensure that voices of political opposition, and those expressing religious views, are not arbitrarily silenced." The American Legion has been consistent in its support of ethnic minorities and religious groups in Vietnam and its primary support for the Montagnards of the central highlands. This legislation will give U.S. diplomats the necessary tools to leverage against the Socialist Republic of Vietnam to abide by its agreements to protect Human Rights within its borders as a member of the World Trade Organization.

Action: At the 88th National Convention The American Legion adopted resolutions # 121, and #37, which enumerates our United Nations Policies and Foreign Policy Objectives and our support to democratic reforms and the protection of Human Rights in Vietnam.

Topic 2: Iran Releases Iranian-American From Prison But Still Under Detention

Background: A third Iranian-American national who had been detained on security-related charges since May was released Thursday, but he was not yet allowed to leave the country. Kian Tajbakhsh was released after his family posted bail worth 1 billion rials, or about \$107,000, a judiciary official told the official IRNA news agency. But the official said Tajbakhsh was not allowed to leave the country until the judge gave him the permission. Tajbakhsh, an urban planner with ties to Open Society Institute of George Soros Foundation, was arrested in May on security-related charges and spent 131 days in solitary confinement at the notorious Evin prison. Tajbakhsh was one of four Iranian-Americans detained in recent months. Two others, Haleh Esfandiari, a scholar at the Woodrow Wilson International Center for Scholars in Washington, and Parnaz Azima, a reporter for the Radio Free Europe, funded by the United States, were permitted to leave the country. However, Ali Shakeri, a peace activist with the Center for Citizen Peacebuilding at the University of California, Irvine, is still in prison and no information

about his case had been announced. Many analysts considered the arrests part of a larger crackdown against activists, journalists and women's Islamic dress at a time when the country had come under increasing pressure from the West over its nuclear program. Parts of interviews with Tajbakhsh and Esfandiari in prison were shown on a program on state-run television that suggested the two were part of a plan to overthrow the Islamic regime. Tajbakhsh was kept in a small room with a private bathroom. After 75 days he was moved to a much larger room with a television set, a refrigerator and a desk. He was allowed to speak daily with his wife, Bahar Malek, and they had weekly visits after the first month. The arrests increased tensions between Washington and Tehran, strained by Iran's pursuit of nuclear technology and by U.S. accusations of Iranian efforts to fan violence inside Iraq.

Action: At the 88th National Convention The American Legion adopted resolutions # 121, which enumerates our Foreign Policy Objectives.

Topic 3: POW/MIA Recognition Day Ceremony at the Pentagon

Background: The American Legion Staff from National Security and Foreign Relations divisions attended a POW/MIA Recognition Day ceremony at the Pentagon. The Secretary of Defense's office provided remarks and various VSOs and MSOs were also in attendance to honor those who had been captured or were still missing. To date the following numbers of service members have not been accounted for in our nation's conflicts:

WWII:	78,000
Korea:	8,104
Cold War:	125
South-East Asia:	1,773
Persian Gulf 1:	1
Persian Gulf 2:	2

Action: At the 88th National Convention The American Legion adopted resolutions # 35, which enumerates our POW/MIA Policy Objectives.

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NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION

TOPIC 1: National Commander Testifies Before Joint Hearing on the Legislative Priorities of The American Legion.

BACKGROUND: On September 20, 2007, National Commander Marty Conatser delivered the Legislative Priorities of The American Legion and the views and estimates on the budget for the Department of Veterans' Affairs for Fiscal Year 2009 before the reinstated Joint Hearing of the House and Senate Veterans' Affairs Committees. The joint hearing had been cancelled by former Chairman Steve Buyer (the current Ranking Member for the minority) and was reinstated by current Chairman Bob Filner.

POSITION: The American Legion, through grass-roots efforts and the National Staff in Washington, DC, will work with Congress to ensure the needs of veterans are fully funded and properly maintained and run. **ACTION:** National Commander Marty Conatser urged Congress to enact the legislative proposals of The American Legion.

TOPIC 2: VA Slow To Implement Data-Safety Measures.

BACKGROUND: In May 2006, the personal data of 26.5 million veterans was lost after a Department of Veterans Affairs (VA) employee took the information home and it was stolen in a break-in. The VA did not publicly reveal that the information was missing for two weeks, when the Department finally sought the assistance of the FBI in tracking down the stolen computer. VA officials pledged to implement new security procedures to ensure that such an incident didn't happen again. But according to the Government Accountability Office (GAO), in a report released this week, veterans' personal and health information remains at risk because the VA has not yet fully secured access to its computer network nor implemented needed changes and security updates. One reason cited by the GAO for the lack of progress in securing veterans' data is the fact that the VA has been without a chief information security officer since June 2006. The GAO report said the VA has taken some measures to meet legal requirements, such as mandating encryption of sensitive data that can be accessed remotely or used outside VA facilities. **POSITION:** The American Legion has fully supported the speedy and complete implementation of the reforms that were laid out after the May 2006 Data theft. Last year, VA Secretary Jim Nicholson pledged to make the VA the "gold standard" in data security. Nicholson will resign as Secretary on Oct. 1 without completely fulfilling that promise. The American Legion hopes that his successor will implement the recommendations of the GAO report and ensure that the necessary precautions are taken to protect vital personal information that, if stolen, could leave veterans vulnerable to identity theft. **ACTION:** The American Legion will continue to monitor VA in its progress in the area of Information Technology security.

TOPIC 3: The Department of Veterans Affairs Inspector General's (IG) Office Reports The Veterans Health Administration (VHA) Falsely Reported Wait Times For Veterans.

BACKGROUND: As reported by the Associated Press on September 11, 2007, The Department of Veterans Affairs (VA) repeatedly understated wait times for injured veterans seeking medical care and in many serious cases forced them to wait more than 30 days, counter to department policy, an internal investigation shows. The review by

the VA inspector general's office, released Monday, examined 700 outpatient appointments for primary and specialty care scheduled in October 2006 at 10 VA medical centers. It found that the VHA in recent months falsely reported to Congress that nearly all of its appointments - about 95 percent - were scheduled within 30 days of a patient's requested date. In fact, only three in four veterans - 75 percent - received such timely appointments. In addition, despite warnings by the IG in 2005 to more accurately report wait times, department officials last year also may have understated the number of veterans on their electronic waiting lists by more than 53,000. According to the report, "While waiting time inaccuracies and omissions from electronic waiting lists can be caused by a lack of training and data entry errors, we also found that schedulers at some facilities were interpreting the guidance from their managers to reduce waiting times as instruction to never put patients on the electronic waiting list," VA investigators wrote. "This seems to have resulted in some 'gaming' of the scheduling process," Responding, VA undersecretary for health Michael Kussman partly agreed that the agency should take additional steps to improve scheduling with better training, procedures and better accounting of records. But he insisted the VA in most cases was doing the best it can and challenged the IG report's methodology, citing patient satisfaction surveys showing roughly 85 percent of veterans getting appointments when they needed them. In April, Kussman testified to Congress that 95 percent of veterans were receiving the timely appointments. The VA's 2006 annual report, issued last November, makes similar claims. POSITION: The American Legion consistently advocates that Congress fund VA adequately to ensure veterans get the best care possible in a timely fashion. Once again we call on Congress to provide mandatory funding for veterans health care to ensure that veterans are given the best care possible and do not have to go begging to Congress year after year for money. VA's less than truthful assessment of wait times are an embarrassment to them and to those who have supported them. The American Legion commends VAOIG for its timely and accurate report. ACTION: The American Legion will ask Congress, once again, to provide mandatory funding for veterans health care in the hopes that "cooking the books" will no longer be a temptation to those who need to project an image of VA as something more than what it is due to lack of resources.

TOPIC 4: Senator Richard Burr Chosen to Lead Republicans on Veterans' Affairs Committee.

BACKGROUND: Republican members of the U.S. Senate Committee on Veterans' Affairs today announced they have chosen Senator Richard Burr (R-North Carolina) as the temporary ranking member of the committee. Burr will temporarily replace Senator Larry Craig (R-Idaho). The North Carolina Republican has placed special focus this year on improving life for the nation's estimated 200,000 homeless veterans. In June his Services to Prevent Veterans Homelessness Act of 2007 (S. 874), was approved by the Committee on Veterans' Affairs as part of the Veterans Traumatic Brain Injury and Programs Improvement Act of 2007 (S. 1233). Burr's legislation will increase veterans' access to assistance for housing, physical and mental health services, health insurance, as well as vocational and financial counseling. Burr is also active on veterans' health issues. A health care policymaker for over a decade, Burr has most recently been vocal on traumatic brain injury, Department of Defense and VA sharing of electronic medical records and the efficiency of the VA health system, especially for veterans in rural areas.

Burr has served on the Senate Committee on Veterans' Affairs since he was sworn in as a U.S. Senator on January 3, 2005. He was first elected to the U.S. House Representatives in 1994 and served five terms before being elected to the U.S. Senate in 2004. In addition to his new leadership position on the Veterans' Affairs Committee, Burr serves on the Senate Intelligence Committee; the Health, Education, Labor, and Pensions Committee; the Energy and Natural Resources Committee; and the Indian Affairs Committee. POSITION: The American Legion supports the decision to replace Sen. Craig with Senator Burr. ACTION: The American Legion looks forward to working with the new Ranking Member in crafting policies and legislation in the best interest of our nation's veterans.

TOPIC 5: New Polytrauma Facility to be Built on the Audie Murphy Veterans Memorial Hospital Campus in San Antonio, TX.

BACKGROUND: According to the *Houston Chronicle*, San Antonio has been selected as the site of a \$67 million rehabilitation center to treat veterans and troops returning from Iraq with multiple wounds. The new "polytrauma" facility will be built on the Audie Murphy Veterans Memorial Hospital campus. This is one of five sites nationwide. The VA operates other sites in Richmond, VA; Tampa, FL.; Minneapolis, MN; and Palo Alto, CA. The facility will be of greatest benefit to those with traumatic brain injuries, known as the signature wound of GWOT because of the widespread use of explosives.

Construction on the center is expected to begin in fiscal 2008, which begins Oct. 1, 2007.

POSITION: The American Legion supports the decision to build the new Polytrauma facility. However, The American Legion still advocates for the full funding of CARES. While Congress has seen fit to increase the amount of money being spent on CARES, it is still short of the \$1 billion per year required to fulfill the strategic plan outlined in CARES. ACTION: The American Legion will continue to fight for the full funding of CARES.

TOPIC 6: The American Legion holds 89th Annual National Convention in Reno, Nevada. VA&R considers 55 resolutions.

BACKGROUND: On August 26-30, 2007, The American Legion held its 89th Annual National Convention in Reno, Nevada. ACTION: Delegates chose Martin F. (Marty) Conatser to lead the 2.7 million-member organization of wartime veterans for a one-year term. 55 Veterans Affairs and Rehabilitation resolutions were presented for consideration. The Convention Committee took the following action on the resolutions:

Approved or Approved w/Amendment	3
Consolidated with Resolutions Approved	0
Referred to the Standing Commission	9
Received and Recorded	27
Rejected	16

NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION
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