

# 2015 RESOLUTIONS

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**RESOLUTION NO. 1**

**COMMENDING NATIONAL COMMANDER RONALD HOPE ON HIS  
YEAR AS NATIONAL COMMANDER OF THE DAV**

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**WHEREAS, National Commander Ronald Hope has shown outstanding leadership this year; and**

**WHEREAS, he consistently has spoken out in behalf of all veterans, veterans' programs and policies, and in opposition to the proposed budget cuts proposed by this administration relating to the VA and other important veterans' benefits; and**

**WHEREAS, Commander Ronald Hope has kept the entire membership of the Disabled American Veterans abreast and well informed on all matters that affect the veteran, widow and orphan and has again and again proven to us that he has kept a constant vigil over the happenings that affect the present and the future of all facets of the veterans' and their families' lives; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in State Convention at Leominster, Massachusetts, June 19-20, 2015, commends and congratulates National Commander Ronald Hope for the tremendous job he has done as our leader this year; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to National Commander Ronald Hope.**

**Respectfully submitted,**

**Helen Bennett  
Department Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



## **RESOLUTION NO. 2**

### **INCREASE ABATEMENT FOR 100% SERVICE CONNECTED DISABILITY**

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**WHEREAS, 100% disabled veterans realize cost of living increases that recognizes PAST increases and do not anticipate increases in the real cost of living from the time of the increase until the time of the next; thus they are always behind the curve; and**

**WHEREAS, their need for medical expenses are far greater than the general population or even the non-disabled veterans population and the increase in medical costs rises to the tune of 300% to 600% of the cost of living; and**

**WHEREAS, cost of living has not been a regular allowance; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports the enactment of legislation for the real estate abatement of 100% service-connected veterans be increased.**

**Respectfully submitted,**

**MORTON MORIN  
Commander Chapter #57  
Disabled American Veterans  
Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**STATE OF MASSACHUSETTS ONLY AND THEREFOR NOT TO BE  
FORWARDED TO NATIONAL CONVENTION**



**RESOLUTION NO. 3**

**INCREASE DISABILITY COMPENSATION**

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**WHEREAS, it is historical policy of the Disabled American Veterans that this Nation's first duty to veterans is to provide for the rehabilitation of its wartime disabled; and**

**WHEREAS, the percentage ratings for service-connected disabilities represent, as far as can be practicably determined, the average impairment in earning capacity resulting from such disabilities in civil occupations; and**

**WHEREAS, compensation increases should be based primarily on the loss of earning capacity; and**

**WHEREAS, disabled veterans who are unable to work because of service connected disabilities should be entitled to compensation payments commensurate with the after-tax earning of their able-bodied contemporaries; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports the enactment of legislation to provide a realistic increase in Department of Veterans Affairs (VA) compensation rates to bring the standard of living of disabled veterans in line with that which they would have enjoyed had they not suffered their service-connected disabilities.**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**DANIEL P. STACK  
Department Adjutant  
Boston, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



## **RESOLUTION NO. 4**

### **POW/MIA ACCOUNTING COMMITMENT AND AGENCY FUNDING**

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**WHEREAS, the Disabled American Veterans have long been deeply committed to achieving the fullest possible accounting for all U.S. personnel still held captive, missing, and unaccounted for from all of our nation's wars; and**

**WHEREAS, there have been 1,976 live sighting reports since 1975, with 2 percent remaining unresolved; and**

**WHEREAS, service members still unaccounted for number more than 74,000 from World War II, more than 8,000 from the Korean War, more than 1,700 from the Vietnam War, 125 from the Cold War, 1 from the Persian Gulf War and 1 from the Iraq War; and**

**WHEREAS, it is the responsibility of the U.S. government to account for America's missing in action; and**

**WHEREAS, the U.S. Congress has a moral obligation to appropriate all the funds necessary for all government agencies to carry out all their programs and operations to resolve this issue and bring closure for the families of the missing from all wars; and**

**WHEREAS, this accounting should not be considered complete until every possible action has been taken to resolve their fate; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts June 19-20, 2015, remain steadfast in our commitment to the goal of the fullest possible accounting of all U.S. military personnel from all of our nation's wars, call upon Congress to fully fund the effort of the Defense Prisoner of War/Missing Personnel Office and all operations of the Joint POW/MIA Accounting Command, and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**Helen Bennett  
Department Commander  
DAV Boston, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 5**

**SUPPORTING ADEQUATE FUNDING FOR ALL VA PROGRAMS**

---

**WHEREAS, understaffing of VA programs in recent years has hampered the VA's ability to effectively administer programs intended to benefit this nation's veterans; and**

**WHEREAS, continued efforts by the Office of Management and Budget to reduce the VA budget will lead to further deterioration of all VA programs; and**

**WHEREAS, this nation's first concern should be to fulfill its obligation to those who served in the military services in defense of the country; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, seeks and strongly supports adequate funding for all VA programs; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**DANIEL P. STACK  
Department Adjutant  
DAV, Boston, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 6**

**TO PROVIDE A 10 YEAR PROTECTION PERIOD FOR SERVICE-  
CONNECTED DISABILITY EVALUATIONS**

---

**WHEREAS, Section 110, of Title 38, U.S. Code, now provides for the protection of all disability compensation evaluations that have been continuously in effect for 20 or more years; and**

**WHEREAS, permanency should be conceded for disability compensation rating which have been in effect for 10 years without change in evaluation with no further examination scheduled: NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, that Section 110 of Title 38, U.S. Code, be amended to provide that disability evaluations continuously in effect at the same evaluation rate be protected after a period of 10 years; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**MICHAEL SULLIVAN  
Department 2<sup>nd</sup> Junior Vice Commander  
DAV Boston, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**





## **RESOLUTION NO. 7**

### **PRESUMPTIVE SERVICE CONNECTION FOR TINNITUS AND HEARING LOSS**

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**WHEREAS, veterans of the armed services who served in combat or in certain occupational specialties have a high incidence rate of hearing loss or tinnitus as a direct result of acoustic trauma; and**

**WHEREAS, many pre-service and discharge examinations, particularly for World War II and Korean conflict veterans, were usually accomplished with the highly inaccurate whispered-voice test; and**

**WHEREAS, veterans, in those cases, were not afforded a comprehensive audio logical examination upon entrance and discharge from the military services; and**

**WHEREAS, in recent years the second leading disability granted service connection by the VA was for hearing loss or tinnitus; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports the granting of service connection on a presumptive basis for any veteran diagnosed after discharge with hearing loss or tinnitus when the evidence shows that the veteran participated in combat or worked in a position or occupational specialty likely to cause acoustic trauma years; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**HELEN BENNETT  
Commander  
DAV Boston, MA**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 8**

**REDUCING ELIGIBILITY FOR RECEIPT OF DIC FOR SURVIVORS  
FROM TEN YEARS TO FIVE YEARS**

---

**WHEREAS, 38 CFR 3.22(2)(I) calls for entitlement to Dependency Indemnity Compensation (DIC) benefits to a deceased veteran's surviving spouse if the veteran was related totally disabled by scheduler or unemployability for a period of ten or more years immediately preceding death, and**

**WHEREAS, a number of disabled veterans die prior to accumulating ten consecutive years of total disability, and their surviving spouses are left without benefits, NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, support legislation to amend 38CFR 3.22(2)(I) to reduce the ten year period of receiving a total disability by schedule or unemployability to five consecutive years prior to death; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**Helen Bennett  
Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**RESOLUTION NO. 9**

**SUPPORT LEGISLATION TO REMOVE THE PROHIBITION AGAINST  
CONCURRENT RECEIPT OF MILITARY RETIRED PAY AND VETERANS'  
DISABILITY COMPENSATION FOR ALL LONGEVITY RETIRED VETERANS**

---

**WHEREAS, current law provides that service connected veterans rated less than 50% who retire from the Armed Forces on length of service may not receive disability compensation from the Department of Veterans Affairs (VA) in addition to full military retired pay; and**

**WHEREAS, these disabled veterans must therefore surrender retired pay in an amount equal to the disability compensation they receive; and**

**WHEREAS, this offset is extremely unfair to veterans who have served faithfully in military careers inasmuch as these veterans have earned their retired pay by virtue of their long service to the Nation and wholly apart from disabilities due to military service; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports legislation to repeal the offset between military longevity retired pay and VA disability compensation; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**DANIEL P. STACK  
Department Adjutant  
DAV Boston, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 10**

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**OPPOSE ANY PROPOSAL THAT WOULD OFFSET PAYMENTS OF SOCIAL SECURITY DISABILITY INSURANCE BENEFITS OR ANY OTHER FEDERAL BENEFIT BY DEPARTMENT OF VETERANS AFFAIRS COMPENSATION**

---

**WHEREAS, consideration has been given to proposing an offset of Social Security Disability Insurance Benefits by payments of any other Federal benefit; and**

**WHEREAS, the adoption of such a measure would reduce the overall income provided to those service-connected veterans who have compensable disability and who also suffer a permanent and total disability for purposes of Disability Insurance Benefits from the Social Security Administration; and**

**WHEREAS, such an offset would work a grave and undue hardship on all totally disabled service-connected veterans and their families by drastically reducing their total income; and**

**WHEREAS, benefits received from the Department of Veterans Affairs (VA) or under military retirement pay and other Federal programs have differing eligibility criteria as compared to the earned payments of Social Security Disability Insurance Benefits; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, opposes any measure which proposes to offset the payment of any other Federal benefit or earned benefit entitlement by VA compensation payments made to service connected disabled veterans, and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**WILLIAM VICINI**

**1st Junior Vice Commander**

**DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



## **RESOLUTION NO. 11**

### **OPPOSE SUBJECTING COMPENSATION TO MEANS TESTING**

---

**WHEREAS, the citizens of our Nation have heretofore honorably recognized their indebtedness to those who sacrificed in the service of their country by providing compensation as restitution for the personal injuries suffered in such service; and**

**WHEREAS, a disabled veteran is rightfully entitled to restitution for the effects of service-connected disability during its continuation, without regard to good fortune or income of the veteran or spouse from sources wholly independent of the Government's obligation to the veteran; and**

**WHEREAS, it is fundamentally unfair for the Government to seek to disclaim its obligation to disabled veterans or their survivors merely because of the receipt of other, unrelated income; and**

**WHEREAS, notwithstanding the special status of disability and dependency and indemnity compensation, there are efforts to reduce or eliminate them where the veteran or spouse, or survivor has other income; and**

**WHEREAS, this degrades compensation by providing it to the extent of the veteran's or survivor's economic needs rather than as a measure of restitution equal to personal losses, thereby disassociating compensation from that which merits it and associating it with factors which govern purely gratuitous and welfare benefits;  
NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015 opposes any scheme to means test disability and death compensation.**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**Helen Bennett  
Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 12**

**SUPPORT A CHANGE IN REGULATORY REQUIREMENTS FOR A  
TEMPORARY TOTAL RATING UNDER SECTION 4.30 OF TITLE 38, CODE OF  
FEDERAL REGULATIONS**

---

**WHEREAS, with advances in modern medicine and increasing emphasis on more efficient use of health care resources, health care providers are being encouraged to utilize suitable alternatives to inpatient care; and**

**WHEREAS, as a consequence, veterans are often treated through home health services or convalesce at home rather than in the hospital, and**

**WHEREAS, convalescent ratings are currently only authorized where inpatient or outpatient treatment resulted in surgery or immobilization of a major joint by cast, and**

**WHEREAS, there are instances where the veteran's treatment did not involve surgery or casting of a major joint, but the veteran has undergone healing, convalescence, or a therapeutic course in the home, with a duration of more than 21 days, and**

**WHEREAS, exacerbation of a service-connected disability sometimes makes work activities contraindicated for periods of more than 21 days, and**

**WHEREAS, in such instances, the therapeutic course, convalescence, or restriction from work would occur in the home in lieu of hospitalization for more than 21 days; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports a change in 4.30 of Title 38, Code of Federal Regulations, to provide for a temporary total rating if treatment or exacerbation of a service-connected disability results in a condition of temporary total incapacity for employment or temporary unavailability for employment by reason of home health care or ambulatory care, bed rest or confinement to the home, or contraindication of work activities for more than 21 days, and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**MICHAEL SULLIVAN  
2<sup>nd</sup> Jr. Vice Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**

**RESOLUTION NO. 13**

**OPPOSE ANY CHANGE THAT WOULD REDEFINE SERVICE CONNECTED  
DISABILITY OR RESTRICT THE CONDITIONS AND CIRCUMSTANCES  
UNDER WHICH IT MAY BE ESTABLISHED**

---

**WHEREAS, current law authorizes service connection for disabilities  
incurred or aggravated during service in the United States Armed Forces in the line  
of duty; and**

**WHEREAS, various proposals have been made to limit service connection to  
disabilities caused directly by the performance of duty; and**

**WHEREAS, disability incurred in the line of duty is sometimes not directly  
due to a job injury but may be due to less obvious factors attributable to the Armed  
Forces environment; and**

**WHEREAS, proof of a causal relationship may often be difficult or  
impossible notwithstanding an inability to disassociate the disability from service-  
related factors; and**

**WHEREAS, current law equitable alleviates to onerous burden of  
establishing performance of duty or other causal connection as a prerequisite for  
service connection; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts  
Disabled American Veterans assembled in Department Convention at Leominster,  
Massachusetts, June 19-20, 2015, opposes changes in current law so as to redefine  
and restrict service connection, and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the  
National Convention of the Disabled American Veterans assembled in Denver,  
Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**HELEN BENNETT  
Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**





**RESOLUTION NO. 14**

**RECOGNIZE MILITARY VETERANS WHO WERE KILLED OR  
WOUNDED DURING THE EARLY PERIOD OF THE COLD WAR**

---

**WHEREAS, the DAV has always stood for the proper recognition and benefits of those who suffer a service connected death or disability; and**

**WHEREAS, not all members of the military who lost their lives or were injured from special circumstances were recognized during the early period of the Cold War; and**

**WHEREAS, President John F. Kennedy signed Executive Order 11016, "Authorizing Award of the Purple Heart," on April 25, 1962, for members of the military, and civilians who died or were injured without a formal declaration of war; and**

**WHEREAS, President Ronald W. Reagan signed Executive Order 12464, "Award of the Purple Heart," on February 23, 1984, for members of the military who died or were injured while serving outside the territory of the United States as part of a peacekeeping force, and as a result of an international terrorist attack;  
NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Fitchburg, Massachusetts, June 19-20, 2015, urges the recognition of military veterans who were killed or wounded during the early period of the Cold War by the issuing of the Purple Heart Medal; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**MICHAEL SULLIVAN  
2nd Junior Vice Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**

**RESOLUTION NO. 15**

**MINIMUM COMPENSATON FOR HEARING LOSS**

---

**WHEREAS, veterans of the armed services who served in combat have a high incident rate of hearing loss usually associated with acoustical trauma; and**

**WHEREAS, the general principle of disability compensation that ratings not be offset by the function artificially restored by prosthesis; and**

**WHEREAS, many veterans have incurred extreme hardships through acoustical trauma in service related to combat service or occupational duty; and**

**WHEREAS, hearing aids are considered a prosthetic device necessary for good quality of life; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-21, 2015, urge the Secretary of Veterans Affairs to amend the Schedule for Rating Disabilities to provide a minimum compensable evaluation for any service connected hearing loss for which a hearing aid is medically indicated; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**HELEN BENNETT  
Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**RESOLUTION NO. 16**

**SUPPORT AFFIRMATIVE ACTION FOR EMPLOYMENT OF DISABLED VETERANS BY FEDERAL AGENCIES AND FEDERAL CONTRACTORS**

---

**WHEREAS, federal agencies are required to have an affirmative action program to increase the employment of disabled veterans; and**

**WHEREAS, private businesses fulfilling significant contracts for federal work are required to adhere to veterans' preference laws; and**

**WHEREAS, the percentage of disabled veterans employed by the aforementioned agencies and contractors has been decreasing; and**

**WHEREAS, federal regulations and manuals should have provisions to ensure the intent of Congress is implemented; and**

**WHEREAS, without proper incentive, federal agencies will continue to disregard affirmative action plans for the employment of disabled veterans; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, urges Congress to enact legislation that provides enforcement measures to ensure that hiring officials fulfill existing veterans' preference laws and affirmative action plans; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**Michael Sullivan  
2<sup>ND</sup> Junior Vice Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 17**

**OPPOSE MEANS TESTING SERVICE-CONNECTED VETERANS FOR  
DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE**

---

**WHEREAS, Public Law 104-262 requires zero percent service-connected disabled veterans to be means tested in order to receive treatment in Department of Veterans Affairs (VA) medical facility; and**

**WHEREAS, countless thousands of veterans have relied on the ability to receive care at VA medical facilities for decades and now face the possibility of losing access to VA medical care because of income levels, consequently causing them undue financial hardship, pain and suffering; and**

**WHEREAS, these zero percent service-connected disabled veterans have been relegated to the lowest eligibility categories for care and, in some cases, below nonservice-connected veterans; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports the exclusion of service-connected disabled veterans from the requirements of means testing for treatment or service received at VA medical facilities and the inclusion of zero percent service-connected disabled veterans in Priority Group 3; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**HELEN BENNETT  
1<sup>st</sup> Junior Vice-Commander  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 18**

**CONSIDER TREATMENT FOR A PRESUMPTIVE SERVICE CONNECTED  
CONDITION AS A CLAIM FOR VA COMPENSATION**

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**WHEREAS, many service members have suffered from diseases that are  
recognized to be presumptive; and**

**WHEREAS, veterans suffering from diseases which include many types of  
cancer, as well as diabetes and other chronic diseases may not be aware that they  
may be eligible for service connection, even if they are being treated in a VA facility;  
and**

**WHEREAS, many VA medical facilities are not currently staffed or equipped  
to provide appropriate counseling to veterans or their families on how to file a claim  
for service connected benefits; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts  
Disabled American Veterans assembled in Department Convention at Leominster,  
Massachusetts, June 19-20, 2015, urge Congress to enact legislation requiring that  
treatment by the Department of Veterans Affairs (VA) for a condition or disease  
recognized as presumptively service connected will be considered to be an informal  
claim for service connection for compensation purposes; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the  
National Convention of the Disabled American Veterans assembled in Las Vegas,  
Nevada, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**Helen Bennett  
Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**RESOLUTION NO. 19**

**EXTEND ELIGIBILITY FOR VETERANS' MORTGAGE LIFE INSURANCE TO SERVICE-CONNECTED VETERANS RATED PERMANENTLY AND TOTALLY DISABLED**

---

**WHEREAS, Veterans' Mortgage Life Insurance is presently available to veterans entitled to the special adapted housing award under Section 2101(a) of Title 38, United States Code; and**

**WHEREAS, service-connected veterans rated as permanently and totally disabled cannot obtain mortgage life insurance through commercial insurance companies; and**

**WHEREAS, their widows and dependents must bear an undue hardship upon the death of such veterans, NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, urge Congress to enact legislation which would extend Veterans' Mortgage Life Insurance to service-connected veterans who are treated as permanently and totally disabled; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**WILLIAM VICINI  
1st Junior Vice-Commander  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 20**

**OPPOSE REDUCTION, TAXATION, OR ELIMINATION OF VETERANS' BENEFITS BY COMMISSION OR OTHERWISE**

---

**WHEREAS, veterans' benefits are earned benefits paid to veterans and their families for their service to the Nation; and**

**WHEREAS, veterans' benefits are part of a covenant between our Nation and its defenders; and**

**WHEREAS, certain government leaders have continued to attack veterans' benefits in an attempt to tax those benefits, reduce them, or eliminate them completely; and**

**WHEREAS, these attacks recur with regularity and serious intent; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, vigorously supports the protection of veterans' benefits from taxation, cutbacks, and elimination; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**WILLIAM VICINI  
1st Junior Vice Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 21**

**ELIMINATE THE DELIMITING DATE FOR ELIGIBLE SPOUSES AND  
SURVIVING SPOUSES FOR BENEFITS PROVIDED UNDER CHAPTER 35,  
TITLE 38, U.S. CODE**

---

**WHEREAS, dependents and survivors eligible for VA education benefits under Chapter 35, Title 38, U.S. Code, have ten years in which to apply for and complete a program of education; and**

**WHEREAS, this ten year period begins either from the date a veteran is evaluated by the VA as permanently and totally disabled from service-connected disabilities or ten years from the date of such veteran's death due to service-connected disability; and**

**WHEREAS, in many instances, because of family obligations or the need to minister to the veteran, spouses or surviving spouses may not have had an opportunity to apply for these benefits; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, seeks the enactment of legislation which would eliminate the delimiting date for spouses and surviving spouses for purposes of benefits provided under Chapter 35, Title 38, U.S. Code; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**HELEN BENNETT  
Commander  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**





**RESOLUTION NO. 22**

**RECOGNITION OF VIETNAM SERVICE**

---

**WHEREAS, Vietnam service is defined as duty service in Vietnam, contiguous waters and airspace during the period of 3 JUL 1965 through 28 MAR 1973; and**

**WHEREAS, Vietnam service is also extended during the period of 1 JUL 1958 through 4 JUL 1965 for those individuals, who had “boots on the ground” during the instructor/trainer period prior to deployment of American ground troops; and**

**WHEREAS, Flying Tiger Lines flight 739, disappeared over the Western Pacific Ocean, on 15 MAR 1962 after refueling on Guam, with all lives lost; and**

**WHEREAS, on board this flight were 93 Army Rangers and 3 Vietnamese Rangers en-route to Vietnam; and**

**WHEREAS, neither the service nor sacrifice of these soldiers has been recognized; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, supports all efforts to correct this injustice and to add to the Vietnam Memorial the names of these American soldiers; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**John V. Hogan, PDC  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 23**

**SUPPORTING VETERANS' PREFERENCE IN FEDERAL, STATE AND LOCAL  
EMPLOYMENT**

---

**WHEREAS, the Disabled American Veterans has strongly supported  
Federal, State, and Local veterans' preference laws; and**

**WHEREAS, attempts are being made to weaken, dilute, and circumvent  
existing veterans' preference laws; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts  
Disabled American Veterans assembled in Department Convention at Leominster,  
Massachusetts, June 19-20, 2015, supports veterans' preference in Federal, State,  
and Local employment; and**

**BE IT FURTHER RESOLVED that all levels of the DAV condemn any  
public official who speaks, writes or acts against Veterans' Preference; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the  
National Convention of the Disabled American Veterans assembled in Denver,  
Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**DANIEL P. STACK  
Department Adjutant  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 24**

**SUPPORT LEGISLATION TO AMEND MGL'S DEFINITION OF "UNEMPLOYABILITY" TO BE CONSISTENT WITH TITLE 38 OF FEDERAL LAW AND THEREBY PERMIT MARGINAL EMPLOYMENT**

---

**WHEREAS, Title 38, U.S.C. Section 4.1 et. Seq. of the Federal Statutes and Massachusetts General Law (MGL) as regards the definition of veterans' "unemployability" differ; and**

**WHEREAS, the interpretation of "unemployability" under MGL is sometimes interpreted more restrictively (for example the MA Dept of Revenue and some local assessors) than under the Federal Statutes; and**

**WHEREAS, the dollar value of disability benefits under Federal Statutes is barely at subsistence levels; and**

**WHEREAS, the onset of the computer age and "home offices" make it feasible for some disabled veterans to provide compensable services for a modest remuneration; and**

**WHEREAS, Title 38, Section 4.17 38 CFR Ch. 1 establishes a very modest earnings limit under its veterans' "unemployability" provisions ((Veterans who have been "awarded" 100% Total Disability based upon Individual Unemployability (TDIU) can only earn up to the Maximum Annual Pension Rate (MAPR-U.S. Dept of Commerce, Bureau of the Census, poverty threshold. Marginal employment may also be held to exist, on a facts found basis (includes but is not limited to employment in a protected environment such as a family business or sheltered workshop which is currently \$846 per month or \$10,152 annually and still be eligible to receive their 100% TDIU...)); and**

**WHEREAS, it is the intent of both the Federal Government and the State of Massachusetts to ensure that its veterans have sufficient funds to live in dignity; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015 supports legislation to amend MGL's definition of "unemployability" to be consistent with Title 38 of Federal Law and thereby permit marginal employment as described above.**

**Respectfully submitted,**

**WILLIAM VICINI  
1<sup>st</sup> Junior Vice-Commander  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**FOR MASSACHUSETTS ONLY**



## **RESOLUTION NO. 25**

### **SUPPORT LEGISLATION TO PROVIDE FOR A REASONABLE TRANSITION PERIOD FOR ALL SERVICE-DISABLED VETERAN- OWNED SMALL BUSINESSES TO RETAIN THEIR FEDERAL PROTECTED STATUS FOLLOWING THE DEATH OF THE DISABLED VETERAN**

---

**WHEREAS, section 308, Public Law 108-183, the Veterans Benefits Act of 2003 established a procurement program for Service-Disabled Veteran-Owned Small Business (SDVOSB); and**

**WHEREAS, Executive Order 13360, Contracting with Service-Disabled Veterans' Businesses, directs all Federal agencies to provide opportunities for SDVOSBs to increase their Federal contracting and subcontracting opportunities; and**

**WHEREAS, Public Law 109-461, the Veterans Benefits, Health Care, and Information Technology Act of 2006 established a "Veterans First Contracting Program" specifically for the Department of Veterans Affairs (VA) to increase business opportunities with the VA for SDVOSBs; and**

**WHEREAS, SDVOSBs and other small businesses are the focus of Public Law 111-240, the Small Business Jobs Act of 2010 (SBJA 2010), which provides enhanced opportunities for SDVOSBs to compete for Federal project and subcontracting opportunities; and**

**WHEREAS, the SDVOSB small business category has encouraged many disabled veterans to take the personal risk of establishing small businesses with the support of their families, their own personal financial resources, the VA and, in some cases, commercial institutions; and**

**WHEREAS, these SDVOSBs have created new job opportunities for American citizens and, in many cases, have hired other disabled veterans and veterans during very challenging economic times; and**

**WHEREAS, by passing the SBJA 2010, the Federal government acknowledges that it is essential to create and grow small businesses in order to create new jobs and help the country recover from a most severe recession and provide for future job growth; and**

**WHEREAS, the SDVOSB category requires the disabled veteran to own at least 51 percent of the stock in the business and remain active in the day-to-day operations of the business in order for the business to maintain its SDVOSB status; and**

**WHEREAS, the enabling legislation for the SDVOSB program does not currently include a provision dealing with the treatment of the business after the death of the veteran owner; and**

**WHEREAS, since loss of the company's SDVOSB status would put the disabled veteran's investment, family heirs, and employees at severe risk due to either downsizing or closing the business due to loss of Federal procurement opportunities and thus, laying off the workers; and**

**WHEREAS, section 8127 (h)(2)(C), Public Law 109-461, (specifically for the VA only) allows for a ten-year transition period to a surviving spouse of a 100 percent**

**disabled veteran or a veteran who dies as a result of a service-connected disability; and**

**WHEREAS, allowing the surviving spouses or heirs of disabled veterans to have a reasonable transition period for the SDVOSB program would help to maintain the jobs created by the SDVOSBs for disabled veterans, veterans and other employees and will not unduly put these individuals at increased financial risk and hardship due to likely job loss or downsizing of the business; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster Massachusetts June 19-20, 2015, supports the enactment of legislation that will provide for a reasonable transition period for all SDVOSBs, not covered by Public Law 109-461, to retain their SDVOSB status with the Federal government following the death of the disabled veteran via a surviving spouse, children, or heirs and thus, allowing the business to restructure over time without necessarily downsizing, laying off workers, or closing down; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**DANIEL P. STACK**

**Adjutant**

**DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_DISAPPROVED\_\_\_\_\_APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 26**

**SUPPORTING AFFIRMATIVE ACTION FOR DISABLED VETERANS**

---

**WHEREAS, those who wear the Uniform of the United States are themselves a very small percentage of the population; and**

**WHEREAS, DISABLED VETERANS are an even smaller percentage still; and**

**WHEREAS, many DISABLED VETERANS are behind their contemporaries in Education, employment and housing solely due to their service connected disabilities and suffer under certain preconceived prejudices surrounding the military; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, seeks and strongly supports all efforts through legislative and/or executive branch channels the inclusion of all DISABLED VETERANS as a protected class under Affirmative Action Laws; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Las Vegas, Nevada, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**HELEN BENNETT  
Commander  
DAV Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**

**RESOLUTION NO. 27**

**SUPPORTING CARE FOR DISABLED VETERANS WITH TRAUMATIC BRAIN INJURIES**

---

**WHEREAS, Service members are still being deployed to areas where they are at risk for experiencing blast exposure from improvised explosive devices (IEDs), suicide bombers, landmines, mortar rounds, rocket-propelled grenades and similar weapons systems; and**

**WHEREAS, The most prevalent blast injuries soldiers are sustaining are traumatic brain injuries (TBI); and**

**WHEREAS, A recent Centers for Disease Control/National Institutes of Health study found about 40 percent of those hospitalized with a TBI had at least one unmet need for services one year after their injury; and**

**WHEREAS, The overarching problem faced by the Department of Defense (DOD) and the Department of Veterans Affairs (VA) is identifying symptoms resulting from TBI which are often difficult to definitively diagnose and document and which may not be immediately evident; and**

**WHEREAS, DAV is extremely concerned that failure to identify and treat TBI in a timely manner can have extremely negative effects on the Veteran's quality of life and contributes to numerous other hindrances; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015, seeks and strongly supports adequate funding and staffing in order to provide the care for all DISABLED VETERANS having sustained blast related brain injuries and the co-morbid injuries that will either immediately, or over time, accompany them; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.**

**Respectfully submitted,**

**MICHAEL SULLIVAN  
2<sup>nd</sup> Junior Vice-Commander  
DAV Department of Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 28**

**SEEKING A DEPARTMENT OF VETERANS AFFAIRS FUNDED  
COMPREHENSIVE RESEARCH STUDY INTO BIRTH DEFECTS AND OTHER  
CONDITIONS OF THE CHILDREN OF MALE VIETNAM VETERANS EXPOSED  
TO AGENT ORANGE**

---

**WHEREAS, the VA presumes that certain birth defects in the biological children of female Viet Nam Veterans were caused by military service when the birth mother served in Vietnam between February 28, 1961 and May 7, 1975 may receive benefits for children with birth defect; and**

**WHEREAS, these conditions include Achondroplasia, Cleft lip and cleft palate, Congenital heart disease, Congenital talipes equinovarus (clubfoot), Esophageal and intestinal atresia, Hallerman-Streiff syndrome, Hip dysplasia, Hirschprung's disease (congenital megacolon), Hydrocephalus due to aqueductal stenosis, Hypospadias, Imperforate anus, Neural tube defects, Poland syndrome, Pyloric stenosis, Syndactyly (fused digits), Tracheoesophageal fistula, Undescended testicle and Williams syndrome; and**

**WHEREAS, the three listed requirements are that the children in question are biological children of a woman Vietnam Veteran who served in Vietnam during the period beginning February 28, 1961 and ending on May 7, 1975. Were conceived after the date on which the Veteran first entered the Republic of Vietnam. Have a covered birth defect, which resulted in a permanent physical or mental disability; and**

**WHEREAS, this set of presumptive disabilities for children is only available to female veterans; and**

**WHEREAS, the 1984 CDC study suggest that the dioxin present in Agent Orange caused neural tube defects in offspring by either mutating a gene or chromosome on the sperm before fertilization, or the dioxin was transmitted with the sperm; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-20, 2015 seeks a Department of Veteran Affairs funded Comprehensive Research Study into birth defects and other conditions (listed above) of the children of MALE Vietnam Veterans exposed to Agent Orange.**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

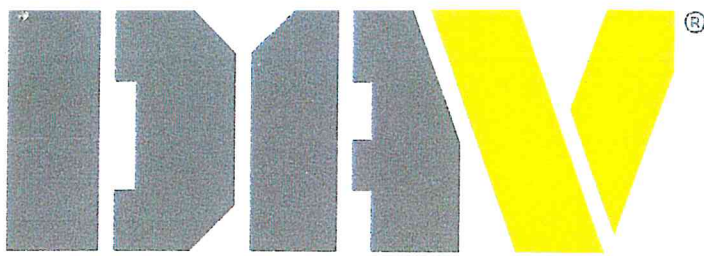


**Respectfully submitted,**

**MICHAEL SULLIVAN  
2<sup>nd</sup> Junior Vice Commander  
DAV, Boston, Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED



**RESOLUTION NO. 29**

**INCREASE ABATEMENT FOR 100% SERVICE CONNECTED DISABILITY**

---

**WHEREAS, 100% disabled veterans realize cost of living increases that recognizes PAST increases and do not anticipate increases in the real cost of living from the time of the increase until the time of the next; thus they are always behind the curve; and**

**WHEREAS, their need for medical expenses are far greater than the general population or even the non-disabled veterans population and the increase in medical costs rises to the tune of 300% to 600% of the cost living; and**

**WHEREAS, they received very limited cost of living this past few years;  
NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, and June 19-21, 2015 supports the enactment of legislation to increase the real estate abatement of 100% service-connected veterans.**

**Respectfully submitted,**

**J. Carlton McCauley  
Northern District #4  
Disabled American Veterans  
Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**STATE OF MASSACHUSETTS ONLY AND THEREFOR NOT TO BE  
FORWARDED TO NATIONAL CONVENTION**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED



**RESOLUTION NO. 30**

**VARO RE-ESTABLISH THE FORMER SIMPLE FORM SYSTEM FOR ABATEMENTS**

---

**WHEREAS, the VA entered into an agreement with the Commonwealth of Massachusetts decades ago; and**

**WHEREAS, the VA provided a simple certificate form; and**

**WHEREAS; the veteran's privacy was protected; and**

**WHEREAS; there was no confusion with local officials in the city and town halls who administer the abatements; and**

**WHEREAS, this program worked for over one-half of a century; and**

**WHEREAS, somebody at the VA has broken the agreement and have imposed a national "one size fits all" letter; the veteran's privacy is brooked, confusion reigns, and disabled veterans are being hurt; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 19-21, 2015 supports the system which has worked over 50 years and have the local VARO re-establish the former system for proof of veterans abatement.**

Respectfully submitted,

**J. Carlton McCauley**

**Northern District #4**

**Disabled American Veterans**

**Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**STATE OF MASSACHUSETTS ONLY AND THEREFOR NOT TO BE  
FORWARDED TO NATIONAL CONVENTIO**



**RESOLUTION NO. 31**

**SUPPORT LEGISLATION TO AMEND MGL'S DEFINITION OF "UNEMPLOYABILITY" TO BE CONSISTENT WITH TITLE 38 OF FEDERAL LAW AND THEREBY PERMIT MARGINAL EMPLOYMENT**

---

**WHEREAS, Title 38, U.S.C. Section 4.1 et. Seq. of the Federal Statutes and Massachusetts General Law (MGL) as regards the definition of veterans' "unemployability" differ; and**

**WHEREAS, the interpretation of "unemployability" under MGL is sometimes interpreted more restrictively (for example the MA Dept of Revenue and some local assessors) than under the Federal Statutes; and**

**WHEREAS, the dollar value of disability benefits under Federal Statutes is barely at subsistence levels; and**


**WHEREAS, the onset of the computer age and "home offices" make it feasible for some disabled veterans to provide compensable services for a modest remuneration; and**

**WHEREAS, Title 38, Section 4.17 38 CFR Ch. 1 establishes a very modest earnings limit under its veterans' "unemployability" provisions Veterans who have been "awarded" 100% Total Disability based upon Individual Unemployability (TDIU) can only earn up to the Maximum Annual Pension Rate (MAPR)-U.S. Dept of Commerce, Bureau of the Census, poverty threshold. Marginal employment may also be held to exist, on a facts found basis (includes but is not limited to employment in a protected environment such as a family business or sheltered workshop which is currently \$846 per month or \$10,152 annually and still be eligible to receive their 100% TDIU; and**

**WHEREAS, it is the intent of both the Federal Government and the State of Massachusetts to ensure that its veterans have sufficient funds to live in dignity; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in State Convention at Leominster, Massachusetts, June 19-21, 2015 supports legislation to amend MDG's definition of "unemployability" to be consistent with Title 38 of Federal Law and thereby permit marginal employment as described above.**

Respectfully submitted,



**J. Carlton McCauley  
Northern District #4  
Disabled American Veterans  
Department of Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**STATE OF MASSACHUSETTS ONLY AND THEREFOR NOT TO BE FORWARDED TO  
NATIONAL CONVENTION**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 32**

**INCREASE DISABILITY COMPENSATION**

---

**WHEREAS, it is historical policy of the Disabled American Veterans that this Nation's first duty to veterans is to provide for the rehabilitation of its wartime disabled; and**

**WHEREAS, the percentage ratings for service-connected disabilities represent, as far as can be practicably determined, the average impairment in earning capacity resulting from such disabilities in civil occupations; and**

**WHEREAS, compensation increases should be based primarily on the loss of earning capacity; and**

**WHEREAS, disabled veterans who are unable to work because of service connected disabilities should be entitled to compensation payments commensurate with the after-tax earning of their able-bodied contemporaries; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 supports the enactment of legislation to provide a realistic increase in Department of Veterans Affairs (VA) compensation rates to bring the standard of living of disabled veterans in line with that which they would have enjoyed had they not suffered their service-connected disabilities.**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 33**

**SUPPORTING FUNDING FOR VA PROSTETICS  
AND SENSORY AID SERVICE**

---

**WHEREAS, The number of veterans needing the services of the Veterans Health Administration's (VHA) Prosthetics and Sensory Aide's Service (PSAS) has grown by 1800 percent over the past five years; and**

**WHEREAS, the number of veterans needing PSAS care and services is projected to continue to rise due to our aging veteran population and the injuries veterans are returning with from current and recent conflicts; and**

**WHEREAS, the prosthetics program continues to lack consistent administration of prosthetics services throughout the VHA; and**

**WHEREAS, any item or device that goes in a veteran, on a veteran or a veteran uses is defined as a prosthetic device by the Department of Veterans Affairs; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports the proper growth in appropriated funds for PSAS in the VA budget; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**RESOLUTION NO. 34**

**SUPPORTING AFFIRMATIVE ACTION FOR DISABLED VETERANS**

---

**WHEREAS, those who wear the Uniform of the United States are themselves a very small percentage of the population; and**

**WHEREAS, DISABLED VETERANS are an even smaller percentage still; and**

**WHEREAS, many DISABLED VETERANS are behind their contemporaries in Education, employment and housing solely due to their service connected disabilities and suffer under certain preconceived prejudices surrounding the military; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports all efforts through legislative and/or executive branch channels the inclusion of all DISABLED VETERANS as a protected class under Affirmative Action Laws; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**

**RESOLUTION NO. 35**

**SUPPORTING CARE FOR DISABLED VETERANS WITH TRAUMATIC BRAIN INJURIES**

---

**WHEREAS, Service members are still being deployed to areas where they are at risk for experiencing blast exposure from improvised explosive devices (IEDs), suicide bombers, landmines, mortar rounds, rocket-propelled grenades and similar weapons systems; and**

**WHEREAS, The most prevalent blast injuries soldiers are sustaining are traumatic brain injuries (TBI); and**

**WHEREAS, A recent Centers for Disease Control/National Institutes of Health study found about 40 percent of those hospitalized with a TBI had at least one unmet need for services one year after their injury; and**

**WHEREAS, The overarching problem faced by the Department of Defense (DOD) and the Department of Veterans Affairs (VA) is identifying symptoms resulting from TBI which are often difficult to definitively diagnose and document and which may not be immediately evident; and**

**WHEREAS, DAV is extremely concerned that failure to identify and treat TBI in a timely manner can have extremely negative effects on the Veteran's quality of life and contributes to numerous other hindrances; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports adequate funding and staffing in order to provide the care for all DISABLED VETERANS having sustained blast related brain injuries and the co-morbid injuries that will either immediately, or over time, accompany them; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**





**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

RESOLUTION NO. 36

**MODIFICATION OF WORDING TO PUBLIC LAW 113-146**

WHEREAS the current law states eligibility as living more than 40 miles from a Military Healthcare FACILITY and

WHEREAS Community Based Outpatient Clinics are considered VA Healthcare Facilities and

WHEREAS CBOCs have never had the capacity for surgery, pharmacy dispensing, chemotherapy, Xrays, Radiation, etc.

THEREFORE BE IT RESOVED that the wording be modified from VA Medical Facility to nearest VA Medical Center/Hospital by the Department of Massachusetts Disabled American Veterans assembled at Leominster, MA, support legislation to amend PL 113-146 to support this wording change; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015, for their action and support.

Respectfully Submitted,

Kristina Meservey, Junior Vice-Commander, Chapter 96,

DAV Department of Massachusetts.

**DAV Department of Massachusetts**

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_

TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 37**

**SUPPORTING THE GENDER EQUALIZATION OF CERTAIN PRESUMPTIONS  
REGARDING CONGENITAL BIRTH DEFECTS**

---

**WHEREAS, the VA presumes that certain birth defects in the biological children of female Viet Nam Veterans were caused by military service when the birth mother served in Viet Nam between February 28, 1962 and May 7, 1975 may receive benefits for children with birth defect; and**

**WHEREAS, these conditions include Achondroplasia, Cleft lip and cleft palate, Congenital heart disease, Congenital talipes equinovarus (clubfoot), Esophageal and intestinal atresia, Hallerman-Streiff syndrome, Hip dysplasia, Hirschprung's disease (congenital megacolon), Hydrocephalus due to aqueductal stenosis, Hypospadias, Imperforate anus, Neural tube defects, Poland syndrome, Pyloric stenosis, Syndactyly (fused digits), Tracheoesophageal fistula, Undescended testicle and Williams syndrome; and**

**WHEREAS, the three listed requirements are that the children in question are biological children of a woman Vietnam Veteran who served in Vietnam during the period beginning February 28, 1961 and ending on May 7, 1975. Were conceived after the date on which the Veteran first entered the Republic of Vietnam. Have a covered birth defect, which resulted in a permanent physical or mental disability; and**

**WHEREAS, this set of presumptive disabilities for children is only available to female veterans; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports the gender equalization of these presumptions; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**RESOLUTION NO. 38**

**SUPPORTING DAV TRANSPORTATION NETWORK SURVIVAL**

---

**WHEREAS, The DAV Transportation Network, which provides free transportation to veterans in every state and nearly every congressional district; and**

**WHEREAS, in 2013, we will donate 110 vans to VA medical centers; and**

**WHEREAS, From 1987 to 2012, we have donated 2,586 vans at a cost to DAV of nearly \$57 million; with more since and**

**WHEREAS, last year, our more than 9,000 volunteer drivers logged more than 27 million miles transporting nearly 800,000 veterans to and from their medical appointments; and**

**WHEREAS, this program is made possible by the donation of money and time from the public and our membership and the appearance of these vans attract both new members and such donations NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports a provision in all cases of van donations that such vehicles may be used by the DAV for parades and such public functions in order to help continue this program; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 39**

**SUPPORTING THE DISABLED VETERAN OWNED BUSINESSES**

---

**WHEREAS, The program of contracts for Disabled Veteran Owned Businesses on a preferential basis should be of a great assistance to Disabled Veteran Owned Businesses who hire Disabled Veterans; and**

**WHEREAS, we are aware of problems involving the non payment of contracts; and**

**WHEREAS, when these Disabled Veterans Owned Businesses complain they have there payments reduced, are threatened with being “blackballed from future contracted and/or threatened with being put out of business; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports The immediate payment of all completed contracts that are unpaid for more than one year, the expeditious payment of all unpaid completed contracts, and an Investigation of the Gangster Tactics used against our Comrades by an INDEPENDENT PROSECUTOR.; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**



**RESOLUTION NO. 40**

**SUPPORTING TREATMENT FOR MILITARY SEXUAL TRAUMA**

---

**WHEREAS, the Department of Veterans Affairs (VA) reports an estimated 23.6 percent of veterans (22.4% - women and 1.2% - men) have reported experiencing sexual trauma during their time of service; and**

**WHEREAS, military sexual trauma (MST) victim services and legal support systems within Department of Defense (DOD) are broken and do not take the victim's confidentiality or best interest in mind; and**

**WHEREAS, the effects of untreated MST can be devastating to the overall health of veterans and in the successful transitioning back into their families and communities; NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports the mandate for the VA to continually improve its MST treatment programs and to disseminate evidence-based clinical practice guidelines to clinicians who care for veterans who have suffered from MST; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ APPROVED AS AMENDED \_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION \_\_\_\_\_**



**FULFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

**RESOLUTION NO. 41**

**SUPPORTING FRAUD PREVENTION CONTROLS OVER  
SERVICE-DISABLEDVETERAN-OWNED SMALL BUSINESS PROGRAM**

---

**WHEREAS, The Service Disabled Veteran- Owned Small Business Program (SDVOSB) designed to steer \$4 billion in government contracts to businesses owned by disabled military veterans has allowed over \$90 million to be fraudulently awarded to ineligible companies; and**

**WHEREAS, The Small Business Administration failed to properly check applicants before awarding contracts and failed to take action on disabled veterans complaints of abuse; and**

**WHEREAS, testimonies presented by the United States Government Accountability Office identified millions of dollars of SDVOSB contracts awarded to ineligible firms; and millions of dollars of SDVOSB contracts awarded to ineligible firms ,NOW**

**THEREFORE, BE IT RESOLVED that the Department of Massachusetts Disabled American Veterans assembled in Department Convention at Leominster, Massachusetts, June 18-21, 2015 seeks and strongly supports the Investigation, prevention and monitoring controls and to insure that fraud is aggressively prosecuted or companies are suspended, debarred or other wise held accountable; and**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National Convention of the Disabled American Veterans assembled in Denver, Colorado, August 8-11, 2015 for their action and support.**

**Respectfully submitted,**

**Anita Reed, PDC  
Chapter #25 Adjutant  
Lowell, Massachusetts**

**APPROVED\_\_\_\_\_ DISAPPROVED\_\_\_\_\_ APPROVED AS AMENDED\_\_\_\_\_**

**TO BE FORWARDED TO NATIONAL CONVENTION\_\_\_\_\_**