

Advisory Committee on Former Prisoner of War (ACFPOW) – Meeting Notes

Date: Tuesday, September 20, 2022

Time: 1:00pm-4:00pm EDT

Facilitator: Julian Wright, Designated Federal Officer (DFO)
E. Maquel Marshall, Alternate DFO

Attendees: Lucretia McClenney(phone), Umar Awan, Dr. John Albano, Earl Newsome, James W. Williams, Joe Milligan, Kailyn Bobb, Karen Black, Marion Sherman, E. Maquel Marshall, Michael Ramos, Jeffrey Moragne, Yareli Revve-Mendoza, Marion “Tony” Marshall, Julian Wright, Frank Wijngaarde (note taker), James Stokes, Jelessa Burney (ACMO), John “Mike” McGrath, and Norman McDaniel

Start time: 1:00pm EDT, meeting not recorded

Business Meeting Opening – Julian Wright, DFO and E. Maquel Marshall, Alternate DFO

- Julian-introductions, thank you, welcome, agenda
- Maquel-welcome, excited to be back, encourage collaboration amongst all attendees, happy birthday announcement, excited to close out fiscal year

Chairmans Welcome- Earl Newsome, Chairman, ACFPOW

- Welcome, no face-to-face since Dec. 2019, New members and old members - slides from last year was given to all members, FPOW 2,730. Sent revised request for headstone and marker form and is also on VA website

Around the Room - ACFPOW Committee members introductions

- Earl Newsome - currently proud to serve as Chairman for FPOW, retired in 2017 from VA, former Deputy Director for Center of Minority Veterans. Currently resides in Texas and also serves as a Chairman for Veterans Services Advisory Committee of the Texas Commission
- Tony Marshall - FPOW in Vietnam, happy to be on committee
- Harry Corre - not on call
- Norman A. McDaniel - FPOW in Vietnam-had difficulty initially joining the meeting



- Dr. Joseph Milligan - FPOW in North Vietnam for 6 years, on committee for quite some time, lives in San Antonio, Texas
- James Williams - FPOW March 73 came home 213 days, retired Air Force in 1995, retired teacher. Honorary Captain for the Falcons and this past August, he teamed up with Jessica Lynch (another FPOW) and was honored by the White Sox for baseball game
- Dr. John P. Albano - director for Robert E. Mitchell Center for FPOW studies in Pensacola, FL. Retired Flight Sergeant. Metro Center is now open for business.
- Karen E. Black - Cole Black's widow of 7-year FPOW. She retired as a state elder and financial attorney and is a novelist
- James. E. Stokes - currently living in Michigan and lives in Florida. Served 32 years of active service and retired in 201. Retired from OPM, commander in Persian Gulf War. Last active assignment had oversight for state of Michigan and federal funds. Serves as the Coach of the committee
- Lucretia McClenney - *no comment*
- Dr. Marion Sherman retired from VA as a physician on FPOW Care and benefits team in Loma Linda. Taught on the faculty
- John "Mike" McGrath - FPOW had difficulty logging into meeting
- Dr. Kailyn Bobb - Air Force Veteran, currently licensed clinical psychologist and is a teacher at the master's level (new member)
- Yareli Mendoza - 5th year doctoral student at Univ. of Iowa. Doing research on Veterans, served 5 years in Air Force, deployed to Iraq and Afghanistan (new member)

Presentation

Greeting from the Advisory Committee Management Office (ACMO) – Jeffrey Moragne, Director Advisory Committee Management Office (ACMO)

Mr. Moragne reviewed the Federal Advisory Committee Act (FACA) and provided the committee members-particularly the new members useful information about advisory committees. FACA is a federal statute that governs the establishment, termination, and management of Federal Advisory Committees (FAC). FACA applies to all groups with at least one non-Federal employee established or utilized by an agency to obtain advice or recommendations, unless an exception applies. The Federal Advisory Requirements are as follows: signed/filed charter; Designated Federal Officer (DFO); public meetings



with agenda announced in Federal Register 15 days in advance of the meeting with opportunity for public to speak or submit written questions; a balanced membership, which includes a Veteran constituency is FPOWs and non-FPOW professionals; and records maintained and available for public inspection. Mr. Moragne also explained the meetings such as the criteria that constitutes a FAC meeting: A published Federal Register Notice of Meeting; a DFO; a FACA Committee that meets in person, virtual or through tele-and videoconference and provides advice or recommendations; a quorum unless otherwise established in the Committee's charter or legislation; and an approved agenda. Per FACA, there are three common exemptions to "close" a meeting: discussion of classified information; reviews of proprietary data submitted in support of Federal grant applications; and deliberations involving considerations of personal privacy (Veterans' PII, VA Medical Center, VA national cemetery, and regional office tours).

During advisory committee administrative meetings, the committee members can discuss the following: conduct FACA session with Jeffery Moragne; conduct ethics training session; provide/obtain the SGE self-certification statements from members; review, discuss, and complete financial disclosures form 450s; vendorize committee member in VA systems; discuss research; finalize meeting agenda; finalize travel plans; and finalize meeting logistics. They are NOT allowed to engage in discussing any reports or recommendations because this is not a regular FAC meeting.

Finally, Mr. Moragne provided the committee with best practices, which included mastering the committee calendar, knowing your role in the committee, forming subcommittees, mastering meeting mechanics such as presentations, cross committee collaboration, engaging subject matter experts, conducting annual field visits, using VA Library services, and asking your DFO for guidance about ethical issues.

Questions for Mr. Moragne:

New committee member Mr. McGrath's, historian of Vietnam FPOWs, had questions about the number of FPOWs listed on an Office of Enterprise Integration (OEI) PowerPoint presentation from the 2021 Fall ACFPOW meeting. Mr. Grath believes the numbers of FPOWs in the slide deck are over inflated. Note: Chairman Newsome provided the committee the slide deck prior to the meeting.

Mr. Moragne explained to Mr. Grath that his roles as the Director of ACMO is to provide guidance and support to the Department of Veterans Affairs' (VA) Federal advisory



committees. Julian added that the committee will circle back to data later in the meeting where the review of the 2020 recommendations.

Meeting Break - 1:56pm

Meeting Resumed - 2:01pm

Update/Status of 2020 ACFPOW Recommendations - Umar Awan, FPOW Program Analyst with OTED Introduction, Julian Wright, DFO, E. Maquel Marshall, Alternate DFO

Recommendation 1

The Department of Veterans Affairs, National Center for Veterans Analysis and Statistics (NCVAS), shall update the NCVAS Pocket Card with the “Estimated Number of American Former Prisoners of War,” as of 9/30/2020, by the end of the third quarter of FY 2021, and subsequently, update this information on an annual basis.

Task #1 Add estimated number of FPOW to the Pocket Card

Update: Umar Awan, OTED FPOW Program Manager provided an update that OTED obtained data from the Performance Analysis & Integrity (PA&I) and provided OEI - Complete as of 09/09/2021.

-VA has numbers who are service-connected which mix with surviving spouses, FPOW Flash is verified

Part of recommendation 1 is *OEI to incorporate data received from VBA into the NCVAS Pocket Card*. Chairman Newsome explained reason for pocket card- Pocket card shows # of Veterans in large categories. The overall discussion on recommendation 1 was “who is the keeper of the FPOW numbers- DOD, NAMPOW, or VA?” The DFO explained that VA is not the source authority for FPOW data; conversely, VA has the numbers on who is receiving benefits. DFO presented Pocket Card on screen, so committee members could see how the pocket card look.

Responses from the committee was Mr. McGrath who indicated that 662 FPOWs in Vietnam got out alive, 391 alive today and 21 in Desert Storm and 20 alive today. Mr. McGrath stated fraud, waste and abuse is an important reason to have accurate numbers. Mr. Awan informed the committee that VBA’s FPOW numbers from the OEI PowerPoint slides included the survivors in an effort to address Mr. Grath’s claim that



VBA's numbers were inflated. Mr. Awan suggested that have another agency such as Department of Defense (DOD) become an Ex-Officio to the committee.

Chairman Newsome reread part of the ACFPOW charter that referenced- VA is to improve service to FPOWs and survivors, the reason for the card is to improve services. Mr. McGrath again suggested that VA is giving benefits to Veterans claiming to be FPOWs, but they are not including POS flash for survivors. Mr. Grath indicated that as a member of NAM-POW, he works with DOD to reconcile the list of FPOWs, and he offered to provide the committee with list of living FPOWs, which included PII. The Alt DFO asked Mr. Grath to not share the list as it has PII. Dr. Sherman said WWII Veterans do not have their info listed as FPOW, and she also indicated that the list Mr. McGrath wanted to send the committee was on the website.

Earl suggested Mike to work on subcommittee regarding numbers/data. James Stokes asked Mike when were the last FPOW numbers validated and how? Mr. Grath indicated that he works with DOD's Defense POW/MIA Accounting Agency to compile FPOW data. Mike is showing 662 alive, 271 passed away, 391 currently alive from Vietnam. Mike has never received a name from VA to share FPOW data, and he has not VA FPOW data after years of submitting requests. DFO explained that VA will not share Veteran's data due to privacy concerns. To ensure FPOWs and survivors are receiving VA benefits and services, the committee wants VA to provide them with information. The goal of outreach would be to reach those living FPOWs to enroll them in VHA care and access VBA benefits. The Outreach Letter and FPOW Fact Sheet can be disseminated to both internal and external stakeholders i.e., Veterans Service Organizations (VSO), State Department of Veterans Affairs (SDVA), County VSOs (CVSO), ACMO, the committee members of ACFPOW. Mike can give to NAMPOW for outreach efforts

Recommendation 2

The National Cemetery Administration (NCA): The Department of Veterans Affairs, National Cemetery Administration shall add a specific checkbox termed "POW" in an appropriate placement on VA Form 40-1330 for future inscriptions and include a POW headstone or marker in the illustrations, when the form is updated subsequent to its December 31, 2020, expiration.

Update: National Cemetery Administration (NCA) updated VA Form 40-1330, closed recommendation is closed as of 08/29/2022. Left POW and FPOW on the application



Recommendation 3

The Department of Veterans Affairs, Veterans Benefits Administration shall develop an accurate demographic review of living Former Prisoners of War through collaboration with other departments (e.g., the Department of Defense, the Social Security Administration, etc.), which results in listing/count of living American Former Prisoners of War (FPOW) as of 9/30/2020. The review to be provided by the end of the first quarter of FY2021.

Update: Mr. Awan updated the committee that VBA is not the data source for FPOW data other than FPOW Veterans receiving benefits. Mr. Awan informed committee that data of FPOW Veterans in receipt of benefits have been provided to OEI in order to update the pocket card.

Discussion of Future Meeting Dates/Locations- Julian Wright, DFO, E. Maquel Marshall, Alternate DFO, and Earl Newsome, Chairman

The DFO and Alt DFO informed the committee that the upcoming meetings will either be in-person, virtual or hybrid. This was to reiterate the comments from Mr. Moragne who stated that meetings should either be in-person or hybrid. The Alt DFO explained that upcoming meetings will be in Houston Hybrid Nov.16th-18th, April 2023- date TBD Boston, and August 2023- Washington, DC date TBD. Chairman Newsome asked if administrations in Houston have confirmed, and DFO stated that confirmation from the committee was needed before moving ahead with planning. Chairman Newsome request that OTED confirm the Houston meeting, so committee members can prepare. If November is not possible, committee can look at January. Hybrid options would consider travel restrictions due possible bad weather. Chairman Newsome recommends that OTED submits the request for VHA support to 10N, which will contact the Veterans Integrated Services Network (VISN) over the Michael E. DeBakey VA Medical Center.

Karen Black asked whether committee members will be able to schedule their travel, and she request that committee member be allowed to make reservations if possible. The Alt DFO reviewed travel process and was informed by the VA Travel Office that committee members should not be allowed to schedule their own travel. Now that the committee has 14 members, OTED will process them as soon as possible and OTED will communicate with committee members about booking. The travel days are the day before and after (09/15 and 09/18). The Alt DFO will investigate travel reimbursement



in lieu of OTED booking reservations. However, guarantees cannot be made at this time.

Also, Chairman Newsome, noted that future site visits should include a high number of FPOWs. “We need to go where they are.” The committee will also look at VHA Directive 1650, which focuses on the Care and Benefits Team (CBT).

Dr. Marion Sherman asked if the ACFPOW would visit the Robert E. Mitchell Center for Repatriated Prisoners of War (RPW) because it was on the list for the committee to do a site visit. DFO informed committee that the Mitchell Center will possibly be added to the list for future site visits. It was removed since the Mitchell Center was closed, so OTED shifted to Houston as a site location. Mitchell Center is now fully opened.

FPOW Outreach letter and Fact Sheet

Fact Sheet

The DFO provided an overview/update of the FPOW fact sheet. After this meeting, VBA will publish fact sheet by the end of the calendar year. The committee updated the fact sheet, and it will be disseminated to all community partners, VSOs. Internal and external partners. James Stokes inquired whether the fact sheet would be shared with State Department of Veterans Affairs, and the DFO confirmed that it will be sent to state and county VSOs as well as internal and other external stakeholders. The fact sheet was sent to the committee prior to the meeting for edits/comments.

Outreach Letter

The latest version now includes surviving spouse information. Added identification as a surviving spouse of a FPOW. The outreach letter was sent to the committee prior to the meeting for edits/comments.

Questions about fact sheet and outreach letter:

- Question: Mr. McGrath had question if widows are eligible for VA benefits.
 - DFO explained that surviving spouse are for Dependents Indemnity Compensation (DIC) benefits. CHAMPVA was mentioned as a healthcare option surviving if they meet the eligible criteria. The outreach letter will concentrate on VBA benefits



- Question: Chairman Newsome asked -Can VA letter indicate the requirements that their disability cannot be decreased?
 - The DFO will investigate this for review
- Question: Dr. Albano- Can VA provide addresses and info on Veterans?
 - The DFO reiterated that we cannot send Veteran information due to privacy concerns

Open Committee Updates Questions/Discussion

Chairman Newsome explained that there's a gap in field about assigning POW to a treatment team. Chairman Newsome asked question to FPOWs on call. San Antonio has a POW clinic. Concern: FPOWs are not assigned to specific care teams treatment teams at the VAMC. Chairman Newsome urged FPOWs on the committee to tell the committee if changes are happening in the field. Dr. Sherman suggested exploring a strategy that would address how FPOWs receive care in medical centers and make the necessary changes to accommodate decreasing numbers of those Veterans. Mr. Stokes recommended getting a FPOW contact list, and the DFO reminded the committee that the issue of privacy would prevent VA from disclosing that information. As another topic to consider, Dr. Albano suggested that VA redesign the healthcare model for FPOW care to include end-of-life care. It would be a matter of if we get FPOW numbers to determine the best way to provide assistance and care. Dr. Sherman added that numbers may be misleading because some FPOWs may be in nursing homes.

Administrative Updates 3:25pm – E. Maquel Marshall, Alternate DFO

Public Comments

Mr. Marshall explained that this meeting was advertised in the Federal Register, and the public had the opportunity join the call and submitted questions in advance. At the time of the meeting, there are no comments this meeting. May get some in the future.

Financial Briefing

Mr. Marshall provided the committee with a financial briefing on the processing of stipend payments and travel coordination for ACFPOW meetings. Mr. Marshall also explained that financial agreements (vendorization forms) must be signed by committee



members, so travel arrangements can be made in Concur. Committee members were asked to return travel forms ASAP.

Some of the other information that was provided to the committee members was regarding the \$195 Stipend, days the committee meets only, information about travel days for committee members, and MI&E per diem received for travel. Mr. Marshall indicated that there block rooms, members to pay out of pocket for their hotel rooms and they will be reimbursed. In addition, Mr. Marshall explained that when committee members check out of the hotel, they should get two receipts and provide one to the DFO or Alt DFO. For committee members who travel to the meetings, Mr. Marshall informed them that they will also receive a per diem for meals and incidentals such as for transportation if they take an Uber or taxi.

Finally, Mr. Marshall informed the committee that there will be an administrative meeting in October to discuss the logistics and details for the November meeting-date to be determined.

Questions/Discussion

Mr. Tony Marshall: Can tentative dates be added on the calendar for FY 23 (April and August)?

- The DFO indicated that the committee can have a discussion during the administrative meeting in October and the November meeting to confirm dates for the April and August
- Mr. Williams asked if his name goes in the “vendor name” block of the VA 10091 form
- Mr. Mulligan- Vendor form question about bank address. No record of letter of invite for today’s meeting
- Dr. Sherman asked a question about traveling on a different day
 - Dr. Sherman informed the DFO and Alt DFO that she would join virtually the first day and in-person the remaining days. Mr. Marshall informed Dr. Sherman that they would need to discuss after the call to discuss arrangements



ACFPOW Meeting Closing

The DFO and Alt DFO closed the meeting with thanking all of the members and welcoming the new members, and Chairman Newsome thanked everyone for attending and welcomed the new members.

Julian Wright

Julian Wright

Designated Federal Officer

Earl S. Newsome III

Earl Newsome

Advisory Committee on Former Prisoners of War (FPOW) Chairman

