

FEDERAL BAR ASSOCIATION
VETERANS AND MILITARY LAW SECTION

MINUTES OF THE BOARD OF DIRECTORS MEETING
APRIL 9, 2019

Persons Present: Alan Goldsmith, Walter Kroptavich, Jim Richardson, Chase Johnson, James Downey, Stephen Newman, Dawn Kennedy, Frank McGovern, John Wells, Dave Acerra (FBA), Alea Al-Aghbari (FBA)

Call to Order: Alan Goldsmith called the meeting to order at 3:03 pm.

Chair's Report: Alan Goldsmith had submitted a written report prior to the meeting which is attached to these minutes. He updated the report by noting that no letter had yet been sent to the Court of Appeals for Veterans Claims inviting the Court to hold a hearing at the 2020 FBA Annual Meeting and Convention, but he would follow up on this in the next few days. He also asked Dave Acerra to continue in his attempts to track the \$3,000 check that the Section received from the FBA Foundation that cannot be located. Dave replied that he needed to touch base with Board member Hillary Wandler on this, but thought the issue would be resolved shortly.

Vice Chair's Report: Walter Kroptavich had submitted a written report prior to the meeting which is attached to these minutes. He also suggested to Stephen Newman that an article be submitted to *The Federal Lawyer* or our newsletter concerning a recent case in the Court of Federal Claims pertaining to military retirement. They agreed to discuss this matter offline but agreed in principle that such an article would be a good idea.

Secretary's Report: No report.

Treasurer's Report: Chase Johnson had submitted a written report prior to the meeting which is attached to these minutes.

Immediate Past Chair's Report: No report.

CLE Committee Report: No report.

Membership Committee Report: James Downey reported that the most recent statistics from FBA showed Section membership at 177. James, Jim Richardson and Dave discussed how the Section could identify FBA members who are veterans and target them for membership. They agreed to work on this issue.

Military Law Committee Report: No report.

Veterans Law Committee Report: No report.

Communications Committee Report: Dawn Kennedy reported that the draft of the next newsletter had been approved and should be released to the Section members by FBA in the very near future. She noted that this issue was somewhat light on content, and discussion then ensued about how we might get more individuals to submit articles for publication. Alan urged all Board members to think about writing for the newsletter, and encourage other Section members to do so. Dawn said that given the

late release of the most recent newsletter, the deadline for the next issue should probably be in June or July

Issues Agenda Nomination/Matthew Feehan: Alan then directed the Board's attention to the Issues Agenda Nomination submitted by Matthew Feehan that had been referred to the Section for comment by FBA Government Relations Counsel Bruce Moyer. In his nomination package, Mr. Feehan requests that the FBA take a position against further deregulation of the Forever GI Bill and against further deregulation of military benefits in education. He also argues for a private right of action for military veterans enrolled in academic programs. In this regard, Mr. Feehan points out the problem of military veterans enrolling in certain for-profit educational institutions and the losing out when these institutions fail or do not provide the necessary instruction. He also emphasizes the problem of veterans being used to offset the current "90/10" rule. After a brief discussion, Jim Richardson moved that the Section favorably endorse Mr. Feehan's Issues Agenda Nomination. Stephen Newman seconded the motion and it passed unanimously.

Issues Agenda Nomination/Bankruptcy Law Section: Alan then brought up the Issues Agenda Nomination submitted by the Bankruptcy Law Section and referred to the Section by Bruce Moyer which asks the FBA to support legislation amending the Bankruptcy Code to eliminate the distinction between Social Security benefits, which are excluded from the code's definition of "current monthly income," and all benefits paid to veterans based on their military service, which are not so excluded. Dawn Kennedy moved that the Section favorably endorse this issues agenda nomination. Stephen Newman seconded the motion and it passed unanimously.

Section Co-Sponsorship with Younger Lawyers Division (YLD) of Summer Intern Event: Walter Kroptavich reported on his ongoing efforts with YLD to co-sponsor an event with them in connection with the summer intern program. Although the exact nature of the program to be targeted is uncertain, Walter moved for approval of a \$250 expenditure in support of such a co-sponsorship. Frank McGovern seconded the motion and it passed unanimously.

Section Co-Sponsorship with Federal Career Service Division (FCSD) of CLE at 2019 FBA Annual Meeting: Alan reiterated his desire to put on a reprise of the CLE program on assisting veterans that was successfully staged in Puerto Rico last November at this year's annual meeting and convention and noted that FCSD had expressed interest in co-sponsoring. He noted that the program, or various individual presentations of the program, would have to be approved by the FBA committee empowered to select CLE programs for the annual meeting. Frank McGovern moved to authorize going forward with efforts to have the CLE program approved for the annual meeting and convention and to co-sponsor with FCSD. Jim Richardson seconded the motion and it passed unanimously.

Section Sponsorship of "Troop Tango": Frank McGovern went over the request for sponsorship of Troop Tango and referenced the documentation that was previously submitted to the Board, which is attached to these minutes. He then moved that \$250 be expended to sponsor this project. Jim Richardson seconded the motion and it passed unanimously.

Adjournment: The meeting was adjourned at 3:45 pm.