



Vietnam Veterans of America

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A Not-For-Profit Veterans Service Organization Chartered by the United States Congress

Vietnam Veterans of America National Board of Directors Meeting August 7, 2012 Approved by Board

President John Rowan called to order the meeting of Vietnam Veterans of America National Board of Directors on Tuesday August 7, 2012, at 3:00 pm, at the Omni Mandalay Hotel in Irving, TX. National Treasurer Wayne Reynolds delivered the opening prayer which was followed by a moment of silence and the Pledge of Allegiance.

The National Secretary conducted the roll call of the National Board of Directors. Present were:

John Rowan, President	Ken Holybee	Dick Southern
Fred Elliott, Vice President	Joe Jennings	Dan Stenvold
Bill Meeks, Secretary	Allen Manuel	Nancy Switzer *
Wayne Reynolds, Treasurer	John Margowski	Pastor Toro
Bob Barry	Sara McVicker	Sandie Wilson
Pat Bessigano	John Miner	Herb Worthington
Tom Burke *	Tom Owen	Jerry Yamamoto
Richard DeLong	Felix Peterson	
Marsha Four	Jackie Rector	

** AVVA President is a non-voting member of the National Board of Directors*

**Tom Burke representing the Conference of State Council Presidents*

Excused: Fr. Phil Salois & Charlie Montgomery

Also present: Joseph A. Sternburg, CFO, and Mike Swift, Parliamentarian.

Preliminary Business

President Rowan acknowledged members or family of members who passed and noted Butch Huber's medical issues that resulted in his hospitalization.

Secretary Meeks submitted a motion to accept the agenda.

Motion 1

To accept the BOD meeting agenda as amended.

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

Secretary Meeks submitted a motion to accept the BOD meeting minutes:

Motion 2

To accept the BOD meeting minutes from April 20, 2012 in Silver Spring, MD.

Without objection motion passed.

Yes: 22

No: 0

Non Vote: 1

Not Present: 1

National President/J. Rowan

President Rowan submitted a written report and here is that report:

On April 24th Herb Worthington and I met with Ed Vick, a VN vet and retired advertising CEO. We discussed VVA's branding possibilities and improvements in our public profile.

On April 26th I sat in on a radio discussion on Fox Radio with Col. Oliver North on the 50th Anniversary Commemoration of the Vietnam War.

On April 27th I attended my chapter's elections (chapter 32).

On May 6th I attended a V-E Day Commemoration with the French War Veterans (Federation Des Ancient Combattants Francais) at the Church of Saint Vincent De Paul in NYC.

On May 7th I attended the Robin Hood Foundation's Veterans Summit on the Intrepid in NYC. This brought together numerous civic, business, and military leaders to discuss the activities on behalf of the returning veterans. Retired Admiral Mike Mullin was one of the chairs. RHF has committed \$14million for pilot programs to assist veterans.

May 11-12th I attended the Buckeye State Council Convention in Sugar Creek, OH. It was a very informative convention with great attendance.

On May 15th I swore in the new officers in Chapter 82 in Hicksville, NY.

May 18-19th I attended the Region 1 Conference in Bennington, VT. As usual it was a great conference.

On May 22ND I attended A Veterans Health Council meeting in DC. VP Elliot and Treasurer Reynolds were in attendance.

May 26-28th Mariann and I attended the Memorial Day Service at the Wall which was the National Announcement and Proclamation Ceremony for the Vietnam War Commemoration. Along with other speakers President Obama made a great speech thanking Vietnam veterans for our service.

June 4th I attended an Ohio/Pennsylvania Veterans Committee meeting in Pittsburgh, PA called by the United Mine Workers Union. This was a spin-off from the work done by Dave Simmons and the WVSC. UMW's Secretary/Treasurer Dan Kane and other UMW officers were in attendance. I look forward to successful collaborations between VVA and the UMW regarding veterans' health issues and veterans' benefits.

On June 9th I attended the Maryland State Council meeting in Bel Air, MD and presented them with a 25th Anniversary Certificate. I later swore in the newly elected officers.

June 15-16th Mariann and I went to the NYSC meeting in Owego, NY.

On June 20th I attended a meeting of the NYC Veterans Advisory Board.

On June 21st I attended the National Housing Conference's Housing Person of the Year Gala in DC. They were honoring veterans' programs, including Volunteers of America, the Home Depot foundation, Operation Homefront, Cloudbreak Communities, and US Vets run by Steve Peck, a VN vet and good friend.

June 29th - July 2nd The Moving Wall was in Juniper Park which is four blocks from my house. Chapter 32 was involved and I was the main speaker at both the opening and closing ceremonies.

On July 16th Pat Toro and I met with Rep. Joseph Crowley to brief him on the issues in Puerto Rico. He agreed to set up a meeting in DC with several interested Representatives.

On July 24th Carl Tuvin, Pat Toro and I met in the Capital with Representatives Joe Crowley, Jose Serrano, Nydia Velazquez from NY and PR Rep. Pedro Pierluisi and his aide. We briefed them on the problems in Puerto Rico. Rep. Pierluisi clarified some issues with the VA hospital construction but agreed that there were not enough services for veterans suffering from PTSD. He stated that the VA is promising to add 14 mental health staff. We told them that they must insure that these people are utilized properly and the PTSD services expanded. Later the aide sent us various stats and info from the VA.

The next day I attended a staff meeting in the office.

On August 4th I will be attending the 30th Anniversary of the Vermont Vietnam Vets Memorial.

National Vice President/F. Elliott

Vice President Elliott provided a written report and here is that report:

April 18-21: Attended the National Board meeting.

April 27: Presented the VVA Achievement Medal to Chapter 20 member, Chuck Macaluso at Chapter 20's annual dinner.

May 4: Attended the Monroe County, NY County Executive's Veterans Advisory Committee meeting.

May 18-20: Marie and I attended the Region 1 conference in Bennington, Vermont where I talked about the Convention Resolutions process and the faces of Agent Orange project.

May 21-22: Traveled to Silver Spring for the monthly staff meeting and attended the Veterans Health Council meeting.

June 9-11: Marie and I attended the West Virginia State Council meeting in Charleston, West Virginia where I swore in the newly elected state council officers and participated in an Agent Orange Town Hall meeting.

June 16: Attended the New York State Council meeting.

June 20-21: Flew to Silver Spring to hold the monthly staff meeting.

June 27-30: Marie and I attended the California State Convention.

July 4: Marched in a local parade with Chapter 20.

July 13: Attended the Monroe County, NY County Executive's Veterans Advisory Committee meeting.

July 17: Attended the Vietnam Veterans Memorial Board meeting in Rochester.

July 25: traveled to Silver Spring for the monthly staff meeting and a meeting about the software conversion to iMIS.

July 28: Marie and I attended a local concert for the Wounded Warrior Project.

August 1: Began the process to hold an Agent Orange Town Hall meeting in Rochester.

National Secretary/B. Meeks

Since Secretary Meeks' activities relate to other items on the agenda, he provided a very brief verbal report and noted he had presented a seminar on a Secretary's duties at the VVA Region 9 Conference in Las Vegas, NV.

National Treasurer/W. Reynolds

Treasurer Reynolds provided a written report and here is that report:

Since my last report to the Board in April I have been active on your behalf. I have attended two staff meetings at the National Office and been in frequent contact with staff on Financial and Contractual matters and made several trips to Silver Spring.

The planning and budget oversight for the National Leadership Conference have been undertaken with the view of how this event will influence decisions for future Leadership Conference. In that effort, I have appointed a Working Group to review the contractual obligations for this Conference and the Contract for 2014. The Board of Directors will soon be deciding of where we go or what we do in 2016. I will be providing data and information to everyone prior to that decision. I believe the BOD must not just select a site but carefully review any contracts.

I represented VVA during Memorial Day festivities in Washington. I attended the Memorial Day Concert, which was terminated for the first time in over 60 years, and went to a reception at the Capitol. My invitation as VVA Treasurer to Breakfast at the White House was a significant recognition of the contributions of VVA to those who we memorialize on this Holiday. I was the representative of VVA at Arlington Cemetery where President Obama spoke and then I laid the VVA Wreath at the Tomb of the Unknown Soldiers.

Continued trips to our Silver Spring office have been made to coordinate better service and more accurate reporting. I was with President Rowan when Carol Engle submitted her resignation. We conducted meetings with the Membership Department and included Membership Chair, Charlie Hobbs, and National Secretary, Bill Meeks with telephonic conferencing. We believe that meeting will resolve some membership reporting issues for VVA and AVVA. We also met with the Finance Staff and made decisions to make these reports more understandable and timely. The Budget to Actual Reports will now be more Financial Reports than Accounting Reports.

The Region 9 Conference invited me to be a presenter and I attended their meeting in Las Vegas. The meeting was well attended and Dick Southern kept everything on schedule. We named our new Chapter in Huntsville, Alabama after Medal of Honor recipient Leo Thorsness and I presented the award and swore in the officers.

I have worked closely with a number of Committees on issues. The Public Affairs Committee received a significant donation, the Membership Committee has expressed needs that we have attempted to satisfy, the Benefits Committee have been receiving money from a 501c3 and the Finance Committee has been reviewing the Budget to actuals, Chapter Suspensions and Financial Policies.

All of your national Officers work closely together. I communicate with John Rowan, Fred Elliott and Bill Meeks very after by Phone and email. We have faced staff duties definition and reassignment.

Reports

Associates of Vietnam Veterans of America/ N. Switzer

AVVA President Switzer provided a written report and here is that report:

I am excited to have been asked to become a member of the Survivors Forum which will be on a quarterly basis. On our teleconference on June 1st, Nancy Lansing, Deputy Director for Benefits Assistance Service (BAS) spoke and provided an organizational chart of the Veterans Administration and how it breaks into three administrations, Veterans Health administration (VHA), Veterans Benefits Administration (VBA) and National Cemetery Administration (NCA). She also provided an explanation of three areas/ways that the BAS reaches Survivors: 1) Through an Outreach Team, the BAS attends targeted outreach events to educate people on Survivor benefits; 2) Quality and Training maintains oversight over public contact activities and interactions with survivors; and 3) Web and

Social Media: use of media outlets like Facebook and Twitter to aid in notifications, announcements, advertise outreach events, etc.

General Allison Hickey, Under Secretary for Benefits, explained eBenefits accounts are now accessible through self-service logons. General Hickey introduced Dave McLenachen, the new Director in Pension and Fiduciary Service, who has been tasked on how to get a handle on improved DIC performance. She stated that widows and orphans are on the radar and the drive behind this tasking. She discussed how the benefits will be a way for survivors to fully connect to the VA community. They will be able to track status, get their loved one's records, old claims, personnel documents like DD-21, etc.

Scott Bell, program Analyst, VA office of Survivors Assistance explained that his office brings survivor questions and concerns into the Office of the Secretary. There will be a link for surviving spouses and dependent on the VA website www.va.gov.

Keith Hancock, Compensation Service, legislative staff, gave recent updates on legislative issues. Christi Greenwell, Assistant Director, Outreach and Client Services, Benefits Assistance Service explained the VA Dental Insurance program for Veterans and Survivors. The VA proposed to amend its regulations to establish a pilot program to offer premium-based dental insurance to enrolled veterans and certain survivors and dependents of veterans. The VA would contract with private insurer through the Federal contracting process to offer dental insurance, and the private insurer would then be responsible for the administration of the dental insurance plan. The VA's role would primarily be to form the contract with the private insurer and verify the eligibility of veterans, survivors, and dependents.

Don Murphy, chief, memorial Service Program, national Cemetery Administration talked on memorial program services. Mark War, program Manager, office of the Deputy Assistant Secretary of Defense was very pleased that the Survivors Forum was back on track.

It was very exciting to hear of all the work that these individuals are doing to increase awareness of benefits that our veterans and their families are due. If anyone would like a copy of the minutes, I would be glad to send them to you.

Conference of State Council Presidents/T. Burke

Tom Burke spoke about Charlie Montgomery's illness. He noted that there are twenty-two (22) new State Council Presidents and how information on travel days and reservations will need to be distributed for the upcoming National BOD meeting in October. New Presidents must sign an SF-180 Form and may submit to Charlie Montgomery or him ASAP. The CSCP will hold their elections at their October meeting.

Finance Committee Report

Committee Chairman Ned Foote presented the following motions out of committee:

Motion 3

To rescind Motion 5, October 7, 2006 – Use of Unbudgeted Revenue Policy.

USE of UNBUDGETED REVENUE POLICY

10/7/06

Background:

VVA Cost Center managers have been and are regularly encouraged to solicit donations to provide additional support for their Cost Centers. In addition, VVA is moving into a new era to increase revenue by way of increased advertising in the VVA Veteran and to generate revenue from the VVA web site as well as other related areas. The current VVA financial policies and procedures do not address a simplistic method of easily taking advantage of this "new" revenue. Thus, the purpose of this policy.

Procedure:

The VVA budget process encompasses the period January through April of each year with the process beginning at the VVA Board of Directors meeting in January and culminating with the VVA board meeting in April and budget approval. Beginning with the VVA budget process for FYE 2-28-09 (January 2007), Cost Center managers who expect to take advantage of additional "unbudgeted revenue" will submit an auxiliary budget along with their regularly submitted budget. This auxiliary budget will require justification, will be dependent solely upon unbudgeted revenue, will be considered secondary to the regular budget, and will go through the VVA budget process as with any other budget submission.

Implementation:

Upon the VVA Board of Directors approval of the any fiscal year budget, any "auxiliary" budgets included within that approval will be considered approved by the board and not require any further board approval however, it will need final VVA Treasurer approval. Cost Center managers who have approved auxiliary budgets may use these budgets at their discretion after their regular budget has been expensed. Cost Center managers will e-mail the VVA Treasurer for final approval. The VVA Treasurer, in turn, will check with the VVA CFO to ensure that the regular budget has been expensed and verify that "unbudgeted revenue" has in fact been received; will then notify the Cost Center manager with approval; and finally, will notify the VVA Board of Directors of such approval.

The Cost Center budget will then be amended to reflect such approval.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Motion 4

To approve Use of Restricted Donations Policy. USE OF RESTRICTED DONATIONS POLICY Approved Motion #4, August 7, 2012

Background:

VVA Cost Center managers have been and are regularly encouraged to solicit donations to provide additional support for their Cost Centers. Such donations may be used for one time / one year projects or may be used for an ongoing multi-year project covering two or more years. This policy addresses the procedures Cost Center managers must use to request approval to spend donations directed to their cost center.

Donations to a Cost Center may be general donations which can be used for any approved purpose within that Cost Center or may be donated for specific projects or uses within a specific Cost Center. When use of the money is specified, the Cost Center Manager must comply with the instructions of the donor. Therefore, it is essential that when Cost Center Managers solicit or know that VVA is going to receive a donation designated for a specific purpose/project, they must inform the VVA President and CFO of the donor's name and the specific purpose for which the donation is restricted. Any donations which are not designated as restricted to a specific purpose/project by the donor will be considered general donations.

Policy:

Advance approval is required prior to expending any funds donated for the use of a specific cost center. Unspent donations will pass over to the following year and remain available.

Restrictions on use of restricted donations

- a. Expenditures in excess of available funds may not be approved.
- b. Restricted donations may not be used to supplement operational expenses ordinarily funded by the VVA National operating budget such as National Office staff salaries or similar budgeted expenses. Travel by National Office staff may be funded by donations only 1) as requested in the justification to expend the donated funds, and 2) when such travel is approved by the VVA President or, in the case of foreign travel, the VVA Board of Directors.

Procedure:

1. Requesting use of restricted donations

- a. Cost Center managers who wish to use restricted donations must submit a request to the Finance Committee, via the VVA CFO, containing the purpose(s) for which the funds were donated; the amount of funds available; and a detailed justification and budget specifying how the funds will be used.

b. Upon receipt of a request to expend restricted donations, the Chair, Finance Committee will request confirmation from the Chief Financial Officer that the funding contained in the request is available.

c. The Finance Committee may approve expenditures up to the amount of funding available. When requests are time sensitive and needed before the next regularly scheduled meeting of the Finance Committee, the Chair may poll the Committee members by e-mail. Disapprovals may be appealed to the BOD.

d. The Cost Center budget will be amended to reflect the approval with the funds added to the appropriate account. Donations solicited/received for specific projects will be tracked by designating a sub-cost center.

e. If approved expenses are less than anticipated, unused funds will return to Cost Center's donated funds balance and will continue to remain available until used.

f. Cost Center managers who have obtained approval to spend donations may use these funds ONLY for the purpose(s) indicated in their justification and not for any other use.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Consent Calendar

Secretary Meeks submitted the following motion to approve the Consent Calendar:

August 7, 2012 - Consent Calendar Motions

Motion 5

To accept the Consent Calendar.

- To remove completed/outdated Financial BOD Motions.
- To add Charlie Montgomery and Dottie Barickman as members of the Suspension Workgroup.
- To revoke the charter of Chapter 121 FL, 1026 FL & 797 TN. At the request of the FL & TN SCP: The FL & TN SC has done all they needed to do to keep the Chapters and the efforts failed to rejuvenate the membership.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Open Discussion

Report on the Puerto Rico Trip: On May 16, 2012, VVA At Large Director Pastor Toro along with VVA Region 4 Director Robert Barry and Marc L. McCabe, VVA Bureau Chief of the St. Petersburg Florida VARO traveled to Puerto Rico to get a firsthand look at the operation and status of the Department of Veterans Affairs Regional Office and the Medical Center. Our guide for this visit was

Jorge Pedroza, VVA Puerto Rico State Council President. The team provided a detail report on their findings along with personal observations on the problems which exist in the VA Caribbean Healthcare System.

VVA Suspension for NO Financial Reporting: Secretary Meeks presented a White Paper document outlining in his opinion the problems which might be involved for excessive VVA suspensions for NO financial reporting: 1) submittal of a financial report; 2) required content for a completed financial report; 3) delivery issues at VVA; and 4) proposed content of a financial report. He stressed the need for discussion by the membership, the chapters and the state councils pertaining to VVA Financial Reporting.

Unfinished Business

Code of Disciplinary Policy & Procedures: Secretary Meeks noted the Code Rewrite Workgroup has begun the drafting of the rewrite and will have a draft ready for review before the October BOD meeting.

VVA/AVVA Logo Policy: Secretary Meeks noted that the revised policy is with the copyright lawyer and should be ready for approval at the October BOD meeting.

New Business

Secretary Meeks presented the following motion:

Motion 6

To approve the VVA BOD Policy on Issuance of Petition for a Charter as a VVA Chapter.

1. Purpose of This Policy. The purpose of this policy is to clarify the procedure to be followed when there is an appeal of either: (1) a refusal to issue a petition for a charter (“Chapter Start-up Kit”) or (2) a refusal by a State Council and/or the Corporation to approve a petition for a charter as a chapter in VVA.

2. Policy of the VVA National Board of Directors (BOD) on the Issuance of a Petition for a Charter (“Chapter Start-up Kit”). In March 1992 the VVA National BOD stated in Motion #12: *“That Chapter Start-up Kits only be sent to State Membership Chair or State President or Regional Director in states without State Council.”*

3. Provisions in the VVA Constitution Applicable to Submission and Approval of a Petition for a Charter as a Chapter in VVA. The VVA Constitution, Article III Chapter Provisions, and Section 1 – Chapter Formation states: *“Twenty-five (25) members in good standing may petition for a charter. Upon receipt of the petition, the corporation and appropriate State Council shall determine if the petitioning members have adopted the standards and policies of Vietnam Veterans of America, Inc., as set forth in this document and State Council By-Laws. Upon completion of these steps, the Corporation shall authorize the incorporation of the chapter as a non-profit corporation in the state of incorporation. Within sixty (60) days following incorporation, the chapter will be presented with a charter recognizing them as a duly authorized chapter of the corporation. State law, in the state of*

incorporation, may require other documentation. In the event a chartering petition is denied, the petitioning members may appeal to the National Board of Directors.”

4. Procedure for Appeal to the VVA National BOD. Upon receipt of a written appeal of denial of a petition for a charter by a State Council and/or the Corporation, the VVA National Secretary will request a written justification from the individual who denied the petition for presentation to the BOD for consideration on the appeal. The BOD will provide a timely written recommendation on the appeal within twenty (20) days of receipt of the appeal.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Report of the Suspension Workgroup: Director McVicker presented the following motions:

Motion 7

The VVA Board of Directors, under the provisions of the VVA Constitution, Article IV, Section I, Paragraph A, will relieve all Chapters from the responsibility of filing verification of 990-N submission (when eligible to file a 990-N) with their VVA Financial Report for the fiscal year ending 2-28-2011.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Motion 8

The VVA Board of Directors, under the provisions of the VVA Constitution, Article IV, Section I, Paragraph A, will relieve Chapters which have filed IRS Form 1024 requesting reinstatement of their tax-exempt status from the responsibility of filing VVA Financial Reports for the fiscal year in which they filed the Form 1024 and the 3 preceding fiscal years. Such chapters also will be exempt from filing 990-Ns until their tax-exempt status is reinstated or application for reinstatement is denied. However, in fiscal year ending 2-28-2013 and each subsequent fiscal year, Chapters which have not received a decision from the IRS must file a VVA Financial Report Form (without verification of 990-N submission when eligible to file a 990-N).

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Report on an Estate Gift of Texas Property: Secretary Meeks provided the Board members with a detailed report on his investigative trip to the property location which included maps, photos, tax information and he also provided information on the availability of utilities to the property.

MOA Between VVA and BVA: Director Margowski presented the following motion:

Motion 9

To approve an MOA between Vietnam Veterans of America and Blinded Veterans Association as amended.

MEMORANDUM OF AGREEMENT (MOA) BETWEEN

VIETNAM VETERANS OF AMERICA

AND

BLINDED VETERANS ASSOCIATION

WHEREAS, Vietnam Veterans of America (VVA) and Blinded Veterans Association (BVA) are committed to providing the highest quality representation to veterans and their families in their pursuit of claims for Federal benefits;

WHEREAS, VVA and BVA maintain veterans service representation programs that provide claims representation to veterans and their families before the U.S. Department of Veterans Affairs (VA) regional offices (RO), the Board of Veterans' Appeals;

WHEREAS, both VVA and BVA believe that their respective service representation programs can be greatly enhanced by combining their specialized knowledge, experience and resources; and ***WHEREAS***, VVA and BVA desire to maximize the advantages of online service representative training and support;

NOW, THEREFORE, the parties hereby agree as follows:

I. Dual Accreditation.

A. VVA will seek VA accreditation as a VVA Service Officer (SO) for those individuals who hold VA accreditation as an accredited BVA Field Service Representatives (FSR), as recommended by BVA's National Field Service Director, for the purpose of handling veterans claims under the VVA Power of Attorney.

B. BVA will seek VA accreditation as a BVA "National Service Officer (NSO)" for those individuals who hold VA accreditation as a VVA Service Officer, as recommended by VVA's Director of its Veterans Benefits Program, for the purpose of handling veterans claims under the BVA Power of Attorney. The title "Field Service Representative (FSR) will not be used for dually-accredited VVA SO's as the title FSR is reserved for the FSRs who are employed directly by BVA).

C. VVA's Director of its Veterans Benefits Program and BVA's National Field Service Director (hereinafter collectively referred to as "the directors") shall consult with each other as necessary to facilitate the dual accreditation process. Each party will be required to provide evidence that the individual nominated for dual accreditation is then-currently accredited by the

VA and, upon request, that such individual has the knowledge and ability to represent claimants commensurate with the other party's standards.

D. The directors shall have the right to decline to seek VA accreditation for any individual on behalf of their respective organizations, however, upon request, the director taking such action shall be required to provide to the nominating director a prompt explanation, either verbally or in writing, for declining to proceed with such accreditation. A party whose candidate for accreditation has been declined shall have the opportunity to request an informal reconsideration of that decision and to provide evidence in support of its position. Although the parties agree that the aforesaid discretion will be judiciously exercised, each party will have the ultimate authority to decide whom it will, or not, accredit without violating the terms of this Memorandum of Agreement (Agreement). To facilitate the party's determination of whether reconsideration should be sought, the party may require that the declining party provide its explanation in writing.

E. The parties agree to furnish each other with any documentation necessary to support an application for VA accreditation.

F. Except for F(1) & F(2), all BVA policies that apply to BVA Field Service Representatives (FSRs), including policies adopted after execution of this agreement, apply to VVA Service Officers who are accredited by BVA; similarly, all VVA policies that apply to VVA Service Officers, including policies adopted after execution of this agreement, apply to BVA FSRs who are accredited by VVA.

F. (1) An exception to paragraph F. shall apply when the exception is agreed to in writing by the VVA Director, Veterans Benefits Program, and the BVA National Field Service Director. Such exceptions must be attached to this MOA, and become incorporated with it. Such exceptions may be rescinded by either party provided 30-day written notice by certified mail is provided to the other party. Such notice must also be attached to this MOA and become incorporated with it.

F. (2) BVA Policies requiring an accredited BVA Field Service Officer be legally blind veteran is expressly waived for those candidates who are accredited VVA Service Officers seeking dual-accreditation by BVA.

F. (3) BVA will provide VVA a copy of all BVA policies that apply to BVA FSRs, including policies adopted after the execution of this agreement; similarly, VVA will provide BVA a copy of all VVA policies that apply to VVA Service Officers, including policies adopted after the execution of this agreement. The parties will provide one another advance notice of and opportunity to consult regarding proposed changes in these policies.

G. The parties emphasize that, as paragraph I.F indicates, BVA, in accordance with its policies and VA regulations, has the right to suspend or revoke its BVA accreditation of a VVA Service Officer; similarly, VVA, in accordance with its policies and VA regulations, has the right to suspend or revoke its VVA accreditation of a BVA FSR.

H. Ownership of Work Product and Working Files. The parties agree that VVA owns the work product and working files created and maintained under the Vietnam Veterans of America Power of Attorney; similarly, BVA owns the work product and working files created and maintained under the BVA Power of Attorney. Any VVA work product or working files created by BVA FSRs on shall be submitted to VVA for any reason within ten (10) business days upon advanced written notice sent via certified mail by the VVA Veterans Benefits Program Director. Any BVA work product or working files created by VVA SO's shall be submitted to BVA for any reason within ten (10) business days upon advanced written notice

sent via certified mail by the BVA Field Service Director. In the even the work product or working files are in electronic format, they shall be submitted either in an electronic format readable by the other party, or printed and submitted via paper copy. I. The parties agree to maintain policies of legal malpractice insurance that will extend coverage to VVA Service Representatives and BVA FSOs who become dually accredited under this Agreement. Proof of malpractice insurance coverage shall be furnished to either party upon request.

Each party shall notify the other within ten (10) business days if there is any change in their legal malpractice coverage.

II. Training And Support.

A. Website and Training. The www.benefitsforum.org website is the current domain name used for accredited VVA's Service Officers who have been granted access by the VVA Director of Veterans Benefits. The parties hereby agree full-time BVA Field Service Representatives who are dually-accredited by BVA and VVA shall have access to www.benefitsforum.org at no cost to BVA. However, BVA's Volunteer National Service Officers (VNSOs), and BVA Field Service Representatives (who are not accredited by VVA) may be granted access on a case by case basis at the sole discretion of the VVA Director of Veterans Benefits. Both parties agree VVA is solely responsible for the implementation and maintenance of this website, and holds ownership and copyright of all its content and material. Although this is a VVA service officer resource website, both parties agree BVA or BVA Representatives may offer contributions of material for use on the website or for other purposes such as training, but such material intended for the website must be posted by VVA and is subject to the approval of the BVA Director of Field Service Program, VVA Director of Veterans Benefits, and VVA Director of Communications, and is subject to the VVA Policy on Use of VVA and AVVA Marks.

A. (1). Both parties agree that any material BVA or BVA Field Service Representatives or other BVA Staff provide to VVA for posting on the website (currently www.benefitsforum.org) or for other purposes such as training is granted to VVA as an unlimited, non-exclusive, royalty-free, world-wide, irrevocable license to exercise copyright, including to reproduce, adapt, modify, translate, publish, publicly perform, publicly display, communicate, broadcast, or distribute. Once such material is provided to VVA, BVA agrees to waive any claims with respect to any of the uses above, and BVA will ensure that any individual contributor of material agrees to waive moral rights, including the right to withdraw the work from publication. BVA or its Representatives will retain the ability to register copyright in its name or their names, provided that VVA may register copyright in its name for any derivative works based on the material contributed by BVA or its Representatives.

A. (2). Both parties agree BVA may provide links for VVA to post on the website (currently www.benefitsforum.org), subject to VVA Policy on Use of VVA and AVVA Marks, and subject to A(5) below.

A. (3). This MOA is subject to VVA Policy on Use of VVA and AVVA Marks and will be reviewed accordingly. A copy of VVA Policy on Use of VVA and AVVA Marks will be provided to BVA.

A. (4). BVA represents and warrants that the material provided by it or its Representatives to VVA under this agreement for use on the website does not infringe the intellectual property rights of any third parties.

A. (5). It is understood that the domain address of the VVA website, currently www.benefitsforum.org, may be changed at any time by VVA, and that this agreement shall apply to the changed website.

B. Training. The parties agree to allow their respective service officers to participate in their individual basic and advanced training programs at no cost, except in the case where such training is held at a BVA National Convention, VVA Leadership Conference, VVA National Convention, in which case all training attendees are required to pay the respective Leadership Conference or National Convention admission fees. Attendees are responsible for their own travel, lodging, Per Diem expenses. Such programs need not be restricted to veterans-related claims alone, but may include other Federal benefits programs (such as Social Security and Medicare), legislative advocacy, health care policy, among other subjects.

III. Other Projects.

VVA and BVA agree to explore other areas of collaboration, including, but not limited to, partnering to promote the interests of their memberships, clientele and constituencies, legislative policy, litigation, resource- and cost-sharing, and organizational development. Nothing in this Agreement shall preclude the parties from entering into further mutual agreements in this respect.

IV. Term, Termination and Conditions.

A. This Agreement shall remain in effect until expressly terminated in accordance with the provisions of sub-paragraph B of this section.

B. This Agreement may be terminated by either party for any reason upon thirty (30) days advanced written notice sent by certified mail. In the event of such termination, the parties hereby agree that all jointly developed training material, whether in electronic or documentary form, shall become the joint property of both parties as such material exists as of the effective date of the termination of this Agreement. The parties hereby expressly give reciprocal permission to each other to alter or revise such material and to use that material as each sees fit. Should any material jointly developed by the parties during the term of this Agreement be copyrighted, it will be done so in the name of both of the parties.

C. Upon the termination effective date, all BVA accreditations granted to VVA Service Officers, and all VVA accreditations granted to BVA Field Service Representatives shall be cancelled by both BVA and VVA notifying the VA Office of General Counsel to cancel these accreditations due to termination of this MOA. Sections II.A(1) through (5) of this agreement shall survive termination.

D. Nothing in this Agreement shall restrict or preclude the parties from entering into agreements with other individuals, corporations, organizations, government entities or any other party for any purpose, including those addressed in this Agreement.

E. In the event that this Agreement is terminated while a claim for benefits or litigation being prosecuted by a dually accredited service representative or co-counsel is pending, the parties agree that the respective powers-of-attorney in existence at the time of such termination shall remain in place, unless the client requests otherwise. In the event that litigation in which both parties jointly represent a client or clients is pending as of the termination of this Agreement, the parties shall prepare a joint letter to the affected client(s) to advise of the situation and provide the client(s) with representational options. The parties hereby agree to abide by the client's(s') decision.

F. This Agreement constitutes the entire agreement between the parties and supersedes all prior contemporaneous negotiations, representations or agreements between the parties pertaining to this Agreement.

G. This agreement shall be governed by the laws of the State of New York.

The undersigned authorized representatives of the parties *So Agree*.

For Vietnam Veterans of America:

For Blinded Veterans Association:

John Rowan
President
VVA

Sam Huhn
President
BVA

Date: _____

Date: _____

Attest: _____

Date: _____

Attest: _____

Date: _____

VVA Motion __: To accept the MOA between BVA and VVA.

Motion made by _____ Date: _____

BVA Motion __: To accept the MOA between BVA and VVA.

Motion made by _____ Date: _____

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

HFHI Vets' Build Presentation: No report submitted.

Committee – MOTIONS ONLY: There were no motions submitted by the Committees.

Committee Reports Only:

Written reports (digital requested) submitted to National Secretary

Membership Affairs – C. Hobbs – provided a written report.

Public Affairs – T. Burke – provided a written report.

Women Veterans – M. Four – provided a verbal report.

Homeless Veterans – S. Miller – provided a verbal report.

Veterans Healthcare – P. Bessigano – provided a written report.

Agent Orange/Dioxin – A. Oates – provided a verbal report.

Constitution – L. DeLong – provided a written report.

Veterans Incarcerated – T.P. Hubert – provided a written report.

Minority Affairs – J. Yamamoto – provided no report.

Motion 10

To go into Executive Session to discuss staff personnel issue.

Motion made by Allen Manuel, seconded by Dick Southern.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

Motion 11

To leave Executive Session.

Motion made by Bill Meeks, seconded by Fred Elliott.

Without objection motion passed.

Yes: 23

No: 0

Non Vote: 1

Not Present: 0

The meeting adjourned at 5:37 p.m.

Respectfully submitted,



Bill Meeks, Jr.
National Secretary
Approved 10/5/12