



**2017 National Constitution Committee Preliminary Report to the Delegates
18th National Convention
New Orleans, Louisiana
August 8 – 12, 2017**

As mandated by The Constitution of Vietnam Veterans of America, Article IV, General Provisions, Section 5, Amendments, the national constitution committee has reviewed the thirteen proposed amendments received by the submission deadline date (March 20, 2017). The Constitution requires that any proposed amendment be submitted to the constitution committee at least one-hundred-twenty days prior to the commencement of the national convention at which such proposed amendment is to be addressed.

The committee met in Silver Spring, MD April 7, 2017 to review the proposed amendments and determine recommended actions for each. This document includes copies of all the proposed amendments received along with the recommended action and comprises the "2017 Constitution Committee Preliminary Report to the Delegates". The report will be forwarded to chapters and state councils and will be available online at vva.org not less than sixty days prior to the commencement of the 18th National Convention or June 8, 2017.

The Preliminary Report to the Delegates is subject to change after the proposed amendments are fully discussed by the delegates during the hearing process at the convention. Following the hearing, the committee will review all comments and may revise this report and the committee's recommendations accordingly. All chapters and state councils are invited to have representatives at the Constitution Committee Hearing to present the thoughts and opinions of their members to the committee and others in attendance.

There are thirteen proposed constitutional amendments. Seven of the proposed amendments are being reported out of the committee for full discussion and consideration by the delegates. Six proposed amendments are not reported out of the committee. The proposed amendments reported out of the committee are numbered and presented in the order of their relative position in the Constitution.

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 01

Submitted by:

Name: Constitution Committee

Section Affected:

Article 1 National Provisions

Section 7, Paragraph C

Proposed Change: Insert the **bold underlined words**.

Paragraph C

C The committees shall meet at such times and places as the chair of the committee or the president or national board shall direct. **Committee meetings may be conducted in person or by electronic means as long as each committee member is able to hear and respond simultaneously and can participate, without limitations, in all matters brought before the committee.**

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

To allow committees to conduct essential business between quarterly National meetings

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee recommends approval**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 02

Submitted by:

Name: John Riling III

Section Affected:

Article 2 State Provisions

Section 9

Proposed Change: Strike the words indicated by the ~~strike through~~.

Subject to the provisions of this Constitution and the rules, resolutions and procedures of the Corporation, each state council shall have the power to raise funds as are necessary to its operation in such manner as the state council deems appropriate, ~~provided, however, that the state council must seek to obtain the written permission of each chapter located in a geographic area where the state council proposes to conduct a fund raising campaign, prior to the commencement of any such activity. Chapters shall have sixty days to respond favorably or unfavorably to any request for permission to conduct such a fund raising activity. A failure by a chapter to respond to any such request within sixty days shall be deemed to be a grant of permission to the state council. Any denial of permission by a chapter shall be subject to review by the entire state council at its next regular meeting or at a special meeting. A two-thirds vote of the entire state council shall be required to overrule a chapter.~~

If amended the Section would read:

Subject to the provisions of this Constitution and the rules, resolutions and procedures of the Corporation, each state council shall have the power to raise funds as are necessary to its operation in such manner as the state council deems appropriate.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

The existing language places undo, time-consuming restrictions on state council fundraising activity. By deleting that text, it would then be similar to the chapter finance language found in Article III, Section 8.

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? Yes

Michigan

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee recommends a NO vote**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 03

Submitted by:

Name: Virgil Stockstad

Section Affected:

Article 2 State Provisions

Section 6, Paragraph A

Proposed Change: Insert the **bold underlined words**.

A The state council president shall be the principal executive officer of a state council, shall preside at all meetings of the state council, and shall appoint the chairs of all committees, subject to the approval of the state council. He or she shall be the formal representative of the state council to the Corporation on all matters. The state council president shall execute all instruments or documents authorized for such execution by the state council, except where other persons have been expressly delegated that authority by the state council, this Constitution, or by the national board. **Anyone nominated or appointed to represent the state council shall be approved by the delegates.** The state council president shall also review all fund-raising proposals which require the approval of the national board, as set forth in Article IV of this Constitution, and make a recommendation as to approval to the national board, and forward a copy of the recommendation to the chapter and the Corporation, within fifteen days of receipt of a completed proposal. The president of the state council shall have the authority to ensure that all chapters and the state council are in compliance with all governmental statutes, rules and regulations.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

Approval by the council would mean no one person could be blamed for a bad situation of the appointees. This would also prevent a possible personal agenda.

Has this amendment been endorsed by a Chapter? Yes

Chapters 463, 1039 and 1121

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee recommends a NO vote**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 04

Submitted by:

Name: Constitution Committee

Section Affected:

Article 2 State Provisions

Section 3 Paragraph B

Proposed Change: Strike the words indicated by the ~~strike through~~ and insert the **bold underlined words**.

B ~~After written recommendation from the AVVA in the state,~~ The state council shall seat a ~~liaison~~ **the elected AVVA representative or state president** on the state council and/or board of directors, who shall serve as a non-voting special advisor entitled to be heard on all matters.

If amended the paragraph will read

B The state council shall seat **the elected AVVA representative or state president** on the state council and/or board of directors, who shall serve as a non-voting special advisor entitled to be heard on all matters.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

AVVA no longer uses the term “liaison.”

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee recommends approval**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 05

Submitted by:

Name: Constitution Committee

Section Affected:

Article 3 Chapter Provisions

Section 5, Paragraph K

Proposed Change: Strike the words indicated by the ~~strike-through~~ and insert the **bold underlined words**.

K ~~After recommendation from the local members of the AVVA,~~ The chapter should seat a liaison **the elected AVVA representative or president** on the chapter board, who shall serve as a non-voting special advisor to the chapter board on matters of particular concern to AVVA members.

If amended the paragraph will read

K The chapter should seat **the elected AVVA representative or president** on the chapter board, who shall serve as a non-voting special advisor to the chapter board on matters of particular concern to AVVA members.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

AVVA no longer uses the term “liaison.”

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee recommends approval**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 06

Submitted by:

Name: Veterans Incarcerated Committee

Section Affected:

Appendix II

Proposed Change:

Change the name of the committee to “Veterans Incarcerated and Veterans Treatment Courts Committee”

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

This name most concretely describes who and what we serve

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? Yes

New York

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee does not report an opinion on this amendment**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – 07

Submitted by:

Name: Veterans Incarcerated Committee

Section Affected:

Appendix II

Proposed Change: Strike the words indicated by the ~~strike through~~ and insert the **bold underlined words**.

M The **Veterans Incarcerated Committee** shall develop advocacy programs of awareness with regard to the special needs of veterans who are presently or formerly incarcerated. The committee shall work with various state and federal agencies to develop programs to assist in the rehabilitation of **incarcerated** veterans ~~incarcerated.~~ **and to promote and assist in the creation of Veterans Treatment Courts throughout the country.**

If adopted this will read

M The **Veterans Incarcerated Committee** shall develop advocacy programs of awareness with regard to the special needs of veterans who are presently or formerly incarcerated. The committee shall work with various state and federal agencies to develop programs to assist in the rehabilitation of **incarcerated** veterans **and to promote and assist in the creation of Veterans Treatment Courts throughout the country.**

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

This name most concretely describes who and what we serve

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? Yes

New York

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: Yes

Recommendation: **The committee recommends approval**

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – NR 1

Submitted by:

Name: Stephen Ratcliffe

Section Affected:

Article 1 National Provisions

Section 3, Paragraph A

Proposed Change: Strike the words indicated by the ~~strike through~~ and insert the **bold underlined words**.

A Membership in the Corporation is open to any veteran of the military service of the United States of America, who served on active duty during the dates established by federal law for ~~the Vietnam~~ **any conflict or** War, paying in advance annual dues set by the national board, and conforming to, and complying with, this Constitution, bylaws, and rules of the Corporation now or hereinafter in effect....

If amended the sentence would read

A Membership in the Corporation is open to any veteran of the military service of the United States of America, who served on active duty during the dates established by federal law for **any conflict or** War, paying in advance annual dues set by the national board, and conforming to, and complying with, this Constitution, bylaws, and rules of the Corporation now or hereinafter in effect....

Related Articles/Sections/Paragraphs Affected:

Not sure

Reason for Proposed Change:

To bring together as many Veterans as possible in one unified organization. We need to bring the younger Veterans under our wings and teach them what we have learned over these many years about service work and working their way through the political landscape of Congress and the VA system. The clock is ticking on our generation, for some of us, our grandchildren are Veterans. It will be more effective to train the next generations of Veterans within our own group.

Has this amendment been endorsed by a Chapter? Yes

Chapter 97

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: No

Recommendation:

**Proposed Change to the
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National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – NR 2

Submitted by:

Name: Jackie Ray Roller

Change the name of Vietnam Veterans of America to **Veterans of America**

Section Affected:

Article 1 National Provisions

Section 3, Paragraph A

Proposed Change: Strike the words indicated by the ~~strike through~~.

A Membership in the Corporation is open to any veteran of the military service of the United States of America, ~~who served on active duty during the dates established by federal law for the Vietnam War~~, paying in advance annual dues set by the national board, and conforming to, and complying with, this Constitution, bylaws, and rules of the Corporation now or hereinafter in effect. The national board shall have the right to set rules for waiver of dues in situations it deems appropriate. Members shall file with their chapter, or with the Corporation, if they are not affiliated with a chapter, a DD Form 214, or other proof of qualification for membership.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

Expand membership to include WWI, WWII, Korea, Vietnam, Iraq, Afghanistan, veterans of future wars and conflicts so when Vietnam's last veteran dies our veteran organization lives on more voices in congress and legislative actions affecting more than Vietnam veterans.

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: No

Recommendation:

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – NR 3

Submitted by:

Name: John Rowan

Section Affected:

Article 1 National Provisions

Section 7, Paragraph A, Subparagraph 1a

Proposed Change: Insert the **bold underlined words**.

When candidates file their letter announcing their candidacy, they will establish and submit a Committee of Vacancies, consisting of three VVA members who will be authorized to submit an alternate candidate upon the death, sickness or inability to serve of the candidate.

If amended the subparagraph will read

- a The elections committee shall set a date, not less than thirty days prior to the commencement of a national convention, by which date all candidates must file with the committee an announcement of their candidacy. Additional candidates may be placed in nomination at the national convention by submission of a written petition naming the candidate and signed by twenty-five percent of the delegates, and by his or her showing compliance with the rules, requirements, and procedures of the elections committee, prior to the close of nominations at the national convention. **When candidates file their letter announcing their candidacy, they will establish and submit a Committee of Vacancies, consisting of three VVA members who will be authorized to submit an alternate candidate upon the death, sickness or inability to serve of the candidate.**

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

Given the advancing age of our members, situations have occurred that caused candidates to cease their campaigns. This provides an opportunity for their supporters to ensure that a candidate of their choice will be able to compete.

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: No

Recommendation:

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – NR 4

Submitted by:

Name: Virgil Stockstad

Section Affected:

Article 2 State Provisions
Section 5, New Paragraph C

Proposed Change: Insert the **bold underlined words**.

C All elected officers and committee chairs shall attend all council meetings. Committee chairs shall attend all meetings until such time as the committee is dissolved.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

Currently the council delegates have attendance requirements. The Secretary and Treasurer have attendance requirements. There is none for the other elected officers. Committee chairs are approved and then you never see them again and the reports are done through another member or officer. This would give more leverage in the proper attendance and first hand reports from the committee chair.

Has this amendment been endorsed by a Chapter? Yes

Chapters 463, 1039 and 1121

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: No

Recommendation:

**Proposed Change to the
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National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – NR 5

Submitted by:

Name: Richard Silbert

Section Affected:

Article 4 General Provisions

Section

Proposed Change: Insert the **bold underlined words**.

Permanent funding will be provided for Veterans Service Officer Programs across the country.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

Uncertain funding negatively impacts veterans service officer programs across the country.

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: No

Recommendation:

**Proposed Change to the
Constitution of Vietnam Veterans of America, Inc.
National Convention – August 8 – 12, 2017**

Proposed Constitutional Amendment – NR 6

Submitted by:

Name: Francis Smith

Section Affected: None

Proposed Change:

2035 near last man standing, organize into Family and Friends of VVA, Inc.

Related Articles/Sections/Paragraphs Affected:

None

Reason for Proposed Change:

In memory to us, for them to form state chapters and to visit our known grave sites on a Vet holiday or one we designate as VVA D-Day.

Has this amendment been endorsed by a Chapter? No

Has this amendment been endorsed by a State Council? No

Has this amendment been endorsed by the Conference of State Council Presidents? No

For Constitution Committee Action Only:

Reported Out: No

Recommendation: