

NB 1

Pro Tempore National Council Representation

Amend Article VI, Section 623 National Bylaws by adding a new subsection

Sec. 623 - National Council of Administration, Department Members, Election, Vacancies and Removal.

Proposed Language

Pro Tempore Representation: *In the event a duly elected National Council of Administration member is unable to attend a scheduled meeting of the National Council of Administration due to illness, incapacity, or other unavoidable and temporary circumstances, the Department Commander, with the two-thirds (2/3) concurrence of the Department Council of Administration, may appoint a qualified member in good standing from within the Department to serve as a pro tempore National Council member for that meeting.*

This provision is intended solely to provide temporary representation in situations where the Department does not seek to remove or replace the duly elected National Council member due to a short-term condition.

Such appointment shall be limited to no more than two (2) consecutive National Council of Administration meetings.

The Commander-in-Chief and Adjutant General shall be notified of such appointment no later than thirty (30) days prior to the convening of the National Council of Administration meeting.

The appointed pro tempore member shall have all rights and responsibilities of a National Council member during the meeting(s) for which they are appointed.

Under no circumstances shall this provision be used to permanently replace, bypass, or circumvent the duly elected National Council member.

Revised If Adopted

Sec. 623 - National Council of Administration, Department Members, Election, Vacancies and Removal.

Each Department of the Veterans of Foreign Wars of the United States shall be entitled to a member on the National Council of Administration.

Election: Members will be elected to a four-year term or until their successor is elected. Said member shall be elected at the Department Convention preceding the National Convention at which the term is to commence, in the same manner and at the same time as Department officers are elected and shall be installed into office at the National Convention.

Removal: The Department Commander will, with the concurrence of two-thirds of the Department Council of Administration, request that the Commander-in-Chief remove the Department's elected National Council of Administration member who fails to fulfill the duties of office as required by Section 622, provided that such member has been given seven (7) days written notice that removal will be requested, including the reasons for removal, and the member is provided an opportunity to be heard by the Department Council at a regular meeting or special meeting called for that purpose, prior to such request being made by the Commander-in-Chief.

The Commander-in-Chief will, with a two-thirds vote of the National Council of Administration, remove an elected National Council of Administration Department Member for failure to perform the duties as outlined in Section 622 of the National Bylaws.

Any National Council of Administration Department member removed for reason of failure to pay current dues or under the provisions of this section shall not be eligible to serve in any National office in the same administrative year in which the member is removed.

Notification of Removal: Such actions and reasons therefore, shall be in the form of a Special Order, and delivered personally or by certified or registered mail at the removed member's last known address. The Special Order shall advise the member of their right to appeal under these Bylaws.

Vacancies: All other vacancies occurring in the office of National Council of Administration, shall be filled by the Department Council of Administration in accordance with Section 520 of the Manual of Procedure.

Pro Tempore Representation: *In the event a duly elected National Council of Administration member is unable to attend a scheduled meeting of the National Council of Administration due to illness, incapacity, or other unavoidable and temporary circumstances, the Department Commander, with the two-thirds (2/3) concurrence of the Department Council of Administration, may appoint a qualified member in good standing from within the Department to serve as a pro tempore National Council member for that meeting.*

This provision is intended solely to provide temporary representation in situations where the Department does not seek to remove or replace the duly elected National Council member due to a short-term condition.

Such appointment shall be limited to no more than two (2) consecutive National Council of Administration meetings.

The Commander-in-Chief and Adjutant General shall be notified of such appointment no later than thirty (30) days prior to the convening of the National Council of Administration meeting.

The appointed pro tempore member shall have all rights and responsibilities of a National Council member during the meeting(s) for which they are appointed.

Under no circumstances shall this provision be used to permanently replace, bypass, or circumvent the duly elected National Council member.

NB 2

Policy Governing Use of Marks

Amend Article VIII, Section 805 National Bylaws by adding a new subsection

Proposed Language

New Subsection (X) – Policy and Administration of Marks

The National Council of Administration shall have the authority to establish and maintain a standing policy and procedure governing the protection, authorization, and use of the name, trademarks, service marks, emblems, and insignia of the Veterans of Foreign Wars of the United States.

Such policy shall clearly define acceptable uses of said marks by Departments, Districts, and Posts when such use is in furtherance of the purposes outlined in the Congressional Charter of the Veterans of Foreign Wars of the United States.

Uses of the marks that are in compliance with this established policy shall be considered pre-approved and shall not require separate or individual authorization from the Quartermaster General or any other office.

The Quartermaster General shall administer, implement, and enforce the use of the marks in accordance with the policy established by the National Council of Administration, but shall not independently establish policy, conditions, or requirements governing the use of said marks except as expressly authorized by the National Council of Administration.

Nothing in this section shall be construed to grant ownership of the marks to any individual officer, as such marks are the property of the Veterans of Foreign Wars of the United States as established by the Congressional Charter.

Nothing in this section shall prohibit the requirement for review or approval of uses that fall outside the scope of the established policy or involve commercial, licensing, or third-party agreements.

Such policy shall be published and made readily accessible to all Departments, Districts, and Posts.

Revised If Adopted

Sec. 805 - Trademarks; Service Marks, Publications.

Veterans of Foreign Wars of the United States has acquired the exclusive right to use certain names, trademarks, service marks and/or membership marks including those registered with the United States Patent and Trademark Office. The National Council of Administration may authorize the Adjutant General to make application to the United States Patent and Trademark Office for the registration of names and marks. The National Council of

Administration shall also take such action as is necessary to enforce and protect this Organization's rights in such names and marks.

No person shall use any name mentioned and described in Section 804, or any other trade name, trademark, service mark and/or membership mark of this Organization in connection with any financial, commercial or other business activity without the express written authorization of the Quartermaster General of the Veterans of Foreign Wars of the United States.

Publications. The name “Veterans of Foreign Wars of the United States” or any colorable imitation thereof, shall not be used by any individual members, group of members, Post, County Council, District, Department or any other individual, firm or corporation in connection with any publication, including electronic unless permission for the use of the name “Veterans of Foreign Wars of the United States” or some colorable imitation thereof has been granted to the publisher of such publication. Such permission will be a license only subject to immediate revocation by the Commander-in-Chief, with or without notice.

New Subsection (X) – Policy and Administration of Marks

The National Council of Administration shall have the authority to establish and maintain a standing policy and procedure governing the protection, authorization, and use of the name, trademarks, service marks, emblems, and insignia of the Veterans of Foreign Wars of the United States.

Such policy shall clearly define acceptable uses of said marks by Departments, Districts, and Posts when such use is in furtherance of the purposes outlined in the Congressional Charter of the Veterans of Foreign Wars of the United States.

Uses of the marks that are in compliance with this established policy shall be considered pre-approved and shall not require separate or individual authorization from the Quartermaster General or any other office.

The Quartermaster General shall administer, implement, and enforce the use of the marks in accordance with the policy established by the National Council of Administration, but shall not independently establish policy, conditions, or requirements governing the use of said marks except as expressly authorized by the National Council of Administration.

Nothing in this section shall be construed to grant ownership of the marks to any individual officer, as such marks are the property of the Veterans of Foreign Wars of the United States as established by the Congressional Charter.

Nothing in this section shall prohibit the requirement for review or approval of uses that fall outside the scope of the established policy or involve commercial, licensing, or third-party agreements.

Such policy shall be published and made readily accessible to all Departments, Districts, and Posts.

NB 3

Amend Article VIII, Section 803 National Bylaws by adding the following sentence

Proposed Language

The authority granted herein to the Quartermaster General shall be exercised in accordance with policies established by the National Council of Administration.

Revised If Adopted

Sec. 803 - Manufacture and Use of Seals, Emblems, Badges, Insignia and Uniforms.

The seals, uniforms, emblems, badges and insignia of the Veterans of Foreign Wars of the United States, or goods bearing same, shall be manufactured only on order of or with the express written consent of the Quartermaster General of the Veterans of Foreign Wars of the United States. Such written consent shall be the sole discretion of the Quartermaster General of the Veterans of Foreign Wars of the United States unless otherwise directed by the Commander-in-Chief, the National Council of Administration, or National Convention. *The authority granted herein to the Quartermaster General shall be exercised in accordance with policies established by the National Council of Administration.*

No subordinate unit, member or person shall engage, by contract or otherwise, for the manufacture of such seals, uniforms, badges, emblems or insignia, or goods bearing same, unless such written consent has been obtained.

No person shall be entitled to use or wear any seal, emblem, badge, insignia, or uniform of the Veterans of Foreign Wars of the United States unless a member in good standing or unless such written consent has been obtained.

No member or other person shall use or wear any seal, emblem, badge, insignia or uniform of the Veterans of Foreign Wars of the United States while engaged in any commercial or political activity in such a manner as likely to falsely convey that such activity is approved or endorsed by the Veterans of Foreign Wars of the United States.

The design of seals, uniforms, emblems, badges and insignia and goods and services using such seals, uniforms, badges, emblems or insignia shall be as provided in the Manual of Procedure.

Ownership of all seals, badges, emblems and insignia shall remain vested in the Veterans of Foreign Wars of the United States and the right to use or wear such seals, badges, emblems, insignia or uniforms shall be a license only which shall be automatically revoked when such person ceases to be a member or authorization is revoked.

MOP 1

Benefits Advisor addition

Amend Article II Section 218 (a) (12) National Manual of Procedure by inserting “, an accredited VFW Service Officer, or other accredited representative.” Following “Department Service Officer”

Sec 218 (a) (12)

Benefits Advisor. The Post Benefits Advisor shall advise members of the Post, their family members and survivors of benefits and services that are available in the local community such as homeless services, employment opportunities, and companies that offer discounted goods or services to veterans. The Post Benefits Advisor shall direct individuals seeking Federal benefits assistance to the Department Service Officer, an accredited VFW Service Officer, or other accredited representative. The work of a Post Benefits Advisor shall be performed in accordance with the instructions contained in the VFW Guide for Post Benefits Advisor under the general supervision of the Post Commander. The Post Benefits Advisor shall perform such other duties as may be incident to the office and as may from time to time be required by the laws and usages of this organization or lawful orders from proper authority.

RESOLUTION 1

National Legislative Proposed resolution for the Support for the Divestment of Unavailable Savings to Live (DUSL) Act

SERIES: _____

RESOLUTION NO. _____

SUBJECT: Support for the Divestment of Unavailable Savings to Live (DUSL) Act

SUBMITTED BY: Department of Texas Veterans of Foreign Wars

WHEREAS, veterans who are rated 100 percent service-connected disabled or entitled to Total Disability Individual Unemployability (TDIU), and/or their spouses, often face significantly reduced life expectancy, chronic medical conditions, and substantial financial burdens resulting from military service; and

WHEREAS, many of these veterans and/or their spouses have contributed to retirement savings accounts but are penalized under current federal law if these funds are accessed prior to retirement age through early withdrawal penalties and taxation; and

WHEREAS, these penalties unjustly prevent severely disabled veterans and/or their spouses from utilizing their own earned savings during their lifetime when such resources are most critically needed; and

WHEREAS, the Divestment of Unavailable Savings to Live (DUSL) Act would allow eligible veterans and/or their spouses to access retirement savings without penalty or federal taxation and without jeopardizing eligibility for Department of Veterans Affairs benefits or other means-tested programs; and

WHEREAS, the DUSL Act does not create new federal entitlement spending but instead restores financial autonomy to disabled veterans and their families by allowing access to their own accrued assets; and

WHEREAS, enabling access to these funds would improve quality of life, provide financial stability, and support the dignity of veterans and/or their spouses and families during periods of severe disability; now, therefore

BE IT RESOLVED, by the Veterans of Foreign Wars of the United States, that the VFW strongly supports the immediate passage of the Divestment of Unavailable Savings to Live (DUSL) Act; and

BE IT FURTHER RESOLVED, that the VFW National Legislative Service actively advocate for this legislation before the United States Congress and urge its prioritization for prompt enactment; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to appropriate members of Congress, the Department of Veterans Affairs, and other relevant federal agencies to advance this critical measure.