

112TH CONGRESS
2D SESSION

S. 3082

To amend title 38, United States Code, to establish the National Veterans Support Network to carry out activities to support and supplement the mission of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2012

Mr. BENNET (for himself and Mr. JOHANNES) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish the National Veterans Support Network to carry out activities to support and supplement the mission of the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nationwide Network
5 of Support for Veterans and Military Families Act of
6 2012”.

1 **SEC. 2. NATIONAL VETERANS SUPPORT NETWORK.**

2 (a) IN GENERAL.—Part V of title 38, United States
3 Code, is amended by adding at the end the following new
4 chapter:

5 **“CHAPTER 80—NATIONAL VETERANS**
6 **SUPPORT NETWORK**

“CHAPTER 80—NATIONAL VETERANS SUPPORT NETWORK

“Sec.

“8001. Definitions.

“8002. Establishment and organization.

“8003. Purposes.

“8004. Board of directors.

“8005. Officers and employees.

“8006. Powers.

“8007. Community support grant program.

“8008. Limitations on grants.

“8009. Principal office.

“8010. Protection and uses of trademarks and trade names.

“8011. Restriction on Federal funding.

“8012. Service of process.

“8013. Duty to maintain corporate and tax-exempt status.

“8014. Civil action by Attorney General for equitable relief.

“8015. Audits.

“8016. Annual report.

7 **“§ 8001. Definitions**

8 “In this chapter:

9 “(1) CORPORATION.—The term ‘corporation’
10 means the National Veterans Support Network es-
11 tablished under section 8002(a) of this title.

12 “(2) VETERANS SERVICE ORGANIZATION.—The
13 term ‘veterans service organization’ means any orga-
14 nization recognized by the Secretary for the rep-
15 resentation of veterans under section 5902 of this
16 title.

1 **“§ 8002. Establishment and organization**

2 “(a) ESTABLISHMENT.—There is established a Na-
3 tional Veterans Support Network.

4 “(b) FEDERAL CHARTER.—The corporation is a fed-
5 erally chartered corporation.

6 “(c) PLACE OF INCORPORATION AND DOMICILE.—
7 The corporation shall be incorporated and domiciled in the
8 District of Columbia, or another nearby State, as deter-
9 mined by the board of directors of the corporation.

10 “(d) NONPROFIT STATUS.—The corporation shall be
11 a charitable and nonprofit corporation.

12 “(e) PERPETUAL EXISTENCE.—Except as otherwise
13 provided, the corporation shall have perpetual existence.

14 **“§ 8003. Purposes**

15 “(a) PRIMARY PURPOSES.—The primary purposes of
16 the corporation are as follows:

17 “(1) To carry out activities at the national level
18 that raise the awareness of the public and educate
19 the public about the challenges facing military fami-
20 lies and veterans and to carry out such educational
21 media campaigns as the board of directors of the
22 corporation considers appropriate for the purposes
23 described in this section, including national media
24 outreach and local media outreach.

25 “(2) To provide analytical support to commu-
26 nities that include veterans or members of the

1 Armed Forces, track resources across the United
2 States that support veterans or military families,
3 help communities align and scale such resources,
4 and develop and provide a best practices toolkit for
5 these purposes.

6 “(3) To establish a community support grant
7 program as described in section 8007(a) of this title.

8 “(4) To encourage and promote private gifts of
9 services, money, and property to support—

10 “(A) the community support grant pro-
11 gram established under section 8007(a) of this
12 title; and

13 “(B) other services, programs, events, and
14 activities that support military families and vet-
15 erans.

16 “(b) SECONDARY PURPOSES.—The secondary pur-
17 poses of the corporation are as follows:

18 “(1) To compile, analyze, and organize informa-
19 tion on organizations, programs, events, and other
20 activities that provide assistance specifically to vet-
21 erans and military families.

22 “(2) To facilitate communication between the
23 Secretary of Veterans Affairs, the Secretary of De-
24 fense, the Secretary of Labor, and the heads of
25 other relevant agencies, private organizations, vet-

1 erans service organizations, faith-based organiza-
2 tions, and other charitable or nonprofit organiza-
3 tions that have a mission to provide assistance to
4 veterans and military families.

5 “(3) To promote coordination of services, pro-
6 grams, events, and other activities provided by the
7 secretaries and organizations described in paragraph
8 (2), particularly with respect to local communities.

9 “(4) To promote national and community serv-
10 ice activities that serve veterans and military fami-
11 lies, as well as increase the participation of veterans
12 and military families in national and community
13 service opportunities.

14 “(5) To refer and connect private organizations
15 seeking to support veterans and their families to or-
16 ganizations and communities that provide such sup-
17 port.

18 “(6) To refer and connect organizations and
19 communities seeking to support veterans and their
20 families to Federal and private sector resources rel-
21 evant to the provision of such support.

22 “(c) CONSULTATION.—In carrying out the purposes
23 of the corporation, the corporation shall consult with the
24 Secretary of Veterans Affairs, the Secretary of Defense,
25 and the heads of other appropriate agencies.

1 **“§ 8004. Board of directors**

2 “(a) IN GENERAL.—The corporation shall have a
3 board of directors, which shall be the governing body of
4 the corporation.

5 “(b) MEMBERSHIP.—(1) The board shall consist of
6 12 members, appointed by the Secretary—

7 “(A) each of whom shall be a citizen of the
8 United States;

9 “(B) three of whom shall be knowledgeable or
10 experienced in 1 or more fields directly relating to
11 veterans health, veterans benefits, veterans employ-
12 ment, transition services for members of the Armed
13 Forces separating from military service, veterans
14 education, veterans homelessness, women veterans,
15 or veterans-oriented community partnerships;

16 “(C) six of whom shall be leaders in the private
17 sector with a strong interest in issues and services
18 relating to veterans; and

19 “(D) three of whom shall be veterans who—

20 “(i) were last discharged or released from
21 service in the Armed Forces under honorable
22 conditions; and

23 “(ii) have a record of exemplary service in
24 the Armed Forces.

25 “(2) To the extent practicable, the membership of the
26 board shall represent diverse professional specialties.

1 “(3) Except with respect to members of the board
2 described in paragraph (1)(D), status as a veteran shall
3 not be a requirement for membership on the board.

4 “(4) The Secretary of Veterans Affairs, the Secretary
5 of Defense, the Secretary of Labor, such other heads of
6 Federal agencies as the Secretary of Veterans Affairs con-
7 siderers appropriate, and such other members as the Sec-
8 retary of Veterans Affairs considers appropriate may be
9 ex officio, nonvoting members of the board.

10 “(c) INITIAL APPOINTMENTS.—(1) Not later than 90
11 days after the date of the enactment of this chapter, the
12 Secretary shall appoint at least three members of the
13 board and not later than one year after the date of the
14 enactment of this Act, the Secretary shall appoint the re-
15 maining members of the board.

16 “(2) In selecting individuals for appointment to the
17 board, the Secretary shall consult with the Chairman and
18 the Ranking Member of the Committee on Veterans’ Af-
19 fairs of the Senate and the Chairman and the Ranking
20 Member of the Committee on Veterans’ Affairs of the
21 House of Representatives.

22 “(d) PERIOD OF APPOINTMENT.—(1) A member of
23 the board shall serve for a term of four years, except the
24 members first appointed shall be appointed for staggered
25 terms as the Secretary considers appropriate.

1 “(2)(A) A vacancy on the board shall be filled within
2 60 days of the vacancy in the same manner in which the
3 original appointment was made and shall be subject to any
4 conditions which applied with respect to the original ap-
5 pointment.

6 “(B) An individual chosen to fill a vacancy shall be
7 appointed for the unexpired term of the member replaced.

8 “(C) When the Secretary fills a vacancy on the board,
9 the Secretary shall do so in consultation with the board.

10 “(3) No individual may serve more than two consecu-
11 tive terms as a member of the board.

12 “(e) CHAIRPERSON.—The chairperson shall be elect-
13 ed by the board from its members for a two-year term
14 and shall not be limited in terms or service, other than
15 as provided in subsection (d).

16 “(f) SECRETARY OF THE BOARD.—The first em-
17 ployee appointed by the board under section 8005 of this
18 title shall be the secretary of the board, who shall be the
19 chief operating officer of the corporation and shall be
20 knowledgeable and experienced in matters related to vet-
21 erans.

22 “(g) MEETINGS.—The board shall meet at the call
23 of the chairperson and not less frequently than twice each
24 year. If a member misses three consecutive regularly
25 scheduled meetings, that member may be removed from

1 the board and the vacancy filled in accordance with sub-
 2 section (d).

3 “(h) QUORUM.—A majority of the current member-
 4 ship of the board shall constitute a quorum for the trans-
 5 action of business.

6 “(i) REIMBURSEMENT OF EXPENSES.—Members of
 7 the board shall serve without pay, but may be reimbursed
 8 for the actual and necessary travel and subsistence ex-
 9 penses incurred by them in the performance of the duties
 10 of the corporation, subject to the same limitations on reim-
 11 bursement that are imposed upon employees of Federal
 12 agencies.

13 **“§ 8005. Officers and employees**

14 “(a) APPOINTMENT.—The board of directors may ap-
 15 point officers or employees, but only after the corporation
 16 has sufficient funds to pay for their services.

17 “(b) STATUS AND COMPENSATION.—(1) Officers and
 18 employees of the corporation—

19 “(A) shall demonstrate exceptional knowledge
 20 in matters relating to the operation of a foundation,
 21 grant making, or the provision of services to vet-
 22 erans;

23 “(B) shall not be considered employees of the
 24 United States Government;

1 “(C) shall be appointed without regard to the
2 provisions of title 5 governing appointments in the
3 competitive service;

4 “(D) may not receive a salary in excess of the
5 annual rate of basic pay in effect for Level V of the
6 Executive Schedule under section 5316 of title 5;

7 “(E) may not be an employee of the Depart-
8 ment or spouse or dependent relative of such an em-
9 ployee;

10 “(F) may not be an office holder in a veterans
11 service organization or the spouse or dependent rel-
12 ative of such an office holder; and

13 “(G) may not personally or substantially par-
14 ticipate in the consideration or determination by the
15 corporation of any matter that would directly or pre-
16 dictably affect any financial interest of—

17 “(i) the individual or a relative of the indi-
18 vidual; and

19 “(ii) any business organization, or other
20 entity, of which the individual is an officer or
21 employee, is negotiating for employment, or in
22 which the individual has a financial interest.

23 “(2) A member of the board of directors may not re-
24 ceive compensation for serving as an employee of the cor-
25 poration.

1 “(c) POLICIES REGARDING FINANCIAL CONFLICTS
 2 OF INTEREST AND ETHICAL STANDARDS.—In estab-
 3 lishing bylaws under section 8006 of this title, the board
 4 of directors shall provide for policies with regard to finan-
 5 cial conflicts of interest and ethical standards for the ac-
 6 ceptance, solicitation, and disposition of donations and
 7 grants to the corporation.

8 **“§ 8006. Powers**

9 “(a) IN GENERAL.—The corporation may—
 10 “(1) appoint employees;
 11 “(2) adopt a constitution and bylaws consistent
 12 with the purposes under section 8003 of this title;
 13 and
 14 “(3) undertake such other acts as may be nec-
 15 essary to carry out the provisions of this chapter.

16 “(b) SEAL.—The corporation shall have an official
 17 seal selected by the board of directors which may be used
 18 as provided for in section 8010 of this title.

19 “(c) POWERS.—(1) Subject to paragraph (2), the cor-
 20 poration may directly or by awarding of contracts or
 21 grants, carry out or support activities for the purposes de-
 22 scribed in section 8003 of this title.

23 “(2) In carrying out or supporting activities as de-
 24 scribed in paragraph (1) with respect to the purposes de-

1 scribed in section 8003(a) of this title, the corporation
 2 shall consult with the following:

3 “(A) The Secretary of Veterans Affairs.

4 “(B) The Secretary of Defense.

5 “(C) The Secretary of Labor.

6 “(D) Such other heads of Federal agencies as
 7 the corporation considers appropriate.

8 “(d) TREATMENT OF PROPERTY.—(1) For purposes
 9 of this chapter, an interest in real property shall be treated
 10 as including easements or other rights for preservation,
 11 conservation, protection, or enhancement by and for the
 12 public of natural scenic, historic, scientific, education, in-
 13 spirational, or recreational resources.

14 “(2) A gift, devise, or bequest may be accepted by
 15 the corporation even though it is encumbered, restricted,
 16 or subject to beneficial interests of private persons if any
 17 current or future interest therein is for the benefit of the
 18 corporation.

19 **“§ 8007. Community support grant program**

20 “(a) ESTABLISHMENT.—The corporation shall estab-
 21 lish a community support grant program to award grants
 22 to eligible entities to create or expand community-based
 23 programs that—

1 “(1) contribute in a demonstrable manner to
2 fostering the readjustment and successful reintegration
3 of veterans into their geographic communities;

4 “(2) expand the capacity within such communities
5 to make direct services or supportive activities
6 available in an ongoing and coordinated manner;

7 “(3) engage and empower veterans; and

8 “(4) establish and sustain close working relationships
9 between one or more facilities administered
10 by the Secretary and entities participating in such
11 community-based programs.

12 “(b) ELIGIBLE ENTITIES.—For purposes of sub-
13 section (a), an eligible entity is any entity that represents
14 a geographic community that is—

15 “(1) undertaking a strategic planning process
16 concerning what services for veterans and military
17 families are available to veterans and military families
18 in such geographic community and how such
19 services are made available to such veterans and
20 families;

21 “(2) mobilizing multiple partner organizations
22 in the public and private sector;

23 “(3) obtaining support from key stakeholders in
24 the veterans and military community;

1 “(4) using clearly defined metrics to determine
2 if local services for veterans and military families are
3 improving; and

4 “(5) using Internet-based resources or other
5 outreach technologies to facilitate a connection be-
6 tween veterans, military families, and the services
7 described in paragraph (1).

8 **“§ 8008. Limitations on grants**

9 “A recipient of a grant awarded by the corporation
10 to carry out a project, as a condition of such grant, may
11 not receive during the one-year period beginning on the
12 date on which such grant was awarded any amount from
13 the Department of Veterans Affairs to carry out such
14 project.

15 **“§ 8009. Principal office**

16 “The principal office of the corporation shall be in
17 the District of Columbia or another nearby State, as de-
18 termined by the board of directors of the corporation.
19 However, the corporation may conduct business through-
20 out the States, territories, and possessions of the United
21 States and establish local or regional support sites as the
22 corporation considers necessary.

1 **“§ 8010. Protection and uses of trademarks and trade**
 2 **names**

3 “(a) TRADEMARKS OF THE NATIONAL VETERANS
 4 SUPPORT FOUNDATION.—Authorization for a contributor,
 5 or a supplier of goods or services, to use, in advertising
 6 regarding the contribution, good, or services, the trade
 7 name of the corporation, or any trademark, seal, symbol,
 8 insignia, or emblem of the corporation may be provided
 9 only by the corporation with the concurrence of the Sec-
 10 retary.

11 “(b) TRADEMARKS OF THE DEPARTMENT.—Author-
 12 ization for a contributor or supplier described in sub-
 13 section (a) to use, in such advertising, the trade name of
 14 the Department, or any trademark, seal, symbol, insignia,
 15 or emblem of the Department, may be provided—

16 “(1) by the Secretary; or

17 “(2) by the corporation with the concurrence of
 18 the Secretary.

19 **“§ 8011. Restriction on Federal funding**

20 “The corporation may not accept any Federal funds.

21 **“§ 8012. Service of process**

22 “The corporation shall have a designated agent to re-
 23 ceive service of process for the corporation. Notice to or
 24 service on the agent, or mailed to the business address
 25 of the agent, is notice to or service on the corporation.

1 **“§ 8013. Duty to maintain corporate and tax-exempt**
 2 **status**

3 “(a) CORPORATE STATUS.—The corporation shall
 4 maintain its status as a corporation incorporated under
 5 the laws of the District of Columbia or another nearby
 6 State, as determined by the board of directors of the cor-
 7 poration.

8 “(b) TAX-EXEMPT STATUS.—The corporation shall
 9 maintain its status as an organization exempt from the
 10 Internal Revenue Code of 1986.

11 **“§ 8014. Civil action by Attorney General for equi-**
 12 **table relief**

13 “The Attorney General may bring a civil action in
 14 the United States District Court for the District of Colum-
 15 bia for appropriate equitable relief if the corporation—

16 “(1) engages or threatens to engage in any act,
 17 practice, or policy that is inconsistent with the pur-
 18 poses in section 8003 of this title; or

19 “(2) refuses, fails, or neglects to carry out its
 20 obligations under this chapter or threatens to do so.

21 **“§ 8015. Audits**

22 “(a) IN GENERAL.—The financial statements of the
 23 corporation shall be audited annually in accordance with
 24 generally accepted auditing standards by an independent
 25 certified public accountant or independent licensed public
 26 accountant, certified or licensed by a regulatory authority

1 of a State or other political subdivision of the United
2 States. The audit shall be conducted where the financial
3 statements of the corporation normally are kept. The per-
4 son conducting the audit shall be given access to—

5 “(1) all records and property owned or used by
6 the corporation necessary to facilitate the audit; and

7 “(2) full facilities for verifying transactions
8 with the balances or securities held by depositories,
9 fiscal agents, and custodians.

10 “(b) REPORT.—(1) The corporation shall submit a
11 report of the audit to Congress not later than six months
12 after the close of the fiscal year for which the audit is
13 made. The report shall describe the scope of the audit and
14 include—

15 “(A) statements necessary to present fairly the
16 corporation’s assets, liabilities, and surplus or def-
17 icit, and an analysis of the changes in those amounts
18 during the year;

19 “(B) a statement in reasonable detail of the
20 corporation’s income and expenses during the year
21 including the results of any trading, manufacturing,
22 publishing, or other commercial-type endeavor; and

23 “(C) the independent auditor’s opinion of those
24 statements.

1 “(2) The report may not be printed as a public docu-
2 ment.

3 **“§ 8016. Annual report**

4 “(a) IN GENERAL.—Each year, the corporation shall
5 submit to Congress and the Secretary a report on the pro-
6 ceedings and activities of the corporation during the prior
7 fiscal year.

8 “(b) SUBMITTAL WITH AUDIT REPORTS.—Each re-
9 port submitted under subsection (a) for a fiscal year shall
10 be submitted at the same time as the report of the audit
11 required by section 8015 is submitted for the same fiscal
12 year.”.

13 (b) CLERICAL AMENDMENT.—The table of chapters
14 at the beginning of Part V of such title is amended by
15 adding at the end the following new item:

“80. National Veterans Support Network 8001.”.

