

July 11, 2025

Greetings,

We hope you enjoy this issue of the National Council Monthly Update summarizing the pertinent operations at VFW National Headquarters over the last month.

General Counsel

Music Licensing for Posts:

We continue to be contacted by Posts in different Departments with concerns about being contacted by companies regarding the need to obtain a license to play music. Please share the following with your Departments and Posts.

The issue is these Posts are playing music without the required license from a Performing Rights Organization (PROs), which collect and distribute royalties to songwriters, composers, and music publishers when their music is publicly performed/played. Generally, under U.S. copyright law, any business or organization that publicly performs copyrighted music must obtain a performance license from the copyright holders or their representatives. This includes playing music over a sound system, jukebox, karaoke machine, live band, or DJ — even if the music is purchased legally.

ASCAP (American Society of Composers, Authors and Publishers), BMI (Broadcast Music International) and SESAC (Society of European Stage Authors and Composers) are the three largest PROs that are charged with collecting royalties for songwriters and publishers for "public performances" of songs in their respective catalogs. Whether your taste in music ranges from Billie Eilish to Englebert Humperdinck, Posts should be licensed to play it.

If the Post is running a business, then it is considered a business with all strings attached. For music, the Posts do not own the rights to play the songs for commercial use. That is a matter of licensing.

If you neglect the requirements that pertain to playing music in your Post and just turn a device on and play what you want, you open your Post to legal claims by music rights holders, which could be very costly.

There is, however, a **limited statutory exemption** that may apply to certain events held by nonprofit veterans' organizations and fraternal organizations. This exemption is found in 17 U.S.C. § 110(10) of the U.S. Copyright Code.

To qualify for this exemption:

1. The organization must be a nonprofit veterans or fraternal organization of the Internal Revenue Code (which includes VFW Posts).

2. The music must be nondramatic, such as typical songs played on the radio or at social events (not musicals or operas).
3. The performance must occur during a social function conducted by the Post.
4. The event must not be open to the general public – it must be restricted to members and invited guests.
5. Any proceeds, after deducting reasonable costs for the performance, must be used for charitable purposes and not for financial gain.

To summarize:

- If your Post advertises an event to the public, sells tickets to the general public, or otherwise allows unrestricted public access, **the exemption will not apply**, and a license may be required.
- The exemption does **not cover businesses operating inside the Post**, such as canteens or restaurants that may play music for the general public.
- The exemption is limited to **live or recorded performances** of nondramatic musical works at qualifying private social functions.

The VFW remains committed to ensuring that our Posts operate in compliance with the law while keeping administrative burdens as light as possible. We encourage all Posts to take steps to understand and, where applicable, invoke the exemption under 17 U.S.C. § 110(10).

If you have any doubt as to whether you need to adhere to copyright laws, I draw your attention to the National Bylaws and Manual of Procedure, at Sec. 218, 418, 518, and 618 that requires Commanders to, “Insist that the business and activities of the organization are conducted in such a manner that they do not violate any applicable governmental law, ordinance or regulation or bring or tend to bring dishonor or embarrassment on this organization.” Copyright laws are applicable laws.

Recommendations

- Review your Post's music use to determine whether it meets the criteria for the exemption.
- If you receive a letter or invoice from a performing rights organization, do not ignore it. Evaluate whether your Post qualifies for the exemption and respond accordingly.
- When in doubt, consider consulting legal counsel or reaching out to the VFW National organization for guidance.

Some additional information on this issue can be found here: [Music Licensing for Bars and Restaurants: What You Need to Know | Bar Marketing - Bar Business - Opening a Bar - Bar Owner.](#)

Contact: VFW General Counsel John Muckelbauer, JMuckelbauer@vfw.org.

Development

June's revenue goal of \$4.3 million was not only met but exceeded by nearly \$400,000. We have four mailings remaining in this fiscal year, one of which mailed on July 1, with approximately 63,000 pieces sent to addresses in Texas.

Given the recent tragic event in Texas, we are closely monitoring the situation for potential impacts to donor response. In times of natural disaster, there is often a shift in donor focus toward immediate relief efforts, which can impact broader fundraising initiatives. The USPS will soon be providing a list of affected ZIP codes, which will allow us to better assess any implications for our remaining revenue projections.

On a positive note, we expect to realize approximately \$1 million in bequests before the close of the fiscal year, with an additional \$5.1 million projected for FY26. While the timing of estate gifts is subject to change for various reasons, these estimates are based on information provided by the law firm handling the VFW's estate cases, and they are upfront about their conservative forecasting.

Contact: VFW Development Director Kelly Jones, KellyJones@vfw.org.

Human Resources

- New Hires:
 - o Gabrielle Kubinyi is a new Associate Director, Grassroots Advocacy in the National Legislative Service Department in the DC Office.
 - o Seleste Rojas is a new National Pre-Discharge Representative at the Norfolk, Virginia, Naval Station.
- Promotions:
 - o Anthony Heitman was promoted to Associate Director, DC Service Office in the Veterans Service Programs Department.

Contact: VFW Human Resources Director Sari Maple, SMaple@vfw.org.

Membership and Member Services

- Congratulations to the 2024-2025 All-Americans! Your efforts throughout this year helped strengthen the organization and bring VFW membership above 101.5%! Thank

you to Commander-in-Chief Lipphardt for his guidance and leadership! You are the real deal - Team Tribe 24-25 “Follow Me!”

- The 2025-2026 VFW National Membership Program is now available online. Visit vfw.org, navigate to the Membership Recruiting & Retention Page and click on “2025-2026 VFW National Membership Program.” Let’s start the 2025-26 strong, “For Veterans, By Veterans.”
- Going to the 126th VFW National Convention?! Consider checking out one of three membership presentations! 2025-26 Membership Program Review on Sunday, Aug. 10, at 4:30 p.m.; Recruiting at the Post Level on Tuesday, Aug. 12, at 1:00 p.m.; and Retention & Recovery of Members on Tuesday, Aug. 12, at 2:30 p.m.
- Remember the VFW National membership team has resources to help your achieve success, Membership@vfw.org, 888.564.6839.

Contact: VFW Membership and Member Services Director David Prohaska,
DProhaska@vfw.org.

Administrative Operations

- There are currently 31 Posts under Department suspensions:

State	Post	Charter city	Suspension expiration date
Arizona	7401	Chandler	8.4.2025
California	7665	Lake Isabella	7.8.2025
Florida	1968	Orange Park	7.18.2025
Florida	10733	Orange Lake	6.16.2025
Georgia	5456	Elberton	9.4.2025
Illinois	5418	Rock Falls	6.24.2025
Indiana	1550	Greencastle	9.2.2025
Maryland	10078	Baltimore	7.8.2025
Massachusetts	6536	South Boston	Ongoing litigation
Minnesota	9641	Littlefork	7.30.2025
Mississippi	4881	Ripley	10.2.2025
Mississippi	5697	Holly Springs	10.2.2025
Mississippi	4731	Indianola	10.2.2025
Mississippi	11350	Woodville	10.2.2025
Nebraska	9897	Valley	6.15.2025
Nebraska	10045	Deweese	6.15.2025
New Mexico	3242	Las Cruces	9.4.2025

New Mexico	6216	Albuquerque	7.24.2025
North Carolina	1142	North Wilkesboro	9.3.2025
Oklahoma	5307	Salina	7.11.2025
Oklahoma	11201	Chickasha	7.9.2025
Pennsylvania	43	Martinsburg	6.25.2025
Pennsylvania	9765	Oakford	8.23.2025
Rhode Island	602	Pawtucket	7.11.2025
Tennessee	1733	Knoxville	6.25.2025
Texas	8911	Fort Worth	8.4.2025
Virginia	5715	Big Stone Gap	7.23.2025
Washington	7010	Ryderwood	10.2.2025
West Virginia	410	Belington	7.15.2025
Wisconsin	5470	Whitewater	8.26.2025
Wisconsin	8123	De Soto	7.17.2025

- There were four Post Consolidations:

State	Post No.	Consolidated w/Post No.	Date Approved
Europe	12159	8862	6.16.2025
Massachusetts	1544	5594	6.6.2025
Missouri	3600	5923	6.30.2025
Missouri	5178	6514	6.6.2025

- There were four Defunct Posts:

State	Post No.	Termination Date
California	10694	6.9.2025
Kentucky	11139	6.9.2025
Ohio	1646	6.9.2025
Texas	2479	6.9.2025

- There was one new Post:

State	City	Date Instituted	Post No.
Missouri	Union	7.1.2025	12243

- Administrative Operations is engaged in nine Article IX Disciplinary Actions:
 - o Florida:
 - Post 4353 Life member – disciplinary hearing

- o Georgia:
Post 4326 Life member – disciplinary action
- o Idaho:
Post 3622 past Department Commander – disciplinary action
- o Massachusetts:
Dept. of Massachusetts Member-at-Large – disciplinary action
- o New Jersey:
Post 9563 Post Commander – summary disposition – Aug. 8, 2025
Post 9563 Post Quartermaster – summary disposition – Aug. 8, 2025
- o Ohio:
Post 3320 Life member – disciplinary action
- o Oklahoma:
Post 2976 Post Commander– awaiting CIC’s decision
Post 9265 Post Quartermaster – 30 days to appeal penalty
- Two Administrative Removals/Actions:
 - o Florida:
Post 2550 Commander – awaiting possible appeal
 - o New Mexico:
Post 12008 Commander – awaiting possible appeal
- Two 518’s:
 - o Oklahoma:
Post No. 2976 – due July 28, 2025
 - o California:
Post No. 1555 – due July 28, 2025
- Two Membership eligibility challenges:

Member Name	Post No.	Dept	Due Date
Kevin Green	9265	OK	8.9.2025
James Statham	3036	MS	8.23.2025

- There have also been 10 voluntary resignations, one voluntary surrender, two terminations, and two reinstatements.

- Administrative Operations has 57 Bylaws and Articles of Incorporation submissions for review. Since June 5, 2025, 51 Bylaws/Articles of Incorporations have been received, 38 have been approved and distributed, and six have been returned for corrections and resubmission through proper channels.
- There have been six total Charters produced since June 5, 2025:
 - o One Post Name Change
 - o One Post Replacement Charter
 - o One Perpetual Charter
 - o One District Replacement Charter
 - o One Auxiliary Replacement Charter
 - o One Auxiliary Replacement District Charter

Dept	Post/District No.	Unit Designation	Document Type
WI	5729	Auxiliary	Replacement Charter
MA	12	District Aux	Replacement Charter
AZ	12210	Post	Perpetual Charter
NJ	2	District	Replacement Charter
MO	9008	Post	Name Change Charter
AZ	40	Post	Replacement Charter

Department Officer Proof of Eligibility

- With the start of Department Conventions, I want to remind everyone of the requirement to submit proof of eligibility for all newly elected Junior Vice Commanders and any elected Department Quartermasters or appointed Department Adjutants who are new to their position this coming year (2025-26).

Additionally, proof of eligibility is required for any new Department Commander or Senior Vice Commander, who for whatever reason were not in the line of succession the – previous year, to which we already have proof of eligibility on file.

This proof of eligibility must be submitted to the Adjutant General pursuant to Section 516 of the National Bylaws and Manual of Procedure.

This must be done after officers are installed and prior to National Convention and is most easily completed by sending documentation via email to Joseph Wolfgeher at JWolfgeher@vfw.org.

Contact: VFW National Administrative Operations Director Quentin Carroll, QCarroll@vfw.org.

Information Technology

- Command Post Update:
 - o The development team provided an update on the project's progress, highlighting work on deployment, UI (user interface) components and backend systems. The team demonstrated the user interface design and discussed the technology stack being used for the project.
- Next steps:
 - o The development team is targeting to complete an initial deployment within the next couple of days, aiming to have something physically visible to see by next week.
 - o Troy is to ensure the member portal is branded correctly with VFW logos as it will use current VFW header and footer, not Command Post branding.
 - o The development team is working on the deployment process in the Dev environment, targeting completion this week. UI work has progressed with the completions on base person and entity data screens, as well as backend work on key setups and search preferences. The team is now focusing on editing profile information screens with APIs. Troy explains the structure of objects in the system, including person and entity objects. He demonstrates the user interface design in Figma, showing login, dashboard, search, and member record screens.

Contact: VFW Information Technology Director Sean Barnes, SBarnes@vfw.org.

National Legislative Service

- Take Action to Keep Veterans in their Homes: On May 1, the Department of Veterans Affairs ended the Veterans Affairs Servicing Purchase (VASP) program, which offered veterans a “last-resort” option for the Department to purchase delinquent home loans. The program lasted only one year and was intended as an emergency stopgap to stave off veteran foreclosures after the COVID-19 moratorium lapsed. On May 19, the House passed Rep. Van Orden’s bill without objection. [Take Action: Tell the Senate to pass the VA Home Loan Program Reform Act and keep veterans in their homes.](#)
- VFW Speaks at Roundtable with House Leaders: VFW National Legislative Service Director Kristina Keenan participated in a veterans organization roundtable hosted by House Minority Leader Hakeem Jeffries (NY-8) and House Committee on Veterans’ Affairs Ranking Member Mark Takano (CA-39). The VFW has analyzed the budget needs through the annual report, [The Independent Budget](#), and would like to have an opportunity to comment in a public forum.
- VFW Testimony on Subcommittee Pending Legislation: VFW National Legislative Service Associate Director Nancy Springer submitted a statement for the record for a

House Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs hearing on pending legislation. The hearing reviewed 12 bills addressing issues including burial and survivor benefits, an annual report on veterans' causes of death, enhanced access to benefits for rural veterans, hiring preferences for Veterans Law Judges, and improvements to the VA claims and appeals processes.

- Press Conference on Care for Military Sexual Trauma Survivors: The VFW Washington Office hosted a press conference during which leading veteran organizations called on Congress to support [S.1245/H.R. 2576](#), Servicemembers and Veterans Empowerment and Support (SAVES) Act of 2025. [Watch the press conference](#), which begins at the 4:58 mark.

Contact: VFW National Legislative Service Director Kristina Keenan, KKeenan@vfw.org.

National Veterans Service

NVS is proud to announce that this year's John Biedrzycki Accredited Representative of the Year award recipient is Belida Boldoe from the Department of Georgia. Belinda's dedicated work ethic and compassion for veterans is unmatched and she is very deserving of this prestigious award. Belinda will be receiving her award at the VFW National Convention in Columbus Ohio on Aug. 12, 2025, at 8:26 a.m. on the main stage.

Below is a snapshot of what NVS has been doing:

- NVS Director Mike Figlioli met with VA Deputy Secretary Paul Lawrence.
- NVS Dep Director Orto and Assistant Director Garrison participated in Episode 44 of the VFW's Still Serving podcast to discuss benefits assistance and the BDD program.
- NVS health leadership met with VAMC Columbus to plan for their participation at the National Convention.
- NVS met with VA Outreach leadership to coordinate the VA Claims Clinic at the National Convention.
- NVS pre-discharge representatives briefed service members across the country on military installations.
- NVS BDD leadership met with WWP reps to discuss upcoming grant.
- NVS health leadership participated in the VHA PACT ACT quarterly meeting.
- NVS health team participated in a VA overseas virtual town hall meeting.
- NVS health team attended the virtual VA Veterans Connect Resource Network briefing.

- NVS health leadership met with VAMC Columbus to plan for their participation at convention.
- If you see a veteran in need, direct them to an accredited representative so that they can receive assistance. A listing of accredited representatives can be found at vfw.org/NVS. Just use the “Find a Service Officer” tab on the right side of the screen to find an accredited representative in your area. Additionally, you can advise them to download the MyVetBenefits app on their smartphone which will help connect them to essential services in their area. The MyVetBenefits app can be found in Google Play or the App Store.

Contact: VFW National Veterans Service Director Michael Figlioli, MFiglioli@vfw.org