

**Memorandum of Understanding (MOU)**

**Between**

**The Board of Veterans' Appeals (Board)**

**And the**

**National Association of County Veterans Service Officers (NACVSO)**

**a Co-Located Veterans Service Organization**

Pursuant to 38 U.S.C. § 5902, the Board of Veterans' Appeals may furnish office space and facilities, if available in its occupied building, for the use of paid full-time representatives of nationally recognized Veterans Service Organizations (VSOs), and may do so under 38 C.F.R. § 14.635 for employees of recognized State or tribal organizations who are accredited to VSOs, to assist appellants in the preparation, presentation, and prosecution of claims for Department of Veterans Affairs (VA) benefits.

The Board currently occupies office space at 425 I Street NW, Washington, DC 20001, and has available for use by VSOs a limited amount of space, for the purpose of facilitating representation of appellants in pursuit of VA benefits.

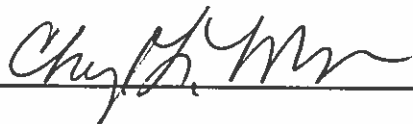
Therefore, the Board and the National Association of County Veterans Service Officers do hereby agree:

1. NACVSO will occupy \_\_\_ offices, \_\_\_ cubicles, and \_\_\_ carrels in the Board's space at 425 I Street NW, Washington, DC 20001. Additionally, \_\_\_ are reserved for the exclusive use of VSO. In determining space allocation, the Board has taken into consideration the number of informal hearing presentations (IHP) produced by this VSO, as compared to all VSOs, in the previous fiscal year. These are specifically identified as:
  - a. Offices: #, #, #;
  - b. Cubicles: #, #, #;
  - c. Carrels: #, #, #; and
  - d. Rooms:
2. The Board will provide:
  - a. Available and appropriate facilities for purposes of preparation, presentation, and prosecution of claims for VA benefits.
    - i. Such shall include necessary furniture and space.
    - ii. Such shall include access to facilities, such as restrooms and workrooms, adjacent to assigned work areas and in those common areas where the VSO is permitted access.
    - iii. Use is subject to those restrictions placed on the Board by the building management, to include availability of HVAC and cleaning services on weekends.

- b. If VA has them available, computers fully compliant with VA protocols and security requirements, with such software necessary for access to Board and VA networks for purposes of preparation, presentation, and prosecution of claims for VA benefits.
    - i. VA shall provide needed IT support for VA-issued computers and information systems.
    - ii. VA shall not be responsible for loss of access to such computers and information systems due to a user's noncompliance with VA protocols and security requirements.
  - c. Appropriate support to permit the VSO to obtain necessary identification, clearances, and certifications to utilize Board and VA networks and systems. This includes limited access to the following systems:
    - i. Veterans Appeals Control and Locator System (VACOLS);
    - ii. Caseflow; and
    - iii. Veterans Benefits Management System (VBMS).
  - d. Appropriate support to make available for review those paper case files requiring representative input or action, based on Board priorities and governing regulations.
3. NACVSO will:
- a. Ensure that all VSO employees with access to VA information systems complete in a timely manner required privacy and information security awareness training, sign the appropriate Rules of Behavior, and comply with VA Handbook 6500.
  - b. Comply with VA Handbook 6500.2 to report any incidents involving sensitive personal information (SPI). In particular notify within one (1) hour of discovering the loss, potential loss, security incident, or breach, the Board Privacy Officer or designated Information Security Officer (ISO). If the VSO is unable to speak with the Board's Privacy Officer or ISO within one (1) hour or if such contact is not practicable (e.g., outside of normal business hours), then the VSO will provide notification to the VA Network Security Operations Center by phone at 1-800-877-4328 or e-mail to [vanat@va.gov](mailto:vanat@va.gov). The VSO is responsible for the response and remediation of any breach of VA SPI when it is transferred to any VSO information system.
  - c. Cooperate with VA Office of Security and Preparedness to ensure all NACVSO employees with access to VA information systems complete necessary background investigations and obtain valid Personal Identify Verification (PIV) cards prior to accessing VA information systems.
  - d. Assure that all service officers are properly accredited.
  - e. Timely perform tasks necessary for preparation, presentation, and prosecution of claims for VA benefits.
  - f. Supply all office supplies and equipment (paper, writing instruments, copiers, printers, etc.) necessary to discharge of their duties.
  - g. Contact between VSO and Board personnel regarding cases and claims shall be restricted to those avenues approved by management of the organizations; business contact outside the designated points of contact is not permitted. Limit the use of VA information systems to the representation of claimants or appellants. Use of VA e-mail

system is to be limited to interaction with VA employees, VSO personnel, and currently represented claimants or appellants. All communication via VA e-mail systems will clearly identify the user as a VSO employee. VSO personnel must not use VA e-mail system to communicate with non-VA personnel in matters outside the scope of current representation. VSO understands and accepts that VSO communications sent through the VA e-mail system will be retained in accordance with the Capstone Email Records Retention Schedule (GRS 6.1) for seven years.

4. Certain areas will be made available to the VSO for use in conjunction with preparation, presentation, and prosecution of claims for VA benefits, but shall be considered common areas, with preference for use by the Board, unless otherwise specified herein. These shall include:
  - a. Conference Rooms
  - b. Hearing Preparation Rooms
  - c. Work Rooms
5. RESOURCES:
  - a. VA Handbook 6500
  - b. VA Handbook 6500.2
  - c. The Board's Purplebook
6. TERMS OF MOU:
  - a. The Board, through its Chief Counsel, is responsible for the development and maintenance of this MOU.
  - b. This agreement will be effective as of the date of the last signature.
  - c. Requests for modification of this agreement will be submitted in writing from one party to the other, not less than 30-days prior to the desired effective date of such modification.
  - d. Electronic access and co-located status will be revoked if responsibilities and requirements are not followed.
  - e. This agreement is valid until September 30, 2019

By: 

Cheryl L. Mason  
Chairman  
Board of Veterans' Appeals

Date: 2/14/2019

By: 

Herman K. Breuer

President

National Association of County Veterans Service Officers

Date: 3/15/19