[DATE]

[NAME OF INTERESTED BOARD MEMBER]

[ADDRESS]

**RE: Non-Statutory VA Employees Serving as Members of the NPC Board of Directors**

Dear [NAME OF INTERESTED BOARD MEMBER],

**Thank you for your interest in serving on the board of directors of the [NAME] NPC.**

Recently, the VA’s Chief of Staff issued new guidance regarding the assignment of a non-statutory VA employee to serve on the board of directors of VA-affiliated nonprofit corporations established under sections 7361 through 7366 of title 38, U.S. Code. The new guidance stipulates a VA employee’s official duty service on the board of an NPC furthers VA’s mission to carry out a program of medical research [38 U.S.C. section 7303]. Thus, the Department has authority to assign a VA employee to serve in official capacity on a Board should an NPC request it to do so after following its policies for determining Board membership.

The guidance allows a VA employee to serve as an officer, director, or trustee on the VA NPC’s Board of Directors (Board), but not as a general partner or an employee of the NPC (5 C.F.R. § 2640.203(m)). As a board member, the VA employee remains subject to the federal conflict of interest statutes and the Standards of Conduct at 5 C.F.R. Part 2635. In this role on the VA NPC board, the VA employee owes a fiduciary duty to the NPC; however, you must still remain loyal to the VA by recusing yourself from partaking in Board activities if a conflict of interest arises.

To serve on the NPC board you must be assigned by the first SES/SES EQUIV in your chain of command. The attached template when completed, dated and signed by your supervisor will document your approval to begin your service.

If you have any questions, please contact XXXXX.

Very truly yours,

Chair or ED

Date

Dear Chairman of the Board:

I hereby assign [**NAME OF BOARD MEMBER]**, an employee of the Department of Veterans Affairs (VA), to serve as a non-statutory board member of the nonprofit research and education corporation named [**NAME OF NONPROFIT CORPORATION],** in his official VA capacity as [**VA TITLE]** and while on [his/her] tour of duty.

This assignment shall remain in effect until rescinded.

Thank you.

Sincerely,

SUPERVISOR’S NAME