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National Constitution & Bylaws

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AMVETS NATIONAL CONSTITUTION

TABLE OF CONTENTS

Preamble 3

Article I: Name 3

Article II: Aims 3

Article III: Organization 4

Article IV: Membership 5

Article V: National Convention 6

Article VI: National Officers 8

Article VII: National Executive Committee 11

Article VIII: National District Organization 13

Article IX: Department Organization 13

Article X: Post Organization 16

Article XI: Finances 18

Article XII: Discipline 21

Article XIII: Post Transfers 21

Article XIV: Subordinate Organizations 22

Article XV: Ladies Auxiliary 22

Article XVI: Sad Sacks 24

Article XVII: Service Foundation 24

Article XVIII: Department Convention Corporations 25

Article XIX: Junior AMVETS 26

Article XX: Sons of AMVETS 27

Article XXI: AMVETS Riders 29

Article XXII: Publications 29

Article XXIII: Amendments 30

AMVETS NATIONAL BYLAWS

Article I: National Executive Committee 31

Article II: Committees 33

Article III: Duties of Officers 36

Article IV: Charters 41

Article V: Discipline of Posts and Post Members 44

Article VI: Membership 45

Article VII: Monies and Collections 45

Article VIII: Definitions 49

Article IX: Restricted Use of Organization 50

Article X: Meetings 50

Article XI: National Flower 50

Article XII: National Motto 50

Article XIII: National Song 50

Article XIV: Accounting for Monies 50

Article XV: Policy 51

Article XVI: Council of Past National Commanders 51

Article XVII: Resolutions 51

Article XVIII: Amendments 52

Article XIX: Department Self-Audit Process 52

Appendix A: Revocation, Cancellation or Suspension of Post Charters 54

Appendix B: Suspension or Expulsion Members 56

Appendix C: Procedures National Grievance Committee 58

Appendix D: AMVETS Investment Policy 60

Appendix E: AMVETS Uniform Department Constitution 67

Appendix F: Operations Under Emergency or Pandemic Conditions 73

AMVETS NATIONAL CONSTITUTION

PREAMBLE

We, the American Veterans who have served or are serving in the Armed Forces of the United States during and since World War II, fully realizing our responsibility to our community, to ou3r state and to our nation, associate ourselves for the following purposes: to uphold and defend the Constitution of the United States; to safeguard the principles of freedom, liberty and justice for all; to promote the cause of peace and goodwill among nations; to maintain inviolate the freedom of our country; to preserve the fundamentals of democracy; to perpetuate the friendship and associations of these veterans; and to dedicate ourselves to the cause of mutual assistance, this by the grace of God.

ARTICLE I: NAME

The name of this organization shall be AMVETS (American Veterans), and it shall be hereinafter referred to as AMVETS.

ARTICLE II: AIMS

The aims and purposes of this organization are as follows:

To serve our country in peace as in war; to build and maintain the welfare of the United States of America toward lasting prosperity and peace for all its inhabitants;

(1) To encourage, in keeping with policies of our government, the establishment of a concrete plan to secure permanent international peace and to assist in the maintenance of international peace;

(2) To inspire in our membership a sense of responsibility and to develop leadership for the preservation of our American democratic way of life;

(3) To help unify divergent groups in the overall interest of American democracy;

(4) To train our youth to become purposeful citizens in a democracy with full knowledge of the responsibilities as well as the privileges of citizenship;

(5) To cooperate with all duly recognized existing veterans' organizations in the furtherance of the aims of the veterans who have served or are serving in the Armed Forces of the United States during and since World War II;

(6) To ensure the orderly return of the veteran to civilian life by protecting the rights of individuals while the servicemember is still in uniform;

(7) To expedite and assist in the rehabilitation of veterans by maintaining employment services; sponsoring educational opportunities; providing counsel on insurance, housing, recreation, personal problems, hospitalization and veterans benefits;

(8) To act as a liaison agent between the veteran and the government;

(9) To provide an organization to encourage fellowship among all American veterans who have served or are serving in the Armed Forces of the United States during and since World War II; and

(10) To keep the public forever reminded that the American veterans who have served or are serving in the Armed Forces of the United States during and since World War II fought and served to preserve peace, liberty and democracy for their nation.

ARTICLE III: ORGANIZATION

Section 1. AMVETS shall be organized with a national headquarters located in the United States, a department in each state, District of Columbia, United States territories, and at such other places and countries as authorized by the National Convention or an intervening National Executive Committee (NEC) meeting. Local posts shall be formed within these entities, and intermediate administrative groups may be created by the National Executive Committee and department executive committees to function within their respective jurisdiction where such action is deemed advisable.

No fees shall be charged by any entity of AMVETS for the initial issuance of Post or Department charters other than membership dues as prescribed by this Constitution and Bylaws.

Section 2. The national department shall be composed of national officers—both elected and appointed—and the members of the National Executive Committee. It shall be the duty of the national officers to advance the cause of AMVETS, to carry out its aims and purposes, and to provide for realization of the plans and policies established by the mandates of the National Convention and the National Executive Committee.

Section 3. The United States is divided into the following districts:

DISTRICT I: Maine, Vermont, New Hampshire, New York, Rhode Island, Massachusetts, Connecticut and New Jersey;

DISTRICT II: Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina and the District of Columbia;

DISTRICT III: South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas and Tennessee;

DISTRICT IV: Ohio, Indiana, Illinois, Missouri, Iowa, Michigan, Minnesota, Wisconsin and Kentucky;

DISTRICT V: Kansas, Nebraska, South Dakota, North Dakota, Wyoming, Colorado, Montana, Oklahoma and Texas; and

DISTRICT VI: New Mexico, Arizona, Utah, Nevada, Idaho, Oregon, Washington, Alaska, Hawaii and California.

Section 4.
(a) AMVETS is a congressionally chartered membership corporation created by act of Congress under U. S. Code Title 36, Subtitle 1.2.2, Chapter 227, July 23, 1947. In accordance with that legislation, AMVETS has issued charters to subsidiary organizations, departments and other units, including posts. Pursuant to their charters, those units are bound to pursue the purposes set forth in the Congressional Charter and abide by the Charter and Bylaws of AMVETS. However, each organization is a separate unincorporated association or corporation under the laws of the jurisdiction in which each is located.

(b) AMVETS is a federally chartered, patriotic, member corporation created by an act of Congress. AMVETS does not own an interest in any clubroom, canteen, facility, or any fund-raising activity operated for or on behalf of the AMVETS national organization and said organization does not derive any profit from such facilities or activities. Therefore, AMVETS shall not be responsible for the negligent or wrongful acts or omissions, nor the contractual obligations or debts of any post, county council, district, or department. Nor shall AMVETS be responsible for the negligent or wrongful acts or omissions or contractual obligations or debts of any activity, clubroom, holding company, or unit, or post, sponsored, conducted, or operated by and for the behalf of any post, county council, district, or department which shall be at all times under the direct control of such post, county council, district, or department. All funds derived there from shall be at all times under direct control of such post, county council, district, or department.

(c) All monies, property, or assets of any kind or nature, as well as all books and records, owned, held, or used by any activity, clubroom, holding company, or post which may be sponsored, conducted, or operated by, or on behalf of any post, county council, district, or department shall be the property of such post, county council, district, or department, and must be placed in the care and custody of the respective finance officers.

Section 5. The AMVETS National Department, all state Departments, all Posts, and all subordinates thereof shall operate as not for profit entities.

ARTICLE IV: MEMBERSHIP

Section 1. Any person who served or is currently serving in the Armed Forces of the United States of America at any time after Sept. 15, 1940, is eligible for regular membership in AMVETS, provided such service—when terminated by discharge or release from active duty—is by honorable discharge, honorable separation or general discharge under honorable conditions, based on the most recent discharge.

Any American citizen, as an American citizen, who served in the Armed Forces of an Allied nation of the United States at any time after Sept. 15, 1940, and before May 8, 1975, is eligible for regular membership in AMVETS, provided such service—when terminated by discharge or release from active duty—is by honorable discharge or honorable separation.

No person who is a member of, or who advocates the principles of, any organization believing in, or working for the overthrow of the United States government by force, and no American citizen or permanent resident alien in the United States, one of its territories, possessions or the District of Columbia who refuses to uphold and defend the Constitution of the United States shall be privileged to become, or continue to be, a member of this

organization.

All United States reservists and national guardsmen who are now serving, or have been honorably discharged since Sept. 15, 1940, are eligible for regular membership in AMVETS, provided such service—when terminated by discharge or release is by honorable discharge or honorable separation.

Section 2. Honorary memberships shall not be granted. In lieu thereof, certificates of merit may be awarded, or a suitable inscribed award given, to those rendering distinct service to the community and to the American veterans who have served or are serving in the Armed Forces of the United States during and since World War II.

Such awards may be made by posts, intermediate administrative groups, state departments, the National Executive Committee, the national department or the National Convention. Awards by posts and intermediate administrative groups must be approved by department executive committees.

No member of AMVETS shall be entitled to receive a certificate of merit.

Section 3. No member shall be a member of more than one post at the same time.

Section 4. Any member of AMVETS classified as a member-at-large (MAL) may not hold an elected or appointed office at any level in the AMVETS organization.

Section 5. Membership shall run from September 1 through August 31. Eligibility for membership and the rights and privileges of members shall be as provided in the constitution and by-laws of AMVETS and the terms of membership and requirements for holding office within AMVETS shall not be discriminatory on the basis of race, color, religion, gender, sexual orientation or national origin.

Section 6. There shall be but one type of membership as described in Section 1 of this article.

ARTICLE V: NATIONAL CONVENTION

Section 1. A National Convention shall be held annually in the United States of America during August, at a time and place selected by the delegates present and voting at a National Convention.

In the absence of a selection of a convention site by a convention body, or in the event the date or place selected by a convention body becomes unavailable or any provision of the convention bid is withdrawn, or if bids are not received in advance, then the National Executive Committee shall select the time and place of such convention. The National

Convention body shall decide in all other situations. The National Convention shall constitute the governing body of AMVETS.

In all contracts with convention sites the force majeure clause shall include
national and state emergencies or pandemics.

Section 2. The National Convention shall be comprised of the following:

(a) Each local post shall be entitled to two delegates and two alternates for its first 50 members or fraction thereof. Thereafter, the post shall be entitled to one delegate and one alternate for each additional 50 members. The number of delegates or alternates to which each post is entitled shall be computed by National Headquarters as of July 1 each year and reported to the post as soon thereafter as may be possible. Posts must be chartered prior to May 1 to be eligible to vote at the National Convention;

Example: 10-50 Members = 2 delegates and 2 alternates
51-100 Members = 3 delegates and 3 alternates
101-150Members = 4 delegates and 4 alternates
151-200 Members = 5 delegates and 5 alternates, etc.

(b) Each department shall choose a delegate and an alternate at its convention;

(c) Each member of the National Executive Committee shall be entitled to one vote at the National Convention, provided the member's department meets the requirements of Article VII, Section 2, and Article IX, Section 1, but the National Commander shall vote only in the case of a tie; and

(d) Delegates to the National Convention may preregister with National Headquarters, provided they are members in good standing and the conditions of Article X, Sections 2 and 3, have been met.

Section 3. Each delegate shall be entitled to one vote. Alternates shall have all the rights and privileges of their delegates except they shall vote only in their delegate's absence.

No delegate or alternate, however, shall be seated at the National Convention unless all the individual's accounts with national headquarters are fully paid up.

Section 4. Any person who transfers from one post to another must be a member of the post to which the person has been transferred for at least six months before becoming eligible to represent said post as a delegate or alternate at a National Convention.

Section 5. No delegate of an accredited post or department shall be seated at the National Convention unless the respective post and department shall be fully paid up in all its accounts with National Headquarters and national districts and their accounts and membership shall be certified as of 30 days prior to the opening date of the National Convention.

No post or department delegate or alternate shall be permitted to register as such unless the delegate or alternate shall have been a member in good standing on the national rolls for at least 30 days prior to the opening of said convention and possesses a membership card or other satisfactory evidence identifying the delegate or alternate as a member of the post or department from which the individual is registering.

Further, no post shall seat its delegates at a National Convention unless it shall have complied with the requirements to renew its charter for that year, as in Article X, Section 3 hereof, and shall have received a Certificate of Revalidation to the charter for that year.

Section 6. Two hundred and fifty voting delegates registered at the National Convention shall constitute a quorum. More than 50 percent of the delegates registered at the National

Convention must be present on the convention floor to constitute a quorum.

Section 7. No National Convention bids shall be received on the convention floor unless they are previously submitted to the National Finance Committee in accordance with the rules of said committee, and in accordance with the rules and procedures of the National Executive Committee.

Section 8. After selection of the convention site, the incoming National Commander shall appoint the convention chairman and co-chairman from the state in which the National Convention will be held.

Section 9. The Convention Rules Committee, after reviewing and making necessary changes, shall present to the National Executive Committee at the Fall NEC meeting, for its approval, the Rules of the Annual Convention following the NEC meeting at which the rules are considered.

The National Headquarters will then circulate those rules to the departments and posts at least 30 days prior to the Annual Convention.

The Rules of the Convention may be amended by a majority vote of the Delegates assembled at the Annual National Convention.

Section 10. In cases where face to face meetings is not possible due to a national emergency or pandemic, National Convention protocols contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

ARTICLE VI: NATIONAL OFFICERS

Section 1.

(a) The National Convention shall elect a National Commander, a National First Vice Commander, a National Second Vice Commander, a National Third Vice Commander, a National Finance Officer, a National Provost Marshal, and a National Judge Advocate.

The National Judge Advocate must have served at least one term as an AMVETS National, National District, or Department Commander, or be a licensed or retired attorney, and must have been in practice for a period of not less than five years.

(b) No elected National Commander shall serve consecutive terms in office unless filling such office by succession or election to a vacancy occurring between National Conventions. The elected national vice commanders may succeed themselves once in each respective office.

(c) No member shall be eligible for any national office unless the individual is fully paid up in all accounts with the national headquarters 30 days prior to the opening date of the National Convention.

(d) No member shall be eligible for any national office unless proof of eligibility for membership has been presented to the Credentials Committee of that convention.

(e) Each recognized national geographic district in meetings assembled at the National Convention shall elect a national district commander to promote and coordinate activities within the district.

Such national district commanders shall be national officers and shall be members of the National Executive Committee with voice and vote.

(f) The state departments of recognized districts are to organize on a district basis as authorized for the express purpose of furthering the aims and purposes of the national organization as set forth in Article II.

Each recognized national district shall conduct at least one district executive meeting between the annual meetings. Each recognized national district shall establish and adopt a constitution to govern its own organization.

No recognized national district shall have administrative authority over its state departments and local posts; however, a district commander's duties include acting as a national deputy inspector general.

All duly elected national district commanders shall report, in writing, to each meeting of the National Executive Committee. In the event the duly elected national district commanders fail to submit reports herein required, then such expenses as they may be otherwise authorized to receive under the terms of this constitution and bylaws shall be forfeited.

Section 2. In cases where face to face meetings is not possible due to a national emergency or pandemic certain officers terms contained herein will be altered procedures established as Appendix F to AMVETS National Bylaws.

Section 3. All elected national officers shall be members of the National Executive Committee.

Any national executive committeeman elected to a national office by a National Convention or appointed to a national office by the National Commander shall, if the individual accepts the national elective office or appointment, be deemed to have resigned the office as a national executive committeeman.

The national chaplain shall be a member of the National Executive Committee but without a vote.

Section 4.

(a) The National Commander, with the consent and approval of the National Executive Committee, shall appoint an executive director, a legislative director, a finance director, a program director, a membership director and a communications director whenever vacancies occur in such offices provided that their compensation, if any, is included in the approved operating budget. The legislative director, the finance director, the program director, the membership director and the communications director will report to the executive director.

(b) Such appointment shall be for a six-month probationary period. On the expiration of said probationary period, said appointment shall be presented no later than the next National Executive Committee for confirmation.

(c) The National Commander, with the consent and approval of the National Executive

Committee, shall also appoint and have the power to remove a national inspector general, a national chaplain, and a deputy national judge advocate who must have served at least one term as an AMVETS National, National District or Department Commander or be a licensed or retired attorney and must have been in practice for a period of not less than five years. These appointments shall be made at the post-convention NEC meeting.

Section 5.

(a) The National Headquarters shall maintain a personnel manual approved by the National Executive Committee. The National Commander shall have the power to suspend any director for cause in accordance with existing personnel policies.

(b) No salaried appointed director may be discharged without the approval of the Personnel Committee. The committee shall be composed of the National Commander, who shall be the chairman, and the national district commanders. The national judge advocate shall be an ex-officio non-voting member of said committee.

No salaried employee of AMVETS, at any level, shall be eligible to serve on the Personnel Committee.

Salaries of appointed directors shall be fixed by the Finance Committee subject to the approval of the National Executive Committee.

(c) Hiring and firing of all National Headquarters employees except directors shall be vested in the executive director. He shall also be responsible for establishment of salaries within the approved budget, subject to the approval of the National Finance Committee. An appeal from the decision of the executive director may be taken through the National Commander to the Personnel Committee whose decision shall be final.

(d) No paid employee of National Headquarters and/or the National Service Foundation shall be eligible for election to any national and/or state office in AMVETS, nor shall the paid employee participate in the election or pre-election activities on the part of any candidate for election to office in AMVETS. However, said employees shall have the right to vote.

Any violation of this provision shall be cause for dismissal from the employee's paid position.

(e) An elected officer may be removed from office only by a two-third vote of the National Executive Committee after written charges against such officer shall have been preferred and furnished by certified mail to the officer concerned and to the members of the National Executive Committee.

A full hearing shall be held by the National Executive Committee on charges preferred against an elected national officer or by three members of the National Executive Committee. Such hearing shall be held within 30 days after the charges are referred and mailed.

The officers subject to removal from office shall be those enumerated in Section 1(a) and Section 1(e) of this Article. National Executive Committeemen and Alternate National Executive Committeemen may be removed from office by their respective Department

Executive Committee.

(f) The procedure for removal from office of elected officers shall be prescribed by the National Executive Committee on recommendation of the national judge advocate in accordance with the UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF A MEMBER (AMVETS National Bylaws, Appendix B)

Section 5. National officers elected at a National Convention shall be installed in office at a special ceremony held at the Convention. The term of office shall be from September 1 to August 31 of each year.

Section 6. In the event of a vacancy in the office of National Commander, the national first vice commander shall succeed to that office. In the event of a vacancy in the office of the national first vice commander, the national second vice commander shall assume the office of national first vice commander.

Section 7. In the event of a vacancy, regardless of the reason for such vacancy, in the office of the National Second Vice Commander, National Third Vice Commander, or National Judge Advocate, the National Second Vice Commander shall assume the duties of the National First Vice Commander, the National Third Vice Commander shall assume the duties of the National Second Vice Commander, and the National Deputy Judge Advocate shall assume the duties of the National Judge Advocate.

In the event of a vacancy, regardless of the reason for such vacancy in the office of National Finance Officer or the National Provost Marshal, the National Commander shall appoint an AMVET to fill the vacancy.

Section 8. In the event a vacancy occurs in the office of a national district commander, the office will be filled as provided in the national district constitution. Should the district constitution not provide for succession to the office of district commander, the departments within that district shall hold an election to fill such vacancy.

If no election is held within 30 days of notification to the departments by National Headquarters of the vacancy, the National Commander shall fill the vacancy by appointment, subject to approval of the National Executive Committee.

ARTICLE VII: NATIONAL EXECUTIVE COMMITTEE

Section 1. The administrative power between National Conventions shall be vested in the National Executive Committee, which shall be composed of the National Commander, Past National Commanders, the National First Vice Commander, the National Second Vice Commander and the National Third Vice Commander, all other elected national officers and the national executive committeeman from each organized department complying with all of the requirements of this constitution and bylaws.

Each of the above members are national officers and shall be entitled to one vote except the National Commander, who shall vote only in case of a tie, and except that the past National Commanders present and voting shall have but one vote divided equally among them and such

fractions of one vote shall be cast on an individual basis by each past National Commander at personal discretion.

Each department shall elect an alternate national executive committeeman to serve in the absence of the national executive committeeman from that department. If the national executive committeeman or the alternate is not present at a meeting of the National Executive Committee, then a member of the department may be seated on written recommendation of the state commander.

The Alternate National Committeeman when National Committeeman is present and the National Chaplain shall be a member of the National Executive Committee but without a vote.

Section 2. No national executive committeeman, alternate executive committeeman or other representative of a department shall be seated on the National Executive Committee to represent such department at any NEC meeting or have expenses paid by the national department for such meeting unless the individual is fully paid up in all personal accounts with the national headquarters and that all posts within the department shall have complied with all requirements of a post to revalidate its charter and received such Certificate of Revalidation of its charter, or the department has taken disciplinary action against such posts by suspending the charter of the posts until they shall have complied with all such requirements, and the department has presented to National Headquarters copies of the formal written suspension notification.

Section 3.

(a) The members of the National Executive Committee required to submit written reports at NEC meetings shall do so by certified mail, return receipt requested, or by electronic facsimile (fax) transmission or computer Email, requesting confirmation of receipt, 30 days prior to each said meeting as directed by National Headquarters. Failure to comply shall result in forfeiture of payment of expenses for that meeting.

(b) Each national executive committeeman, or the person seated in the committeeman's stead at any duly scheduled meeting of the National Executive Committee, shall make within 45 days of return from said meeting a full and complete written report to the individual's department.

    If no report is made to the department, said national executive committeeman shall forfeit payment of expenses for the next regularly scheduled meeting of the National Executive Committee.

    The department at its option may notify the National Headquarters to forfeit the payment of expenses for the NEC Man at the next regularly scheduled meeting of the National Executive Committee.

Section 4. In cases where face to face meetings is not possible due to a national emergency or pandemic, certain officer's terms contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section 5. Each national executive committeeman and alternate executive committeeman shall take office on adjournment of the department convention at which the committeeman

or alternate is elected and serve until a successor is duly elected.

Each such national executive committeeman and alternate national executive committeeman shall serve for a term of two years, with the departments of Alabama through Missouri, including the District of Columbia, selecting in the even-numbered years and Montana through Wyoming selecting in the odd-numbered years.

Section 6. Members of the National Executive Committee shall be delegates to the National Convention, each entitled to one vote, providing their respective departments have complied with all the provisions of the national constitution and bylaws.

ARTICLE VIII: NATIONAL DISTRICT ORGANIZATION

Section 1. Each national district shall be recognized, provided it has a minimum of two chartered departments.

Section 2. Each recognized national district shall organize following the National Convention and each department shall be a member of its respective district.

Section 3. Each recognized national district shall submit for approval a current and complete copy of its district constitution and bylaws, as revised and amended, to the national judge advocate within 30 days of such change.

Section 4. Each recognized national district in accordance with its constitution and bylaws is authorized to elect or appoint subordinate officers as will be necessary and is required to forward a list of its officers to National Headquarters within 30 days of election or appointment.

Section 5. Each recognized national district is authorized to enact whatever administrative and fiscal policies and procedures may be necessary to operate efficiently as a national district, including the authority to establish dues from the member departments.

ARTICLE IX: DEPARTMENT ORGANIZATION

Section 1.

(a) Each state or territorial area of the United States shall constitute a department and shall be chartered as such, provided it has a minimum of five chartered posts and a minimum of 150 members.

Within two years, the department must attain a minimum of 250 members. Maintenance of this minimum requirement is mandatory. Failure of a department to maintain these minimum requirements shall result in automatic suspension of its charter and privileges for a period not to exceed six months, after which, if the minimum requirements are not met, the charter will be administratively revoked.

(b) When a department charter is revoked, the national department shall have full authority to take possession, custody and control of all records, property and assets of the department.

Said department shall not be eligible to reapply for charter status for a period of two

years from the date of revocation unless it has a minimum of five posts and 250 members.

After two years, the department may apply for a charter, provided it has met the minimum requirements of five posts and 300 members.

(c) For the purpose of determining eligibility for the spring NEC meeting/National Convention, the department membership shall be that of record on the end of month membership printout prior to the meeting.

For the purpose of eligibility for the fall NEC meeting, the August 31 end-of-month membership report shall be utilized.

(d) New departments shall be chartered by and on written request to the National Commander and shall be ratified by the National Executive Committee at the next scheduled meeting.

Section 2. Prior to July 15, each department shall submit a current and complete copy of its department constitution and bylaws, if revised and amended, to the national judge advocate for approval of all amendments or revisions. Such amendments or revisions shall be clearly identified by underlining or italicizing.

Section 3. In cases where face to face meetings is not possible due to a national emergency or pandemic convention protocol contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section 4. Each department shall conduct its convention, to be held annually, between May 1 and June 30, at which time it shall elect department officers and its delegate and alternate to the National Convention and its national executive committeeman and alternate.

Elected department officers shall assume office not later than July 15. National executive committeemen and alternates shall assume office in accordance with Article VII, Section 4. of the constitution.

Section 5. It shall be the duty of each department to aid in the organization of local posts and to carry out the plans and policies delegated to it by the national department in adherence to the provisions of this constitution.

Section 6. No fundraising activities shall be undertaken by or on behalf of any state department or any subordinate thereof within the geographical confines of any other state department without the express permission of the affected department.

Section 7. Any provisions of the constitution or bylaws of a department or subordinate organization of AMVETS found to be in conflict with or contrary to the provisions of the national constitution are null and void. Officers of departments shall use the equivalent titles provided for national officers in the constitution.

Section 8. No public fundraising project or program of any kind or character shall be undertaken by or on behalf of any national district, state department or subordinate thereof, unless the contract, agreement or other arrangement under which such project is to operate

has first been submitted for prior approval of a standing committee that shall be composed of the president of the National Service Foundation, the national judge advocate and the National Commander. The National Executive Director and the executive director of the National Service Foundation shall be ex-officio members of this committee.

A public fundraising project is defined as any project or program involving a solicitation or request to nonmembers of AMVETS for a donation or pertaining to the sale of merchandise, goods, tickets or advertising matters of any kind or character. The committee shall render a decision within three weeks on all matters submitted to it. In the event of an adverse decision of this committee, an appeal may be made to the National Executive Committee at its next session.

All federal or state reports required to be filed by said state department or subordinate thereof, including the state service foundation, pursuant to federal or state legislation or administrative regulations pertaining to the fundraising or the disposition of any of the assets of said state department or subordinates thereof, including the state service foundation, shall, at least 14 days prior to filing with any federal or state agency, be submitted to the aforesaid standing committee for preliminary review and recommendations concerning the preparation and filing thereof.

Failure of a state department or subordinate thereof to adhere to the provisions of this section shall be considered grounds for disciplinary action.

Section 9.

(a) Every department shall be required to revalidate its charter annually prior to July 15. Such charter revalidation shall be evidenced by an appropriate device to be issued by National Headquarters.

In order to revalidate such charter and to receive a Certificate of Revalidation of its charter, each department, aside from any other requirements imposed in this constitution and bylaws, shall—

(1) Furnish National Headquarters with a certified list of current department officers;

(2) File Internal Revenue Form 990 for the department calendar or fiscal year with the Internal Revenue Service, and indicate on the officer's form that a 990 form has been sent to the IRS;

(3) Furnish National Headquarters with a copy of the department's current constitution and bylaws or a certification stating that the copy previously submitted has not been amended;

(4) Be fully paid up in all department accounts with National Headquarters; and

(5) If required, have complied with Article IX, Section 8(c), of the AMVETS National Constitution.

(b) All departments shall carry public liability insurance, including personal injury and property damage coverage with a minimum single limit of$300,000.

All Departments will carry liquor liability insurance.

Departments will carry workers' compensation insurance in accordance with the law of the state in which the department headquarters is located.

National Headquarters shall be included in each and every policy as an additional insured and a certificate of said insurance shall be furnished to National Headquarters.

(c) All departments shall be incorporated in accordance with the laws of their respective states. A filed copy shall be furnished to the national department.

(d) No department shall have its representative seated or his expenses paid by National at any meeting of the National Executive Committee or any National Convention if it fails to conform to Sections 8(a), (b) and (c) of this article.

(e) All departments shall comply with local, state and federal laws and statutes in the operation of said department and its facilities. Each department shall certify to National Headquarters yearly that it is in compliance with this section of the AMVETS National Constitution.

Section 10.

(a) A bordering department state may adopt a non-department state for the purpose of assisting in its development. The adopting department shall continue to provide administrative assistance and advice to the adopted state for a period not to exceed one year after the adopted state obtains department status.

(b) Fifty percent (50%) of the non-department escrow shall be held in escrow by the national department until the non-department state meets department criteria as outline in AMVETS National Constitution Article IX, Section 1.

The remaining fifty percent (50%) of the non-department escrow amount may be utilized by the adopting department to offset administrative expenses in support of the adopted non- department state and its members.

Non-department posts and their members shall enjoy the full rights/privileges of department posts and be subject to the provisions of the adopting department's constitution and bylaws.

Section 11. A Uniform Department Constitution shall be promulgated and shall be known as Appendix E to the AMVETS National Constitution and Bylaws. Amendments to Appendix E may only be made by a majority of the delegates voting at a National Convention.

ARTICLE X: POST ORGANIZATION

Section 1. Local posts may be formed by 10 eligible individuals, by making application to their department, and if there is no organized department, by making application directly to National Headquarters. If the department approves, the application shall be forwarded to National Headquarters.

Section 2. Posts shall be governed locally by their own officers chosen according to their own

constitution and bylaws, except that election of officers shall be held annually between May 1 and June 30 and said officers shall be installed by an AMVET in good standing who has attained at least the rank of post commander, or a department or national officer, and assume office no later than July 15 thereafter.

The posts, however, shall be subject and subordinate to the jurisdiction of the national and state department headquarters; any provisions of a post constitution found to be in conflict with or contrary to the provisions of this constitution shall be null and void. Officers of posts shall use the equivalent titles provided for national officers in this constitution.

Section 3. Every post shall be required to revalidate its charter annually prior to July 15. Such charter revalidation shall be evidenced by an appropriate device to be issued by National Headquarters.

In order to revalidate such charter, and to receive a Certificate of Revalidation of its charter, each post, aside from any other requirements imposed in the constitution and bylaws, shall—

(a) Furnish National and its department headquarters with a certified list of current post officers;

(b) File Internal Revenue Form 990 for the post calendar or fiscal year with the Internal Revenue Service, and indicate on the officers' form that a 990 form has been sent to the IRS;

(c) Furnish National Headquarters with a copy of the post's current constitution and bylaws or a certification stating that the copy previously submitted has not been amended;

(d) Be fully paid up in all post accounts with National Headquarters;

(e) If required, have complied with Article VII, Section 3(c), of the AMVETS National Bylaws;

(f) Have at least 10 members in good standing at the time of revalidation; and

(g) Provide National Headquarters through the Department headquarters a copy of the chartered post articles of incorporation if required by AMVETS National Bylaws Article VII Section 3(d) and, if required by state law, certificates of good standing.

Section 4.

(a) All posts shall comply with local, state and federal laws and statutes in the operation of the post and its facilities. Each post shall certify to National Headquarters yearly that it is in compliance with this section of the constitution.

(b) On compliance with all the above requirements, National Headquarters shall issue to such post a Certificate of Revalidation.

(c) On or before August 1st of each year, the National Commander, through the National Headquarters, shall furnish each Organized Department, Commander, Judge Advocate, and Adjutant/Executive Director a list of post within such Department that have not compiled with the above requirements directing that such Post be disciplined.

By September 1, each department notwithstanding—and in addition to any other provisions of the constitution and bylaws—shall suspend the charter of such posts until they comply with such requirements, unless they have complied with such requirements prior to such suspension.

Any charter so suspended shall remain suspended until such post shall have complied with such requirements and shall have received a Certificate of Revalidation to the charter from the national department.

Any post whose charter remains in a state of suspension for six consecutive months for any of the foregoing reasons shall, on March 1, have its charter automatically revoked without any further action being necessary either by the state or national department.

No department shall have its representatives seated or their expenses paid at any meeting of the National Executive Committee unless it has been certified in writing that all posts in the department have complied with the aforesaid requirements or written evidence is furnished that appropriate disciplinary action has been taken against all posts not so complying.

(d) Action against posts in unorganized departments shall be taken by the national department.

(e) All post constitution and bylaws at inception or as amended shall be sent to the department judge advocate for review and/or recommendations. If the department judge advocate accepts the constitution and bylaws as submitted, the department judge advocate shall direct same—reflecting the department judge advocate's acceptance— immediately to National Headquarters for filing with the department judge advocate's approval attached thereto.

ARTICLE XI: FINANCES

Section 1.

(a) All national finances of AMVETS shall be under the control of the National Executive Committee, which shall delegate sufficient general and specific authority to the National Finance Committee to carry out the usual duties of such committee.

The National Finance Committee, with the approval of the National Executive Committee, shall have the authority to retain independent investment experts as needed for consultation in supervising any and all AMVETS funds.

(b) The National Finance Committee shall serve as the board of trustees for the life membership designated fund in accordance with National Bylaws Article VII, Section 6.

Section 2.

(a) The National Finance Committee shall consist of nine voting members as follows:

(1) The National Finance Officer who shall be the chairman;

(2) The National Commander;

(3) The National Judge Advocate;

(4) The most Immediate Past National Commander willing and able to serve;

(5 & 6) Two members to be elected by the National Executive Committee from among the membership of the NEC as of September 1 following the election;

(7) The National First Vice Commander;

(8) The National Second Vice Commander; and

(9) The National Third Vice Commander

The President of the National Service Foundation shall be a non-voting, ex-officio member of the National Finance Committee.

(b) Should the chair be temporarily vacant, for any cause whatsoever, the National Commander shall conduct an election from among the members of the committee to serve in place and stead.

Section 3. The Finance Committee shall meet annually in the month of July and prior to each NEC meeting. Special meetings may be called by the chairman or by any three members of the committee. National Finance Committee meetings may be conducted via secure, online video meetings when necessary.

In cases where face to face meetings is not possible due to a national emergency or pandemic meeting protocols contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section 4. The Finance Committee shall make an annual report to the National Convention. Revenue shall be derived from membership dues and such other sources as may be approved by the National Executive Committee.

Section 5. The Finance Committee shall submit a provisional annual budget to the National Executive Committee for its approval at its preconvention meeting. In cases where face to face meetings is not possible due to a national emergency or pandemic reporting protocols contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Within 60 days thereafter, the National Commander, at personal discretion, may reconvene the National Finance Committee for the purpose of preparing and acting on such recommendations for budgetary change as the National Commander may propose. The National Commander's proposals for change, however, shall be limited to revisions within departmental budgets.

The National Finance Committee may adopt or reject such proposals by majority vote.

Section 6. The following provisions shall govern the establishment and administration of the budget of AMVETS National Headquarters:

(a) The Finance Committee has the sole fiduciary responsibility to prepare and present a budget

that is fiscally sound;

(b) In determining the budget, revenue shall be based on tangible assumptions and realistic and/or proven income projections to include revenue that provides funding for the operations and programs approved by the Finance Committee, National Executive Committee, and National Convention;

(c) In the full execution of approved programs within the budget, expenses shall be budgeted as realistically as possible to ensure overall spending integrity;

(d) A contingency budget shall be developed solely to address unexpected expenses during the operating fiscal year and included in the budget;

(e) In no case shall the National Finance Committee or any other body of the national organization be permitted to adopt or approve a budget in which the expenses, provisions for capital expenditures and provisions for debt reduction exceed the income established above.

Departmental budgets may be adjusted between departments, subject to the approval of the National Finance Committee.

Under no circumstances, however, shall the aggregate budget as approved by the National Executive Committee be over-expended. Violation of any of the foregoing provisions by any officer or employee of AMVETS shall constitute cause for disciplinary action, including removal from office or dismissal from employment;

(f) Any officer or employee who willfully violates any provision of this section shall, in addition to any other disciplinary action taken, be personally financially liable for any amount spent that exceeds the budget appropriations unless such excess had prior approval of the National Finance Committee.

Any salary or expense money due or to become due to any officer or employee may be retained by the organization to offset all or any part of the unauthorized over-expenditure; and

(g) The National Commander, the National Finance Officer, and any one other voting member of the National Finance Committee, by a majority of the three, in person, or by US Mail, telephone, FAX, secure online video meeting or e-mail, may utilize monies from the contingency fund to the limit duly approved by the National Executive Committee via the annual budget process.

A full reporting of such expenditures, which shall be detailed as part of the committee minutes, shall be made to the next meeting of the Finance Committee.

Section 7. The National Finance Committee shall have the power and authority to designate the depository banks or other financial institutions to receive deposits into various accounts belonging to the AMVETS national department, and to disburse such funds on checks signed by two or more persons designated by the National Finance Committee.

Section 8. The budget year shall be September 1 through August 31.

Section 9. Any resolution emanating from a National Convention involving the expenditure of funds or any financial commitment shall be referred to the National Finance Committee for approval.

In reviewing resolutions adopted at a National Convention, the National Finance Committee shall have three options: (1) provide funding from the newly adopted national budget, (2) defer funding pending appropriate planning by the national staff as part of the next fiscal year or (3) deny funding based on current and projected funding levels.

If a resolution is denied or deferred because of a want of available funds within the meaning of Section 6 hereof, the National Finance Committee shall report such decision to the National Executive Committee at its next meeting.

Section 10. The National Audit Committee, operating under the jurisdiction of the National Finance Committee (NFC), reports at the NFC Budget Meeting and is comprised of three members of the NFC who are selected by the NFC.

ARTICLE XII: DISCIPLINE

Section 1. Disciplinary rules relative to posts are prescribed by Appendix A.

(a) A state executive committee may suspend or expel any department member for misappropriation of AMVETS department funds.

Section 2. The National Executive Committee, after notice and hearing before a subcommittee, may cancel, suspend or revoke the charter of any department for good and sufficient cause. Procedure for any such action shall be prescribed by the national judge advocate.

In the event of the cancellation, suspension or revocation of any charter of any department, the suspended body shall have the right of appeal to the next National Convention.

Section 3. On revocation or cancellation of the charter of a post in any department of AMVETS, or a Department, said post or Department shall immediately cease operation and, on revocation or cancellation, turn over its charter and assets to its Department or National Commander or National or Department Executive Committee.

Authority and procedures are defined in the National Bylaws, Article IV, Sections 2, 3 and 5.

ARTICLE XIII: POST TRANSFERS

Section 1. Any member in good standing may change membership in a post or a department and join a new post without repaying the current dues.

Section 2. Such transfer shall be subject to the approval of the posts and departments involved.

No transfer shall be denied by the post or department from which transfer is requested without

just cause.

Section 3. The losing post or department has 30 days to either approve a request for transfer or show just cause why the transfer should not be executed.

Failure to respond to the requesting (gaining) post or department in writing, by either approving and returning the request for transfer, or providing just cause for denial of requested transfer, within 30 days, will be taken as approval for the requested membership transfer.

ARTICLE XIV: SUBORDINATE ORGANIZATIONS

Section 1.

(a) A subordinate organization of AMVETS may be established only by a provision of this constitution.

(b) All subordinate organizations' membership qualifications must be consistent with the aims and purposes of AMVETS.

(c) All subordinate organizations will include in their constitution and bylaws protocol for operating during instances of national or state emergency or pandemics. These will be in accordance with the provisions of Appendix F of AMVETS National Bylaws

ARTICLE XV: LADIES AUXILIARY

Section 1. AMVETS recognizes a subordinate organization known as the AMVETS Ladies Auxiliary.

Section 2.

(a) Eligibility for membership in the AMVETS Ladies Auxiliary shall be limited to the mothers, wives and grandmothers, regardless of age, and to the daughters, stepdaughters, sisters and granddaughters, not less than 18 years of age, of regular members of AMVETS; and to the mothers and widows, regardless of age, and to the daughters, stepdaughters, sisters and granddaughters, not less than 18 years of age, of deceased veterans who would have been eligible for membership in AMVETS, and female veterans who served honorably in the Armed Forces of the United States after Sept. 15, 1940, or as an American citizen in the Armed Forces of Allied countries after Sept.15, 1940, and before May 8, 1975, who maintain their AMVET membership unless they meet the established eligibility criteria.

    The term mother shall be construed to include any female member of the family, or any female guardian of such person or deceased veteran, who has exercised or is exercising the care and responsibility for the rearing of such person or deceased veteran.

(b) Any member of the Ladies Auxiliary who has been duly recognized as a member of the auxiliary under the provisions of 2(a) herein shall be allowed to remain a member of the Ladies Auxiliary so long as she remains a member in good standing.

Section 3.

(a) The Ladies Auxiliary shall be under the control of the National Commander and the National Executive Committee, provided that nothing contained in this section shall in any way remove the jurisdiction given to the national organization and to departments over

corresponding units of the Ladies Auxiliary.

(b) Each department Ladies Auxiliary shall be under the jurisdiction of the department whose name it bears. Each department Ladies Auxiliary shall be identical in geographical limits to its respective AMVET department and be known and identified by the same name.

Section 4.

(a) Each Ladies Auxiliary shall be affiliated with an AMVET post and carry the corresponding number of that post.

(b) No Ladies Auxiliary to any post shall be formed until approved by two-thirds vote of the members present at a stated meeting, with due notice of the proposed formation having been given the entire membership of said post 15 days prior to such meeting.

(c) Each local Ladies Auxiliary shall be under the jurisdiction of the post whose number it bears.

(d) Where no post exists, a Ladies Auxiliary shall not be formed.

(e) Any Ladies Auxiliary not affiliated with an existing AMVET post shall not be recognized and shall surrender its charter and such properties it may possess to the duly recognized Ladies Auxiliary officer or officers in accordance with the constitution of the National Ladies Auxiliary.

Section 5.

(a) A post may, by a vote of two-thirds of its members present at a meeting, following a printed or written notice mailed or delivered to each member of the post in good standing at least 10 days before said meeting, vote to disband its Ladies Auxiliary.

Such notice shall show contemplated action and be certified to and forwarded through the state department of AMVETS with proper notice in writing to the National Ladies Auxiliary liaison officer, the department Ladies Auxiliary president, and to the National Commander, who shall direct the cancellation of the charter of the Ladies Auxiliary only after investigation by him that it is in the best interest of AMVETS to do so.

(b) In the case of the discontinuance of a post by voluntary surrender of its charter or by a forfeiture or revocation of the charter, its Ladies Auxiliary, if any, shall continue in being for a period of not more than one year.

(c) The National Commander may direct a suspension or cancellation of the charter of any Ladies Auxiliary on recommendation of the department commander having jurisdiction, when it is shown that the Ladies Auxiliary has become a detriment to the post.

Section 6. In the event of the surrender, cancellation or forfeiture of a Ladies Auxiliary charter to a post, all monies, official records, property and other paraphernalia shall be surrendered to such officer or officers as the rules and regulations of the National Ladies Auxiliary provide.

In case such Ladies Auxiliary is reinstated or reorganized within a period of three years, such monies, papers, etc., originally forfeited by such Ladies Auxiliary, shall be delivered to such

reorganized or new Ladies Auxiliary in connection with the charter.

Section 7.

(a) The national president of the Ladies Auxiliary, within 30 days after the national president's induction to said office, shall transmit to the National Commander for the National Commander's information and that of the National Executive Committee a complete itemized report of the financial standing of the National Ladies Auxiliary.

(b) All books and records of the National Ladies Auxiliary shall be made available on request to the National Commander or National Executive Committee for either examination or audit.

Section 8. AMVETS recognizes a subordinate organization known as Sackettes, a fun and honor organization of the AMVETS Ladies Auxiliary. AMVETS Ladies Auxiliary members in good standing are eligible to be members of AMVETS Sad Sacks.

Section9. NonationalfundraisingactivitiescanbesponsoredbytheNationalLadiesAuxiliary or any of its subordinates without prior approval of the National Executive Committee.

ARTICLE XVI: SAD SACKS

Section 1. AMVETS recognizes a subordinate organization known as AMVETS Sad Sacks of American veterans who have served or are serving in the Armed Forces of the United States during and since World War II.

Section 2. Sad Sacks shall be governed by a constitution and bylaws approved by the National Executive Committee.

Section 3. Eligibility for membership in the Sad Sacks shall be limited to members in good standing of AMVETS, AMVETS Ladies Auxiliary, and Sons of AMVETS.

Section 4. No national fundraising activities may be sponsored by the national Sad Sacks organization or any of its subordinates without prior approval of the National Executive Committee.

Section 5. A copy of the constitution and bylaws, and any amendments thereto, shall be transmitted to the national judge advocate for approval by September 30 of each year.

Section 6. The national saddest, within 30 days after induction to said office, shall transmit to the National Commander for the National Commander's information and that of the National Executive Committee a complete itemized report of the financial standing of the Sad Sacks.

ARTICLE XVII: SERVICE FOUNDATION

Section 1. AMVETS recognizes a subordinate organization known as the AMVETS National Service Foundation. Its membership shall be constituted in accordance with the Bylaws of the AMVETS National Service Foundation, Section 3.3, Election and Term of Board Members, with no more than one seated per Department, unless no other eligible candidates are available for nomination. This provision is intended to ensure balanced representation and equitable participation among all districts.

Said Service Foundation shall report on its activities at each NEC meeting and convention.

Section 2. Authority is hereby given each state department to authorize and create a subordinate organization known as the AMVETS Department of (state) Service Foundation. Each foundation so created shall adopt a constitution and bylaws, which shall be submitted within 30 days thereafter to the national judge advocate for approval.

No service foundation may be created by any post of AMVETS.

Section 3. A copy of the constitution and bylaws, and any amendments thereto, shall be transmitted to the national judge advocate for approval by September 30 of each year.

Section 4. The AMVETS National Service Foundation shall provide a National Service Director and a Deputy National Service Director.

(1) National Service Director. The national service director shall be the service and welfare officer of the national service foundation.

The national service director shall be responsible for the proper handling of claims of veterans and their dependents or survivors before the Department of Veterans Affairs; addressing veterans' employment problems; the prosecution of rights under all applicable federal statutes concerning veterans' affairs; and the answering of individual requests for assistance or information from members, posts and departments.

It shall be the duty of the national service director to formulate a rehabilitation program and to direct the activities of staff members charged with implementing the program. A part of this program shall be the formation of a staff of trained national service officers and their assignment to the various regional offices of the Department of Veterans Affairs, subject to the approval of the national service foundation executive director and the Board of Trustees.

The national service director shall serve at the pleasure of the AMVETS National Service Foundation Board of Trustees.

(2) Deputy National Service Director. The deputy national service director shall be under the supervision of the national service director and shall supervise the operations of the field cadre, ensuring adherence to AMVETS and national service program policies; maintain all records pertinent to the field operation; advise the national service director on all aspects of the field operation; represent AMVETS at appropriate events and meetings; and fulfill other duties as required.

ARTICLE XVIII: DEPARTMENT CONVENTION CORPORATIONS

Section 1. Authority is hereby given to each state department to authorize and create a subordinate organization known as the AMVETS Department of (state) Convention Corporation.

Section 2. A copy of the constitution and bylaws, and any amendments thereto, of each said convention corporation shall be transmitted to the national judge advocate by September 30

of each year.

ARTICLE XIX: JUNIOR AMVETS

Section 1. AMVETS recognizes a subordinate organization known as Junior AMVETS.

Section 2. Eligibility for membership in the Junior AMVETS shall be limited to sons and daughters, stepchildren, brothers and sisters, and grandchildren of AMVETS, deceased members of AMVETS, members of the Auxiliary, and members of the Sons of AMVETS, and a servicemember who died and would have been eligible for AMVETS membership, including all children that they may be legal guardian of from the age of 5 to and including 17 years.

Section 3.

(a) The Junior AMVETS shall be under the control of the National Commander and the National Executive Committee, provided that nothing contained in this section shall in any way remove the jurisdiction given to the national organization and to departments over corresponding units of the Junior AMVETS.

(b) Each department Junior AMVETS shall be under the jurisdiction of the department whose name it bears. Each department Junior AMVETS shall be identical in geographical limits to its respective AMVET department and be known and identified by the same name.

Section 4.

(a) Each Junior AMVETS shall be affiliated with an AMVET post and carry the corresponding number of that post.

(b) No Junior AMVETS to any post shall be formed until approved by two-thirds vote of the members present at a stated meeting, with due notice of the proposed formation having been given the entire membership of said post 15 days prior to such meeting.

(c) Each local Junior AMVETS shall be under the jurisdiction of the post whose number it bears.

(d) Where no post exists, Junior AMVETS shall not be formed.

(e) Any Junior AMVETS not affiliated with an existing AMVET post shall not be recognized and shall surrender its charter and such properties it may possess to the duly recognized Junior AMVETS officer or officers in accordance with the constitution of the National Junior AMVETS. A Junior AMVETS unit organized under a department district at the time of the adoption of this amendment is authorized to continue operating as such.

Section 5.

(a) A post may, by a vote of two-thirds of its members present at a meeting, following a printed or written notice mailed or delivered to each member of the post in good standing at least 10 days before said meeting, vote to disband its Junior AMVETS.

Such notice shall show contemplated action and be certified to and forwarded through the state department of AMVETS with proper notice in writing to the National Junior AMVETS coordinator, the department Junior AMVETS president, and to the National Commander, who shall direct the cancellation of the charter of the Junior AMVETS only

after investigation by him that it is in the best interest of AMVETS to do so.

(b) In the case of the discontinuance of a post by voluntary surrender of its charter or by a forfeiture or revocation of the charter, its Junior AMVETS, if any, shall continue for a period of not more than one year.

(c) The National Commander may direct a suspension or cancellation of the charter of any Junior AMVETS on recommendation of the department commander having jurisdiction, when it is shown that the Junior AMVETS has become a detriment to the post.

Section 6. In the event of the surrender, cancellation or forfeiture of a Junior AMVETS charter to a post, all monies, official records, property and other paraphernalia shall be surrendered to such officer or officers as the rules and regulations of the National Junior AMVETS provide.

In case such Junior AMVETS is reinstated or reorganized within a period of three years, such monies, papers, etc., originally forfeited by such Junior AMVETS, shall be delivered to such reorganized or new Junior AMVETS in connection with the charter.

Section 7.

(a) The national president of the National Junior AMVETS, within 30 days after their induction to said office, shall transmit to the National Commander for the National Commander's information and that of the National Executive Committee a complete itemized report of the financial standing of the National Junior AMVETS.

(b) All books and records of the National Junior AMVETS shall be made available on request to the National Commander or National Executive Committee for either examination or audit.

ARTICLE XX: SONS OF AMVETS

Section 1. AMVETS recognizes a subordinate organization known as Sons of AMVETS.

Section 2.

(a) Eligibility for membership in the Sons of AMVETS shall be limited to all male descendants, grandsons, stepsons, fathers, husbands, widowers and brothers of members of AMVETS, not less than 18 years of age, or of deceased veterans who would have been eligible for membership in AMVETS, and not eligible for membership in the parent organization. In-laws are excluded from membership in the Sons of AMVETS.

(b) Any member of the Sons of AMVETS who has been duly recognized as a member of the Sons of AMVETS under the provisions of 2(a) herein shall be allowed to remain a member of the Sons of AMVETS so long as the member remains a member in good standing.

Section 3.

(c) The Sons of AMVETS shall be under the control of the National Commander and the National Executive Committee, provided that nothing contained in this section shall in any way remove the jurisdiction given to the national organization and to departments over corresponding units of the Sons of AMVETS.

(d) Each department Sons of AMVETS shall be under the jurisdiction of the department whose name it bears. Each department Sons of AMVETS shall be identical in geographical limits to its respective AMVET department and be known and identified by the same name.

Section 4.

(a) Each Sons of AMVETS squadron shall be affiliated with an AMVET post and carry the corresponding number of that post.

(b) No Sons of AMVETS squadron of any post shall be formed until approved by two-thirds vote of the members present at a stated meeting, with due notice of the proposed formation having been given the entire membership of said post 15 days prior to such meeting.

(c) Each local Sons of AMVETS squadron shall be under the jurisdiction of the post whose number it bears.

(d) Where no post exists, a Sons of AMVETS squadron shall not be formed.

(e) Any Sons of AMVETS squadron not affiliated with an existing AMVET post shall not be recognized and shall surrender its charter and such properties it may possess to the duly recognized Sons of AMVETS officer or officers in accordance with the constitution of the National Sons of AMVETS.

Section 5.

(a) A post may, by a vote of two-thirds of its members present at a meeting, following a printed or written notice mailed or delivered to each member of the post in good standing at least 10 days before said meeting, vote to disband its Sons of AMVETS squadron.

Such notice shall show contemplated action and be certified to and forwarded through the state department of AMVETS with proper notice in writing to the National Sons of AMVETS Commander, the department Sons of AMVETS Commander, and to the National Commander, who shall direct the cancellation of the charter of the Sons of AMVETS only after investigation by the National Commander that it is in the best interest of AMVETS to do so.

(b) In the case of the discontinuance of a post by voluntary surrender of its charter or by a forfeiture or revocation of the charter, its Sons of AMVETS squadron, if any, shall continue for a period of not more than one year.

(c) The National Commander may direct a suspension or cancellation of the charter of any Sons of AMVETS squadron on the recommendation of the department commander having jurisdiction, when it is shown that the Sons of AMVETS squadron has become a detriment to the post.

Section 6. In the event of the surrender, cancellation or forfeiture of a Sons of AMVETS charter to a post, all monies, official records, property and other paraphernalia shall be surrendered to such officer or officers as the rules and regulations of the Sons of AMVETS provide.

In case such Sons of AMVETS squadron is reinstated or reorganized within a period of three years, such monies, papers, etc., originally forfeited by such Sons of AMVETS squadron, shall be delivered to such reorganized or new Sons of AMVETS in connection with the charter.

Section 7.

(a) The National Commander of the National Sons of AMVETS, within 30 days after induction to said office, shall transmit to the National Commander for the National Commander's information and that of the National Executive Committee a complete itemized report of the financial standing of the National Sons of AMVETS.

(b) All books and records of the National Sons of AMVETS shall be made available on request to the National Commander or National Executive Committee for either examination or audit.

Section 8. AMVETS recognizes a subordinate organization known as Sons of Fun, a fun and honor organization of the Sons of AMVETS. Sons of AMVETS members in good standing are eligible to be members of AMVETS Sad Sacks.

ARTICLE XXI: AMVETS RIDERS

Section 1. AMVETS recognizes a subordinate organization known as AMVETS Riders.

Section 2. Eligibility for membership in the AMVETS Riders shall be limited to members in good standing of AMVETS, AMVETS Ladies Auxiliary, Sons of AMVETS, and Junior AMVETS.

Section 3.

(a) The AMVETS Riders shall be under the control of the National Commander and the National Executive Committee, provided that nothing contained in this section shall in any way remove the jurisdiction given to the national organization and the departments over corresponding chapters of the AMVETS Riders.

(b) Each AMVETS Riders chapter shall be under the jurisdiction of the department whose name it bears. Approval must be obtained from the Department Executive Committee before an AMVETS Riders chapter can be formed. Each chapter of AMVETS Riders shall be identical in geographical limits to its respective AMVETS department and be known and identified by the same name.

(c) Where no AMVETS department exists, an AMVETS Riders chapter may be formed by a post under the jurisdiction of the National Headquarters.

(d) Each AMVETS Riders chapter shall formulate a Constitution and Bylaws within 30 days of formation. Said Constitution and Bylaws shall contain no less language than contained in the generic AMVETS Riders Constitution and Bylaws provided by National Headquarters.

Section 4. All books and records of the AMVETS Riders shall be made available on request to the corresponding department commander of State Executive Committee for either examination or audit.

ARTICLE XXII: PUBLICATIONS

Section 1. All publications bearing the name AMVETS, published by the national organization, state departments, posts, subordinates or any other branch or affiliate of AMVETS, shall be under the supervision of the National Executive Committee, which shall delegate sufficient

general and specific authority to the National Communications Director to carry out the necessary duties. Copies of all such publications shall be sent to National Headquarters.

ARTICLE XXIII: AMENDMENTS

(1) This constitution may be amended by a two-thirds vote of the delegates present at any AMVETS National Convention. Proposed amendments for action of the National Convention must be submitted by a Department convention, Department Executive Committee, the National Executive Committee, or a Standing National Committee to the National Commander, and by the National Commander and/or the proposing body to the several Departments and members of the National Executive Committee, by mail, postmarked at least 30 days prior to the opening date of the next National Convention.

(2) This constitution, however, may be amended by any National Convention without notice, by unanimous vote.

(3) No amendment, however, may be adopted unless the same is referred to the Constitution and Bylaws Committee, considered by it and reported on to the National Convention.

(4) Amendments to this constitution shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution.

NATIONAL BYLAWS

ARTICLE I: NATIONAL EXECUTIVE COMMITTEE

Section 1. In case of death, removal from office or resignation of a national executive committeeman, the duly elected alternate will serve the unexpired term of said committee.

In the event of the absence or disability of the national executive committeeman to participate in the proceedings of the National Executive Committee(NEC) meeting, the duly elected alternate shall cast the vote of said national executive committeeman.

Section 2.

(a) Stated meetings of the National Executive Committee shall be held as follows: in conjunction with the National Convention and in the months of March or April and the months of November or December. On reasonable notice, special meetings may be held at the call of the National Commander.

The National Commander shall call a meeting of the National Executive Committee on the written request of national executive committeemen from at least 25 percent of the organized departments.

All NEC meetings will be held within the United States of America.

In cases where face to face meetings are not possible due to a national emergency or pandemic National Convention protocols contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

(b) Expenses for attending a meeting of the National Executive Committee shall be based on round trip coach (where available), or the predetermined mileage rate (whichever is the lowest), between the committeeman's city of permanent residence and the city where the meeting is being held.

National Executive Committee members shall be reimbursed for their expenses as follows:

(1) National Executive Committeemen shall receive round trip air coach travel or the predetermined mileage rate expenses (whichever is the lowest) to all meetings, plus the sum of $400 for lodging and meals for each duly called meeting; expenses in conjunction with the National Convention will include round trip air coach travel or the predetermined mileage rate (whichever is the lowest) plus the sum of $800 for lodging and meals. All other National Officers, excluding the National Commander, shall receive reimbursement in accordance with the reimbursement policy for officers and subordinates;

(2) In the event of an additional duly called special meeting, expenses will be made as prescribed by action of the National Executive Committee at the time the meeting is called but in no case shall the said expenses exceed the above prescribed formula;

(3) The aforesaid allowances shall be paid only to the national officers aforementioned and the members of the National Executive Committee or to alternates seated in their stead, only when each of the foregoing is present and answers the roll call conducted during the course of said meetings.

Section 3. A majority of its members shall constitute a quorum of the National Executive Committee.

Section 4. The National Finance Committee shall be charged with the preparation of the annual budget and the handling of funds, subject to the approval of the National Executive Committee and the limitations set forth in the constitution.

Section 5.

(a) The National Commander may preauthorize any national officer, committee chairman, member of a committee or other authorized representative to receive reimbursement for authorized activity on behalf of the organization. At each meeting of the National Executive Committee, the finance officer shall report all such disbursements since the last meeting of said committee for its approval.

(b) Those persons referred to above and those listed in 2(b)(1) must submit completed expense vouchers postmarked no later than 30 days after the end of the fiscal year in which the expenses occurred. Vouchers received after that date will not be considered for payment.

Section 6. All questions affecting the eligibility for office and conduct of national officers shall be referred to and determined by the National Executive Committee.

All questions affecting the eligibility for office and conduct of national executive committeemen, department officers or members of department executive committees shall be referred to and determined by the executive committee of the department involved.

Section 7. From among the membership of the National Executive Committee, the National Commander shall appoint a National Grievance Committee, consisting of three members, to hear grievances and appeals as are provided for in this constitution and bylaws and to report its findings and recommendations to the proper authorities. The National Commander shall designate the chairman.

This committee shall function during the National Convention and meetings of the National Executive Committee. Such appointees shall serve at the pleasure of the National Commander.

The National Commander and national judge advocate shall serve as ex-officio members of this committee without vote.

In cases where face to face meetings are not possible due to a national emergency or pandemic Grievance Committee protocols contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

ARTICLE II: COMMITTEES

Section 1. National Committees. The National Commander shall appoint (except where otherwise indicated) a chairman, vice chairman and such members of AMVETS to each committee as are necessary to accomplish its objectives.

The National Commander shall prescribe the duties and responsibilities of said committees unless otherwise indicated.

All committees will receive, develop and consider resolutions.

Appointments are effective September 1 and are for a period of one year (except where otherwise indicated).

The member composition, duties and responsibilities of the National Executive Committee, National Finance Committee, National Grievance Committee and Personnel Committee are described elsewhere in the National Constitution and Bylaws.

The following committees are hereby identified as national committees:

(a) Americanism and Patriotic Activities Committee. The promotion of the American way of life and other related subjects;

(b) Armed Services and Military Liaison Committee. This Committee shall also include any discussions related to Cold War, Viet Nam, and Persian Gulf War veterans.

(c) Civil Service and Veterans Employment Committee. Develop, receive, and consider all resolutions as appropriate relating to the field of employment, both governmental and nongovernmental, as they pertain to veterans.

(d) Community Services and Activities Committee.

(e) Constitution and Bylaws.

(f) Credentials Committee. To supervise the registration of delegates, alternates, members and guests at the National Convention and to set forth the voting strength of the convention in accordance with the provisions of the AMVETS National Constitution and Bylaws.

The National Commander shall appoint at least one member the Credentials Committee as recommended by each candidate for National Commander.

(g) Diversity Committee. The duties of the Diversity Committee shall include but not be limited to reaffirming AMVETS commitment to embracing all eligible veterans, regardless of gender, race, ethnic origin, religious beliefs, or sexual orientation. The committee shall be composed of six voting members, who shall serve one year terms and shall be appointed annually by the National Commander-elect at the Post Convention NEC meeting.

Each year the National Commander shall also appoint a Diversity Committee Liaison to the

National Headquarters, who shall be an existing staff member of the National Headquarters, and shall not vote.

(h) Honors and Awards Committee.

(1) This committee shall be composed of the past National Commanders and the immediate five past recipients of the AMVET of the Year Award.

The committee shall function on a continuing basis at the call of the National Commander and the chairman.

The Honors and Awards Committee shall be charged with the responsibility of promulgating and maintaining a uniform procedure of soliciting entries for all national awards of the organization.

It shall select, by majority vote, the nominees of the committee for national awards and report the same to the National Convention for approval.

(2) Said committee shall be governed by the following standards:

i. No past National Commander may receive any consideration for selection as a recipient of the Silver Helmet® until five years have elapsed from the past National Commander's term of office;

ii. The "AMVET of the Year" shall be selected from among appropriate nominations by an independent entity outside the AMVETS organizational structure. The selection shall be ratified by the Honors and Awards Committee;

iii. No Silver Helmet® shall be awarded or approved except at the National Convention, and in no event shall the Silver Helmet® be awarded as the result of a mail ballot; and

iv. The Honors and Awards Committee shall give due diligence and attention to a full and complete record of its actions so that a historical record and journal may be preserved with respect to all of its actions.

(i) Long Range Planning Committee. To recommend to the National Executive Committee or the National Convention, as appropriate, the fiscal, organizational programs, and service directions the AMVETS national organization should take in the future years, and to develop a comprehensive long-range plan to accomplish this mission.

(1) The committee shall be comprised of the following voting members: two members to be appointed each year for a three-year term by the commander elect at the post-convention NEC, the national 1st vice commander; the 2nd vice commander; the national finance officer; and the president of the National Service Foundation.

(2) The National Commander shall appoint a chairman for a one-year term from among the appointed members.

(3) The Committee shall have access to all records of the national department, except individual personnel records and payroll, for the purpose of formulating such directions.

(j) VAVS & VA Hospital and Medical Services, Rehabilitation Benefits Committee. The chairman of this committee shall be appointed at the post-convention NEC meeting. Further, the chairman shall serve as the national VAVS representative.

(k) Membership Committee. To consider all matter relating to the development of AMVETS through membership activities.

(l) Programs Committee.

(1) The national second vice commander shall be the chairman of said committee. The committee shall have voting members consisting of the chairmen of the following committees: Americanism and Patriotic Activities, Community Service and Activities, and VAVS and VA Hospital and Medical Services, Rehabilitation Benefits.

(2) In addition to the aforementioned members, the National Commander is empowered to appoint six additional voting members to said committee, one from each of the national districts, based on the recommendations of each national district commander.

(3) The following shall be considered ex-officio members of said Programs Committee: a liaison from the AMVETS National Auxiliary as well as announced candidates for the office of national second vice commander, none of whom shall have a vote.

The national programs director shall serve as advisor to said Programs Committee.

(4) The Programs Committee shall meet once a year, during the National Convention, on the morning after the date on which most of the other national committees meet.

The chairmen of the various national committees shall discuss actions taken at their committee meetings at said convention.

The Programs Committee shall also review actions taken by other committees in order to coordinate all national programs and have all within established national policies.

(m) POW/MIA Committee.

(n) Subordinate Organizations Liaison Committee. (Ladies Auxiliary, Jr. AMVETS, Sons of AMVETS, and AMVETS Riders).

(o) Technical Advisory Committee. To evaluate standards, gather, evaluate and share technical computer information with those departments and posts who want such information.

(p) Uniform and Insignia Committee.

(q) Convention Rules Committee. To review annually the Rules of the Annual Convention, and present said rules, with any recommended changes, to the Spring National Executive Committee meeting for approval by the NEC.

(1) Besides the members appointed to the committee by the National Commander,

the committee shall include the Chairman of the Registration Committee and the Chairman of the Constitution & Bylaws Committee.

(r) Women Veterans Committee. To serve, locate, educate and advocate for all women veterans.

(s) Honor Guard Committee.

(t) Communications Committee. Shall receive, consider, and develop resolutions and/or initiatives concerning all facets of communications between AMVETS, veterans, the Armed Forces, government, and the general public consistent with the long-range plans of AMVETS. The committee shall consist of six members serving staggered three-year terms.

(u) Family Traditions & Protocols Committee. The committee's members shall be chosen from each of the AMVETS and AMVETS National Subordinate organizations. A traditions and protocols document has been created by this committee. The duties of this committee shall be to update and maintain this guidance document. Care shall be taken to ensure the information is consistent with both actual practice activities and other written documents.

(v) Legislative Committee.

(w) Veterans Suicide Awareness Committee.

Section 2. Special Committees.

(a) The National Commander may appoint such special committees as necessary to the proper conduct of organizational affairs, subject to the approval of the National Executive Committee.

(b) Such appointees shall serve during the term of the administration appointing them and terminate on expiration of the term of the appointing administration.

Section 3. Each committee authorized by the constitution and bylaws must report its activities and recommendations at the next NEC meeting and/or at a National Convention.

ARTICLE III: DUTIES OF OFFICERS

Section 1. National Commander. The National Commander shall be the executive head of AMVETS, with full power to enforce the provisions of the national constitution, the national bylaws and the will of the National Convention and National Executive Committee.

The National Commander shall serve as a ex-officio member without right to vote on all committees. The National Commander shall perform such other duties as are usually incident to the office.

Section 2. National Vice Commanders. The National Vice Commanders shall act as representatives of the National Commander in all matters referred to them by the National Commander and, on the National Commander's request, preside over sessions of the National

Convention or the National Executive Committee.

(a) National First Vice Commander. The National First Vice Commander shall be primarily responsible for the membership of the organization and shall coordinate all department membership directors or vice commanders in charge of membership.

The National First Vice Commander shall also —

(1) Correlate the convention mandates on membership between the national department and the state departments, national districts and posts.

(2) Review and reevaluate current membership programs and report recommendations to the National Commander, the National Executive Committee and the National Convention.

(3) Endeavor to create and present new membership incentives to the National Commander and the National Executive Committee.

(4) Be informed as to the membership strength of the national department, national districts and all state departments.

The National First Vice Commander shall be responsible for seeing that this information is circulated monthly to national district commanders, state department commanders and adjutants, and to all national officers; and

(5) perform such other duties in connection with membership as the National Commander shall direct.

(b) National Second Vice Commander. The National Second Vice Commander shall be primarily responsible for the programs of the organization and shall coordinate all department program chairmen.

The National Second Vice Commander shall also—

(1) Review and reevaluate the existing programs and report recommendations to the National Commander, the National Executive Committee and the National Convention.

(2) Coordinate all programs between national and department levels.

(3) Be responsible for studying and recommending new programs to the National Commander and the National Executive Committee for consideration.

(4) Be indoctrinated on all programs instituted by the national organization and its subordinates, especially those involving contact with the general public.

(5) Perform such other duties in connection with AMVET programs as the National

Commander shall direct.

(c) National Third Vice Commander. The National Third Vice Commander shall:

(1) Develop a working relationship with each National District Commander for the AMVETS Legislative Agenda for submission to the National Legislative Director and/or National Legislative Policy Advisor.

(2) Coordinate all Department/State and National legislative participation incentives to the National Legislative Director and/or National Legislative Policy Advisor.

(3) Communicate to the National District, Department, and Post Commander all proposed legislation supported by AMVETS.

(4) Provide support to each District, Department, and Post Third Vice Commander/Legislative Director on Department/State veterans issues.

(5) Perform such other duties in connection with AMVETS legislative activities as the National Commander shall direct.

Section 3. National Executive Director. The National Executive Director shall be charged with the administration and execution of the National Constitution and Bylaws, the policies and mandates of the National Convention, the National Executive Committee and the National Commander and shall supervise the activities of all Departments at National Headquarters, issue such directives as may be necessary to such departments and posts; act for the National Commander during the National Commander's absence from National Headquarters and perform such other duties as are usually incident to the office.

The National Executive Director shall serve as the secretary of the national department.

The National Executive Director shall serve at the pleasure of the National Commander and the National Executive Committee.

The National Executive Director shall be the personnel officer for all employees at National Headquarters.

Section 4. National Finance Officer. The national finance officer shall be custodian of the funds of the national department.

All checks disbursing the funds of the national organization shall be signed by two or more persons as designated by the National Executive Committee and the national finance officer shall make reports on the condition of the national treasury when called for by the National Commander or National Executive Committee.

The national department shall provide a surety bond for said position.

The national finance officer shall perform such other duties as are usually incident to the office.

Section 5. National Judge Advocate. The National Judge Advocate shall advise the national officers and the National Executive Committee on the construction and interpretation of the

National Constitution and Bylaws, and shall perform such other duties as are incident to the office.

The National Judge Advocate shall serve as an ex-officio member without any voting rights for all committees.

Section 6. National Legislative Director

(a) The national legislative director shall be responsible for preparing the national legislative program in accordance with the mandates of the National Convention and the National Executive Committee.

(b) It is the further responsibility of the national legislative director to draft the necessary bills in connection therewith, to cause such bills to be introduced in Congress and to actively urge the consideration of legislation thus proposed.

The national legislative director shall at all times be fully informed when hearings are to be held on bills in which AMVETS is interested and be prepared to present testimony before the committee or committees handling such bills.

It shall be the national legislative director's duty to maintain close liaison with the members of the House and Senate in order to secure the enactment of the AMVET program.

The national legislative director shall make every effort to cooperate with other groups favoring proposed legislation supported by AMVETS, and it shall be the national legislative director's responsibility to maintain adequate legislative information when requested by the individual members, posts or departments of AMVETS.

The national legislative director shall serve at the pleasure of the National Commander and the National Executive Committee.

Section 7. National Programs Director. The national programs director shall be responsible for the administration and coordination of national programs, projects and campaigns of AMVETS, exclusive of responsibilities of the national legislative director and the national membership director; for developing ideas for local programs suitable for post projects; and for the dissemination of information regarding such projects to departments and posts.

The national programs director shall serve at the pleasure of the National Commander and the National Executive Committee.

Section 8. National Communications Director. The national communications director shall be responsible for the planning, formulation, and development of a communications program, including publicity, organizational publications and other promotional material.

The national communications director shall be responsible for efficient and proper liaison with all communications media—press, radio, motion pictures, periodicals, and television— and all forms of advertising.

In addition, the national communications director shall compile from year to year all records of historical value and interest for AMVETS and shall assist department and post historians so as to coordinate and unify the work of such officials.

The national communications director shall serve at the pleasure of the National Commander and the National Executive Committee.

Section 9. National Chaplain. The national chaplain shall perform such religious and nonsectarian services as may be necessary, adhering to the appropriate ceremonial rituals, and discharge of other duties incident to the office.

Section 10. National Provost Marshal. The national provost marshal shall maintain order at the National Convention, NEC meetings and such other ceremonies/functions as directed by the National Commander.

Section 11. National Inspector General. The national inspector general shall be the investigating officer of the organization.

By direction of the National Commander or the National Executive Committee, the national inspector general shall make any necessary investigations pertaining to grievances, disciplinary cases, fraud or dishonesty within the organization and charges of conduct unbecoming an AMVET, and shall be empowered to have access to all records, financial and otherwise, of all departments, post officers or members when necessary for the discharge of the national inspector general duties.

In making such investigations, the national inspector general shall report to the National Commander who shall, in turn, review the findings with the national judge advocate and, if warranted, report to the National Executive Committee.

The national inspector general shall serve at the pleasure of the National Commander and the National Executive Committee.

Section 12. National Finance Director. The national finance director, who should be a certified public accountant, shall be the chief fiscal officer of the organization.

The national finance director shall prepare financial statements, interim reports and budgets, and shall be responsible for carrying out the fiscal policies, plans, budgets and directives of the National Executive Committee, National Finance Committee and the National Convention. The national finance director shall supervise and account for all receipts and disbursements.

It shall be the national finance director's responsibility to keep the National Commander, the finance officer, the National Executive Director, legislative director, program director, membership director, public relations director and the National Finance Committee informed as to the current status of budgeted income and expenses with periodic statements as to the current financial condition of the national organization.

The national finance director shall serve at the pleasure of the National Commander and the National Executive Committee.

Section 13. National Membership Director

(a) The national membership director shall be responsible for the administration and

coordination of membership programs.

The national membership director shall be responsible for the efficient administration of all classes of membership, including the processing of all records and reports at National Headquarters with proper and prompt reporting of same to all concerned within the organization.

(b) The national membership director shall be responsible for coordinating national membership contests, awards and promotions, and shall annually present recommended contests, awards and membership promotions at the annual spring meeting of the National Executive Committee for the committee's consideration and recommendations to the annual National Convention meeting of the Membership Committee for the further approval of convention delegates.

(c) All national membership contests, awards and promotions approved by the National Convention shall be carried out by the national membership director. The incoming National Commander, however, may add to the contests, awards and promotions within the limits of the approved budget; additional appropriations required need the approval of the National Finance Committee.

(d) The national membership director shall serve at the pleasure of the National Commander and the National Executive Committee.

Section 14. Deputy National Judge Advocate. The deputy national judge advocate, during incapacity of the national judge advocate, shall perform all duties incidental to the office of the national judge advocate.

The deputy national judge advocate must have served at least one term as an AMVETS National, National District or Department Commander or be a licensed or retired attorney and must have been in practice for a period of not less than five years.

Section 15. District Commanders. The district commander from each of the recognized national districts shall report at NEC meetings, chair national district meetings and act on behalf of the National Commander.

When called on by the National Commander, the district commander shall travel within the geographic boundaries of the district for the purpose of representing the organization, investigate or assist in settling disputes, follow up, make recommendations and report activities.

ARTICLE IV: CHARTERS

Section 1. In cases where face to face meetings are not possible due to a national emergency or pandemic post charter suspension protocols contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section 2.

(a) A department executive committee may suspend, cancel or revoke a post charter in accordance with the UNIFORM CODE OF PROCEDURE FOR THE REVOCATION, CANCELLATION OR SUSPEN- SION OF POST CHARTERS (Appendix a).

In the event that an appeal is taken by a post from the action of the department executive committee, the National Commander at personal discretion—on application properly made to the National Commander and for just cause—is hereby authorized to allow the post to continue to operate, pending a final decision of the appellate body.

If the decision of the appellate body sustains the suspension, cancellation or revocation of the post charter, then the post shall be required to cease operation, pending determination of the appeal to the next higher level.

(b) A post charter that has been thus suspended may be reinstated by action of the department executive committee if that post purged itself of the offense within 60 days of its suspension.

If the delinquency is not cleared to the satisfaction of the department executive committee within 60 days, appropriate action shall be taken by the committee to affect revocation or cancellation of the charter.

(c) In the event a department fails or refuses to discipline a post after the National Commander has requested such action, it is violating the rules of the constitution and bylaws.

After demand has been made on said department for action, the National Commander may suspend the charter of such post by notice, accompanied by written notice, a copy of which shall be forwarded to the department and the National Executive Committee.

The determination of whether the charter shall be suspended or revoked shall be considered at the next meeting of the National Executive Committee.

Section 2. Any post failing to meet the obligations imposed on it by the constitution and Bylaws, or ceasing to function for six months as a post of AMVETS or voluntarily ceasing to function as a post, or merging with one or more other posts, or refusing or failing to pay the department and national per capita dues within 60 days after collection by the posts, shall, on order of the department executive committee, surrender its charter.

Section 3. With the approval of the National Executive Committee, The National Commander, after written notice to the Post or Department Commander, may invoke and formulate a trusteeship to take over the operation of a department and/or post for good and sufficient reasons and for the well-being of the AMVET Organization.

(a) The Commander will appoint a Lead Trustee and up to two (2) additional trustees, if necessary, to correct the issues leading up to the trusteeship. The Commander's notice must detail in writing the exact reason(s) for invoking the trusteeship.

(b) Within 15 days of appointment, the Lead Trustee must submit a Corrective Action Plan (CAP)

addressing all issue(s) that are identified to remove the trusteeship. Each issue addressed must have a plan that, when implemented will correct the deficiency. Each of the issues in the CAP should have an estimated timeframe of when it will be implemented and how long will it take to rectify the issue. This plan will be presented to the National Commander for review by the National Executive Board.

(c) The Trustee(s) are authorized, empowered and directed by and through the National Commander to remove and appoint any normally elected or appointed officers. The CAP may include suspending the department charter until certain conditions are corrected. If so, the National Executive Board will authorize the suspension. Trustees will have unaccompanied and unrestricted access to any and all areas of the department and any and all records of the department.

(d) The Trustees will schedule and conduct a town hall meeting for all department executive board officers advising them of the trusteeship, the process needed to lift the trusteeship and the estimated time it will take.

(e) When the results of the CAP have been accomplished, the number of trustees may be reduced with only the Lead Trustee ensuring that the plan stays in effect and the department is truly on the way to recovery.

(f) The Lead Trustee will submit a final report to the National Executive Board suggesting that the Commander lift the trusteeship. This report will be a recap of the actions that were successful in removing the Commander's issues for invoking the trusteeship. The decision to lift the trusteeship will be made by the National Executive Board.

(g) If the trusteeship is to continue for longer than a year, it must be renewed by a 2/3 vote of the National Executive Board.

(h) The Trusteeship must not violate any Federal, State, County, or City law, statute ordinance or any other condition that affects trusteeship operations.

(i) No one who is a member of the department or post being placed in trusteeship can be appointed as a trustee.

Section 4. On revocation or cancellation of the charter of a post in any department of AMVETS, said post shall immediately cease operation and, on revocation or cancellation, turn over its charter and assets to its department commander or department executive committee.

The department executive committee is authorized, empowered and directed by and through its duly authorized agent to take possession, custody and control of all records, property and assets of said post.

So much of the said assets as are required for the purpose shall be applied to any indebtedness of said post, provided, however, that nothing contained herein shall be construed as requiring any department to take over or to assume any financial responsibility of such post.

Assets are to be held in trust for a period of 12 months and in the event the post charter is not reissued within the 12-month period, said property, money and effects shall become the absolute property of the state department.

(a) Provisions of this section shall apply to posts in unorganized departments, except that the national department shall take possession and control of all records, assets and property of said post.

(b) When the charter of a post or department is canceled or revoked for any reason, said charter shall be returned to National Headquarters and/or the department respectively, within 30 days.

Section 5. Departments may appeal the Trusteeship within 15 days of notification. Appeals will be forwarded to the AMVETS National Executive Director by Certified Mail, Return Receipt Requested using the guidelines published in AMVETS National Bylaws, Appendix C.

Section 6. On appeal of disciplinary actions, all pertinent moving papers, including transcripts and other supporting documentation of said hearings, shall be directed to National Headquarters for review by the national judge advocate.

ARTICLE V: DISCIPLINE OF POSTS & POST MEMBERS

Section 1. Each post of AMVETS shall be the judge of its own membership, subject to the provisions of the constitution and bylaws of the national and department organizations.

(a) When the conduct of any member of AMVETS is such that it in any way will reflect discredit on, or invite criticism of, the organization, or [any member] who belongs to or joins any group, organization or party that is not compatible with the aims and principles of AMVETS, the department commander shall immediately bring the matter to the attention of the post of which the individual is a member.

If the post fails to act and protect the name of AMVETS, the department commander may suspend the charter of the post involved, pending a hearing by the executive committee that shall be conducted within thirty (30) days of the notice thereof to an offending post, officer, or member relative to any infringement or breach of the rules established in the AMVETS National Constitution or in the Uniform State Constitution and bylaws.

(b) In the event the department executive committee fails to act in accordance with paragraph (a) of this article, the National Executive Committee may suspend the charter of the post involved, pending a hearing and final action by the National Executive Committee.

Section 2.

(a) Members may be suspended or expelled by a post, a state executive committee or the National Executive Committee on a proper showing of cause.

Written charges, which shall be furnished the member involved at least 30 days prior to the date set for the hearing shall be based on disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of AMVETS.

(b) The National Executive Committee shall provide a uniform code of procedure to be followed in effecting the suspension or expulsion of members, and said code of procedure shall establish a method of appeal (Appendix B).

(c) The National Executive Committee shall provide a uniform code of procedure for the

National Grievance Committee to be known as (Appendix C).

Section 3. Any member who has been suspended or expelled in accordance with Section 2 hereof has the right of appeal.

In the event the suspension or expulsion is imposed by the post, the appeal shall be to the department executive committee.

In the event the suspension or expulsion is by the department executive committee, the appeal shall be to the National Executive Committee.

In the event the suspension or expulsion is by the National Executive Committee, the appeal shall be to the National Convention.

The decision of the appellate body shall be final.

Section 4. Any member resigning, being suspended or whose membership is revoked shall have that member's name directed to the state and the national headquarters.

Section 5. Nothing contained in this article shall be construed to limit in any way the powers conferred by Article IV, Section 1, of the national bylaws.

ARTICLE VI: MEMBERSHIP

Membership in AMVETS constitutes membership in the national organization of AMVETS through post affiliation or membership-at-large.

All AMVETS shall, prior to their acceptance as members, pledge allegiance to the United States of America and its Constitution and certify that they have read, or have had read to them, The Principles of AMVETS, and that they accept and subscribe to same, and that they shall not advocate or belong to any group or organization advocating the overthrow of the United States government by force.

The requirement of pledging allegiance to the United States and its Constitution does not apply to foreign nationals who are not permanent residents of the United States, one of its territories, possessions or the District of Columbia.

ARTICLE VII: MONIES & COLLECTIONS

Section 1. All national, department and post officials handling AMVET funds shall be properly bonded with money handled over $5,000 with a good and solvent bonding and surety company, acceptable to the U.S. Treasury, as surety to cover the average amount of AMVET funds handled by such individuals in a single year.

In case of delinquencies in the payment of accounts due to the department or National Headquarters, action shall be taken at once by the proper officials to bring about an immediate and complete settlement.

The bonds provided by national officials shall be approved by the National Executive Committee, and those provided by department and post officials shall be approved by the department executive committee.

(a) The National Executive Committee shall provide a uniform code of procedure to outline the AMVETS investment policies to be known as Appendix D.

Section 2.

(a) No contracts, MOUS (memorandums of understanding) or other instruments of agreement involving expenditures in excess of $5,000 of National Headquarters AMVETS funds shall be negotiated without inviting a reasonable number of competitive written bids based on Requests for Proposals (RFP's), and where the required products are of equal description and/or quality, and is technically acceptable, the contract shall be awarded to the lowest bidder.

Exceptions to the lowest bidder restriction are: (i) when there only exists one or two sole-source providers with equal descriptions and/or qualities are unavailable, (ii) when due to unplanned or force-du-majeure conditions exist and timeliness is important (may be related to Appendix F), failure to go forward will be unacceptable to AMVETS, and (iii) when a sole-sourced contract is sought, such as those of a proprietary nature, a governmental agency or legal counsel. Regardless of these exceptions, any action must have costs that remain within the approved budget.

(b) All contracts, MOUS (memorandums of understanding) or other instruments of agreement to be executed by the National Headquarters shall be approved by the National Executive Committee and signed by the National Commander and attested to by the National Executive Director after said instrument has been reviewed by the National Judge Advocate.

Section 3.

(a) No public fundraising project or program of any kind or character shall be undertaken by or on behalf of any post or combination of posts or subordinate thereof unless the contract, agreement or other arrangement under which such a project or program is to operate has first been submitted for the prior approval of the department judge advocate and then to a standing committee of the national organization composed of the president of the National Service Foundation, the national judge advocate and the National Commander. The National Executive Director and the executive director of the National Service Foundation shall be ex-officio members of this committee.

The committee shall render a decision within three weeks on all matters submitted to it. In the event of an adverse decision by said committee, an appeal may be made to the National Executive Committee at its next session.

A public fundraising project is defined as any project or program involving a solicitation or request to nonmembers of AMVETS for a donation or pertaining to the sale of merchandise, goods, tickets, or advertising matter of any kind or character.

In the event of an adverse decision by the department judge advocate, an appeal may be made at the next state executive committee meeting. Its action shall be final.

Any fundraising project or program conducted by a post or any combination of posts or subordinates thereof in which there is no other person, firm or corporation involved, and in which such fundraising project or program is conducted solely by the post, shall not be deemed to be within the purview of this section, provided that the anticipated gross receipts from such fundraising project or program do not exceed the sum of $10,000; in the event it is anticipated that the gross receipts will exceed $10,000 in any fiscal year, then said project or program shall be submitted as described above.

Failure of a post or combination of posts or subordinates thereof to adhere to the provisions of this section shall be considered grounds for disciplinary action.

(b) Wherever a post clubroom is maintained and operated for the convenience and pleasure of its members and the name of AMVETS or its insignia is displayed or used, a board of at least three trustees shall be elected by and from among the members of the post to supervise its activities, operation and finances.

(c) Any post operating a clubroom as mentioned in Section 3(b) hereof shall be required to carry workers' compensation insurance (in accordance with the law of the state in which the post is located) and public liability insurance, including product liability and personal injury coverage, with a minimum single limit of $500,000.

Posts that maintain a building primarily for meeting purposes shall be required to carry public liability insurance, including product liability and personal injury coverage with a minimum single limit coverage of $300,000 or the minimum local amount prescribed by state law.

The AMVET state department and the national department shall be included as additional insured in all policies, and a certificate of said insurance shall be furnished to the state department and to National Headquarters.

(d) Upon renewal of insurance policies which either incorporate liquor liability coverage within general liability coverage or have stand-alone liquor liability coverage, a copy of the new policy will be forwarded to AMVETS National Headquarters, care of the membership department, within 30 days of the renewal date.

If not received within that timeframe, a notice of non-receipt will be forwarded to the affected Department Executive Director/Adjutant.

If a renewal confirmation is not received within 45 days of the renewal date, the Post becomes suspended until such time as the confirmation is received.

(e) Any post operating a clubroom as stated in Section 3(b) hereof shall be mandated to incorporate under a business not-for-profit corporation law, in accordance with existing state statutes.

All post clubrooms desiring to be included in the AMVETS group tax-exempt status under Internal Revenue Service Code as a 501(c)(19) organization shall provide, on incorporation, a point of contact, employer identification number, mailing address and letter of authorization to AMVETS National Headquarters.

(f) Any post failing to comply with these provisions shall be deemed to have violated the National Bylaws and the charter of said post shall, in accordance with adopted procedure, be subjected to suspension or revocation.

Section 4. All post and department accounts shall be kept in accordance with generally accepted accounting procedures.

Section 5. The minimum annual membership dues, effective with the beginning of membership year 2027, shall be $22.00 payable to the post, of which sum $20.00 shall be forwarded to National Headquarters and $2.00 to the department headquarters.

Dues above the minimum set forth here shall be fixed by the post and/or department. Where no department exists, $22.00 shall be forwarded to National Headquarters. Of the $22.00 sent to National Headquarters, $2.00 shall be set-aside in a separate fund, pending the establishment of a department.

Section 6.

(a)

Life membership dues, effective September 1, 2023, shall be not less than $500 for those members age up to and including 55, ages 56 through and including 65 will be $400 and those 66 and over $300, nonrefundable, and payable to the post, of which 50 percent shall be forwarded to National Headquarters and 25 percent to the state department.

Dues above the minimum set forth herein shall be fixed by the post and/or department. Where no department exists, 75 percent shall be forwarded to National Headquarters. Of the 75 percent sent to National Headquarters, the department's 25 percent share shall be delivered into the unorganized department fund for development of future departments.

Monies sent to the national department shall be held in a life membership designated fund to be invested only in securities protected by the full faith and credit of the United States, and only the income derived from said fund shall be transferred to the general fund for budget use.

Notwithstanding the above, the National Finance Committee, with the approval of the National Executive Committee, shall have the power to invest up to 30 percent of the life membership designated fund in high-grade equities.

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Notwithstanding the above, the National Finance Committee, with the approval of the National Executive Committee, shall have the power to invest up to 30 percent of the life membership designated fund in high-grade equities.

(2) There is a restricted minimum on the Life Membership Fund of $3 Million, and with the approval of the National Finance Committee and National Executive Committee, additional monies will be used for programs that help Veterans and their Families. Under no circumstances will the unrestricted funds be allowed for budgetary means or in the general fund.

(b) All investments of the life membership designated fund established in Section 6(a) shall be managed, supervised and directed by the National Finance Committee, which is designated as the board of trustees of this life membership designated fund.

(c) Of the Life Membership Dues received by National Headquarters, the equivalent of one year annual membership dues shall be placed in the general operating fund for use by National Headquarters. The remaining monies shall be placed in the Life Membership Designated fund.

Section 7. Annual members who paid their annual dues between September 1 and August 31 may convert to life membership and receive credit for their prepaid annual dues at any time during that period.

Section 8. For each annual member who joins through the national website, direct mailing or piggyback as a member-at-large in a recognized department the minimum dues shall be $30.00. National Headquarters will retain $15.00, and the remaining $15.00 will be placed in a special fund for each recognized department.

Section 9. For each life member who joins through either direct mailing or piggyback as a member-at-large in a recognized department, National Headquarters will retain its share of the life membership, and the remaining department share will be forwarded to the department.

Section 10. National Headquarters will, within thirty (30) days of receipt, disburse the proper amount of funds ($15.00 annual and $125.00 for life) from the special account for each new annual and each new life member who joined as a member-at-large, through the national website, direct mailing or piggyback during the past fiscal year, to each respective department.

Section 11. Life member dues requirements are not applicable to Annual national charter members, 1947 and prior, who shall automatically be listed as life national charter members with no dues to be remitted to the Post, State or National Department, unless the annual national charter member declines Life membership.

ARTICLE VIII: DEFINITIONS

The word he, wherever it shall appear in either the Constitution or Bylaws of AMVETS, shall be construed as referring to both sexes.

ARTICLE IX: RESTRICTED USE OF ORGANIZATION

AMVETS, or any component part thereof, shall not be used to promote the interest of any individual who is a candidate for public office or to promote otherwise any individual, political party, or faction.

The endorsement of an organization or product is prohibited unless specifically approved by the NEC.

Any violation of this provision shall be sufficient cause for disciplinary action against the offending member, post or department.

ARTICLE X: MEETINGS

Section 1. At all levels of AMVETS, all meetings, matters, and proceedings not otherwise provided for herein shall be conducted pursuant to the current edition of ROBERT'S RULES OF ORDER.

Section 2. In cases where face to face meetings is not possible due to a national emergency or pandemic National Executive Committee voting protocol contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section 3. At all meetings of the AMVETS National Convention or the AMVETS National Executive Committee, or of duly constituted committees thereof voting electronic, mechanical, or written methods, shall be prohibited.

ARTICLE XI: NATIONAL FLOWER

The national flower shall be the four-leaf white clover meaning, "Think of Me."

ARTICLE XII: NATIONAL MOTTO

The national motto of AMVETS shall be, "We Fought Together; Now Let's Build Together For a Better America."

ARTICLE XIII: NATIONAL SONG

The national song shall be “The AMVETS Family."

ARTICLE XIV: ACCOUNTING FOR MONIES

All monies received by this organization shall be strictly and accurately accounted for and a report shall be made available annually to all members, showing the sources of all such income and expenditures thereof. All posts, departments and national accounts shall be kept.

in accordance with generally accepted accounting procedures.

ARTICLE XV: POLICY

Section 1.

(a) The policy of AMVETS shall be determined by:

(1) The National Convention, as reflected in the resolutions adopted.

(2) The National Executive Committee, when not in conflict with National Convention mandates; and

(3) The compilation of the results of periodic polls of posts on current issues.

(b) Departments, posts, subordinates and auxiliaries shall be notified by National Headquarters of policy so adopted.

Section 2. No member of AMVETS shall represent or purport to represent any department, post, or subordinate of AMVETS in opposition to, other than in complete consonance with, policy so determined and notified.

Section 3. AMVETS shall not be discriminatory on the basis of race, color, religion, gender, sexual orientation, or national origin.

Section 4. It is AMVETS policy that all AMVETS, AMVETS Ladies Auxiliary, Sons of AMVETS and Junior AMVETS members and their employees have a right to exist in an environment free of sexual harassment. This includes any unsolicited advances from inappropriate suggestions to coerced sexual relations. Actions of this sort are considered conduct unbecoming an AMVET.

ARTICLE XVI: COUNCIL OF PAST NATIONAL COMMANDERS

Section 1. AMVETS recognizes an organization known as the Council of Past National Commanders, to be chaired by the immediate past National Commander.

Said council shall meet at the call of the chairman and shall present annually a written report to the National Commander.

Section 2. The Council of Past National Commanders shall be an advisory and overview council to consider all facets of the organization; to maintain unity and harmony; and to develop

matters pertaining to the good and welfare of AMVETS.

Its suggestions and recommendations shall be reported at an NEC meeting or National Convention for further consideration and action.

ARTICLE XVII: RESOLUTIONS

Each department is responsible for submitting national resolutions to the AMVETS National Headquarters after the department state convention.

Resolutions may also be submitted by a department executive committee, and National Committees authorized by the Constitution and Bylaws, or the National Executive Committee.

The National Headquarters shall also send out resolutions, emanating from national headquarters, on national issues of concern to be considered at state conventions by April 15.

When a legislative resolution is passed by the body at the annual National Convention, it becomes AMVETS legislative agenda for two years (from September 1 to August 31).

All resolutions shall bear the name of the originator.

ARTICLE XVIII: AMENDMENTS

(1) These Bylaws may be amended at any AMVETS National Convention by a majority vote of the delegates present at any AMVETS National Convention.

Proposed amendments for action of the National Convention must be submitted by a Department convention, a Department Executive Committee, the National Executive Committee, or a Standing National Committee to the National Commander and by the National Commander and/or the proposing body to the several Departments and members of the National Executive Committee, by mail, postmarked at least 30 days prior to the opening date of the next National Convention.

(2) These Bylaws, however, may be amended by any National Convention without notice by a two-third vote.

(3) No amendment, however, may be adopted unless the same is referred to the Constitution and Bylaws Committee, considered by it and reported on at the National Convention.

(4) Amendments to these Bylaws shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution.

ARTICLE XIX: DEPARTMENT SELF-AUDIT PROCESS

The AMVETS mission is to enhance and safeguard the entitlements for all American Veterans who have served honorably and to improve the quality of life for them, their families, and the communities where they live through leadership, advocacy and services.

The values inherent in a successful and vibrant veteran's nonprofit, 501-C-19, organization (to include all affiliated 501-C-3's) are:

- Commitment to those who have served and are serving.
- Transparency, integrity and honesty.

- Commitment beyond the law.
- Responsible stewardship of resources; and

- Commitment to excellence and maintaining the public trust.

Given its mission and stated values, AMVETS has adopted a Department Biannual Self Audit Process to guide its Department Executive Committee in carrying out this responsibility.

The process contains minimal expectations and may be augmented with additional steps appropriate to specific Departments programs and/or state and federal grantors.

SELF-AUDIT PROCESS:

- Every two years, in the off year between NEC elections.
  - Alabama through Missouri, including DC, conduct the self-audit in the odd years.
  - Montana through Wyoming conducts the self-audit in the even years.
- Department Commander appoints two SEC men who are independent of any financial/treasury function.
- Minimal assessments to include but not be limited to:
  - Confirm all bank balances.
  - Review and confirm correctness of any large expenses.
  - Review expenses associated with all grant monies received; and
  - Review revenue and expenses associated with Charitable Games/Bingo

Appendix A: Revocation, Cancellation or Suspension of Post Charters

UNIFORM CODE OF PROCEDURE FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF POST CHARTERS
(Adopted Pursuant to Article IV, Section 4, of AMVETS National Bylaws)

Section 1. In addition to the provisions of Article X, Section 3, of the AMVETS National Constitution, post charters may be suspended or revoked for any one or more of the following reasons:

(a) Failure to comply with any of the provisions of Article X of the Constitution.

(b) Failure to comply with Article V, Sections 1(a) and (b), of the AMVETS National Bylaws.

(c) Any violation of law that reflects unfavorably on the name AMVETS, in which case the department commander may seize the post charter prior to the hearing provided herein.

(d) Any misconduct unbecoming an AMVET post; or

(e) Violation of any other provisions of the AMVETS National Constitution and Bylaws.

Section 2. Any post charter may be canceled if it was obtained by fraud or deception.

Section 3. Any member in good standing may prefer charges against an offending post.

These charges shall be made under oath, alleging the time and place of the offense and signed by the accuser.

Section 4. All charges and specifications shall be filed with the department executive director or judge advocate who shall without delay send a notice by mail to all members of the state executive committee of the filing of said charges and the date and place of the meeting to be held, not less than five days nor more than 20 days after the date said notice was mailed.

At such meeting, the charges shall be read and their acceptance or rejection acted on, but the name of the accused or the accusers shall not appear in said notice.

Section 5. When the charges have been presented and read, the state executive committee shall decide by majority vote whether they shall be accepted, and the accused post placed on trial.

If the state executive committee accepts the charges, the department commander shall set a time and place for a hearing.

A notice thereof shall be sent by registered mail to the commander of the offending post together with a copy of the charges and specifications.

The date of the hearing shall not be less than 15 days from the date of the acceptance of the charges by the state executive committee.

Section 6. If, after notice has been duly served, the offending post is not represented at the time and place of the hearing, the state executive committee may conduct the hearing to a final conclusion.

Section 7. The state judge advocate shall prosecute the charges. The offending post shall be entitled to counsel. The attendance of a court reporter shall be permitted.

Section 8. The department commander shall decide all questions as the relevancy of the evidence and the regularity of the proceedings.

Section 9. At the conclusion of the hearing, the commander shall immediately put the question of "guilty" or "not guilty" on each charge and specification.

Section 10. It shall require a vote by ballot of two-thirds of the state executive committee members present to sustain any charge or specification.

Section 11. If any charge or specification is sustained, the post shall be declared guilty and the commander shall put the question of the degree of punishment, beginning with charter revocation.

If that is not sustained, then indefinite suspension and if that not be sustained, definite suspension and if that not be sustained, reprimand shall follow without further vote.

Section 12. With the exception of reprimand, which must follow a finding of guilty unless a more severe penalty is imposed, a vote of two-thirds of the members of the state executive committee present at the hearing shall be necessary to decide the degree of punishment.

Section 13. Any post whose charter is revoked or suspended may appeal to the National Executive Committee by notifying the National Executive Director within 15 days by certified mail of its desire to appeal.

The action of the National Executive Committee shall be binding, pending appeal to the next National Convention.

Section 14. Procedures for the handling of any such appeal shall be prescribed by the national judge advocate.

Appendix B: Suspension or Expulsion of Members

UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION

OR EXPULSION OF A MEMBER

(Adopted Pursuant to Article V, Section 2, of AMVETS National Bylaws)

Section 1. In addition to the provisions of Article XII, Section 1(a), of the AMVETS National Constitution and Article V, Section 2, of the AMVETS National Bylaws, members may be suspended or expelled for any one or more of the following reasons:

(a) Failure to comply with any obligation imposed on members under the constitution and bylaws;

(b) Any violation of law that reflects unfavorably on the name AMVETS;

(c) Any other conduct unbecoming an AMVET;

(d) Ineligibility for membership at time of acceptance into membership; or

(e) Procurement of membership by fraud or deception.

Section 2. Any member of AMVETS may refer charges against any other member, alleging any of the foregoing causes for suspension or expulsion.

Such charges shall be made under oath, setting forth the time and place of the offense or other basis for the charges, as near as may be practicable, and signed by the accuser.

Filing of charges determined by the hearing authority to be frivolous shall constitute conduct unbecoming an AMVET.

Section 3. All charges and specifications shall be filed with the post commander of the post to which the member complained about belongs or if said member is a member-at-large, then with the department commander.

On receipt of said charges and specifications, said respective commander shall, within five days, send a copy thereof by certified mail to the member complained about, together with a notice fixing a date, place and time of a hearing to be held not less than 30 days after said date of mailing.

Section 4. Said charges and specifications shall be heard by the executive committee of the post or, in the instance of a member-at-large, by the executive committee of the department, at which said hearing the member complained about shall have the right to be represented by counsel and to cross-examine the accusers or accusers and witnesses presented against the member.

No member against whom charges have been preferred, or who has preferred charges against another member, shall sit in judgment on any panel hearing or deciding the matter.

Section 5. The post or state judge advocate, as the case may be, shall prosecute the charges and the attendance of a court reporter shall be permitted.

Section 6. The presiding officer of said executive committee shall decide all questions as to the relevancy of evidence and the regularity of the proceedings.

Section 7. On the conclusion of the hearing, a vote shall be taken first as to whether there is a basis for the charge or charges and, if by the vote hereinafter mentioned, it is determined that there is none, the charges may be dismissed. If the charges are not dismissed, then a vote shall be taken on the guilt of innocence of each of the charges and each of the specifications.

A two-thirds vote of the members of the executive committee hearing the charges and specifications shall be required to sustain any charge or specification. Voting herein provided for shall be secret or open as said executive committee may, by majority vote thereof, determine.

Section 8. If any charge or specification is sustained, then the member shall be deemed to be guilty thereof and the officer presiding at the hearing shall then put the question of the degree of punishment as to whether there shall be a suspension from the benefits of membership and,

if so, for how long; or an expulsion from membership.

Section 9. Any member whose membership is suspended or forfeited may appeal to the next highest level applicable from that which heard the charges and specifications, i.e., from post executive committee to state executive committee, from department executive committee to National Executive Committee.

Notice of appeal must be filed in writing with the appellate body not later than 15 days after the imposition of the penalty.

Section 10. In the event charges are filed against any national elected or appointed officer, such charges shall be heard by the National Executive Committee or a subcommittee appointed by it in accordance with the general outline set forth above, with the right of appeal in the event of a suspension or expulsion to the next National Convention.

Section 11. The decision of the appellate body at either level shall be binding and final.

Section 12. The procedure for the handling of any appeal to be heard by the National Executive Committee or the National Convention shall be prescribed by the national judge advocate.

The department grievance committee shall hear grievances and appeals as stated in Appendix E, Section 19 except as provided in Appendix B, Section 4 and Appendix E, Section 6.

No such procedure at any level, however, shall be inconsistent or in conflict with the national, department or post constitution and bylaws or this code.

Appendix C: Procedures National Grievance Committee

UNIFORM CODE OF PROCEDURE FOR THE NATIONAL GRIEVANCE COMMITTEE
(Adopted Pursuant to Article II, Section 2 of AMVETS National Bylaws)

REFERENCE:

1) NATIONAL CONSTITUTION – ARTICLE XII; DISCIPLINE
2) BYLAWS – ARTICLE V: DISCIPLINE OF POST AND POST MEMBERS, and;
3) Appendix C, Section 1: UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF AMEMBER

Section 1. UNIFORMCODE OFPROCEDURE FORTHESUSPENSION OR EXPULSIONOFA MEMBER.

A member who files an appeal is referred to as an appellant. The appellant must file a Notice of Appeal within 15 days after the imposition of the penalty to the Executive Director of AMVETS National Headquarters, 4647 Forbes Blvd., Lanham, Maryland 20706. The notice must include the specific grounds on which the appeal is predicated. These grounds typically include errors following the Constitution and Bylaws, procedural errors, or due process.

Attached to the Notice of Appeal must be the name of witnesses that will be present, the

order that they are to be called, notarized statements from witnesses that will not be in attendance and any other evidence or documents properly numbered.

Appeals not submitted with a post mark within the established time period or not properly prepared in accordance with the reference above will not be considered.

Within 30 days of receipt of a Notice of Appeal the National Executive Director will notify the Department, the appellant and the duly appointed National Grievance Committee of receipt of the appeal and the grounds for the appeal. A National Grievance Committee meeting will be scheduled to hear said appeal at the next regularly scheduled National Executive Committee meeting that is at least 30 days from the date of mailing. The Department, appellant and grievance committee will be notified by mail of the time, date and location of the meeting.

This is not a hearing, only consideration of the statements of the appellant, the appellee (Department Judge Advocate), witnesses, record of the notarized depositions and written evidence presented to the Grievance Committee.

The appellant may be represented by counsel at all stages of the appeal process and may cross-examine all witnesses presented against him.

The Department Judge Advocate shall provide the facts refuting the grounds for the appeal as stated in the Notice of Appeal. The attendance of a court reporter shall be allowed at no charge to the appellant.

The presiding officer of the Grievance Committee shall decide all questions as to the relevancy of evidence and the regularity of the proceedings at that level.

The National Judge Advocate shall decide all questions as to the relevancy of evidence and the regularity of the proceedings at the National Executive Committee.

The accuser and the appellant may call witnesses and present evidence. Notarized depositions may be submitted. The accuser, the appellant or their appointed representatives may make opening and closing remarks not to exceed 10 minutes each. Witness statements will not exceed 10 minutes with 10 minutes allowed for cross-examination.

The Department Judge Advocate shall present opening remarks first and closing remarks last.

Each party to the appeal shall have the right to recall witnesses and re-direct questions to witnesses.

At the conclusion of closing remarks, the chairman shall close the hearing. A vote shall be taken to determine if (1) the charges and punishment on appeal shall be upheld, (2) The charges are upheld and punishment reduced or (3) charges and punishment are not upheld. A two-thirds vote of the committee shall be required to sustain the charges and punishment on appeal.

The Grievance Committee is a subcommittee of the National Executive Committee and will report its findings to the National Executive Committee. Under this procedure, the National

Executive Committee can ratify the Grievance Committee decision, decline to impose any penalty or reduce the penalty. The National Executive Committee cannot increase the penalty. If the Grievance Committee has found the accused not guilty the National Executive Committee cannot impose a penalty.

The decision of an appellate body shall be binding and final.

The National Executive Director shall notify the appellant and Department in writing of the results of the appeal within 15 days of the National Executive Committee's decision.

Appendix D: AMVETS Investment Policy

UNIFORM CODE OF PROCEDURE FOR THE AMVETS INVESTMENT POLICY
(Adopted Pursuant to Article VII, Section 1(a) of AMVETS National Bylaws)

INTRODUCTION

This policy is designed to provide a framework within which to manage the investments of the AMVETS National Department, and specifically the AMVETS Life Membership Fund Account.

This fund must always be managed in accordance with the approved AMVETS Constitution and Bylaws. The National Executive Committee (NEC) recognizes that it is the "name fiduciary" with respect to control or management of the AMVETS investment assets.

Decisions relating to the implementation of this policy reside with the NEC, through the recommendations of the National Finance Committee (NFC). The NEC may further delegate authority, within the guidance provided by this policy, to the investment managers and/or staff, as it deems appropriate.

The NFC, in its discretion, may choose a consultant, separate from the managers to assist the NFC and the Staff in its monitoring function. Furthermore, the NFC may contract with any other independent parties necessary to assure full compliance with this policy and optimal performance of its investment assets as approved by the NEC.

This Investment Policy provides a consistent structure with a standard care necessary for the NEC to exercise its fiduciary responsibility in managing the funds of the organization.

In developing this policy, the NFC considered liquidity requirements, the need to diversify assets, and the financial impact (including the possibility of a significant loss) of a wide range of possible policies.

Periodically, a new strategic allocation for the National Department may be created when there is a significant change in cash requirements or capital market expectations, and at least every five years. This policy will be updated to reflect these results as necessary.

INVESTMENT OBJECTIVES

The primary purpose of the investment program is to invest long-term assets in a manner that ensures sufficient resources will be available to meet immediate and long-term requirements.

The funds of AMVETS National Department should be invested in a prudent and diversified manner. The overall investment objective is to maximize the total rate of return subject to the preservation of capital and meeting the required cash flows of the organization.

Preservation of capital includes minimizing the risk of loss of principal for the Fund as a whole and minimizing the erosion of principal through inflation.

This principle helps to provide needed working capital to advance the vision and mission of the organization as recommended by the AMVET Long Range Planning Committee and approved by the National Executive Committee (NEC).

It is understood that the Fund will be subject to market risk. However, over complete market cycles (3- to 5-year time period for the purposes of this policy), assets should generate a return, net of fees, greater than the designated benchmark index for the particular asset classes. These comparisons will be made at least annually. The results will be reported to the NEC upon completion.

FUND INVESTMENT POLITICS

Asset Allocation

The guidelines that the AMVETS NEC and NFC have adopted for the overall allocation of the Fund's assets are as follows:

Asset Allocation	Lower Limit	Target	Upper Limit
Large Cap Equity	0%	30%	50%
Alternative Investments (except hedge funds)	0%	N/A	10%
Mid/Small Cap Equity	0%	15%	25%
International Equity	0%	05%	10%
Domestic Fixed Income	40%	50%	100%
Cash	Separate decision determined by the needs of the Fund		

ASSET CLASS INVESTMENT GUIDELINES

Domestic Equity:

The investment manager may invest in mutual funds where appropriate. For example, to gain proper diversification, mutual funds may be used for gaining exposure to small and mid-cap stocks.

The investment manager may not invest in private placements (unless specifically allowed), direct oil, gas and mineral exploration investments, and nominally public issues for which the

market is severely restricted.

All securities shall be of a class listed on a national securities exchange (NYSE, AMEX) or traded in the over-the-counter market and quoted on the National Association of Securities Dealers Automatic Quotation Service.

Industry and sector allocations should ensure prudent diversification and risk control. Investment in any issuer must be limited to 5% of the market value of the portfolio as well as 5% of the outstanding securities of any single issuer. Industry weightings should not exceed 35%.

The investment manager is prohibited from investing in letter or restricted stock, commodities. The investment manager is discouraged from investing in options, futures and forward contracts and/or any other derivative instrument; or from engaging in short sales, margin transactions or other specialized investment activities.

No assets may be invested in securities whose issuers have filed a petition for bankruptcy.

Domestic Fixed Income

The fixed income portion of the Fund's assets shall be invested in marketable fixed income securities of the first four quality grades established by one or more of the nationally recognized bond ratings services.

The average quality of all the bond holdings should be maintained at AA or better.

The following instruments are acceptable:

Money Market Mutual Funds

Commercial Paper or Variable Rate Notes rated P-1 b Moody's, A1 by Standard & Poor or F1 by Fitch.

Certificates of Deposit and Bankers Acceptances rated A or better by Moody's Investors Service or equivalent by Standard & Poor's.

Debt instrument of the U.S. Government or its Agencies (backed by the full faith and credit of the U.S. Government); or

Marketable corporate debt, mortgages, and asset-backed securities rated the equivalent of BBB or better by Moody's Investors services, Standard & Poor's or Fitch Investors Services.

Other restrictions are as follows:

Portfolio duration should be + 20% of the Lehman Brothers Aggregate Bond Index benchmark duration.

The investment manager may not hold more than 5% at the market value of the portfolio in any one issuer's securities other than direct obligations of the U.S. Government or its agencies.

Unrated securities may not be purchased unless specifically allowed.

Yankee Bonds (U.S. dollar denominated debt obligations of foreign credits) may be purchased up to 10% of the portfolio.

Private Placements are explicitly prohibited with the exception of 144A securities, which can be included up to 5% of the portfolio.

The investment manager shall not use derivative securities to increase portfolio risk above the level that could be achieved in the portfolio using only traditional investment securities or to acquire exposure to changes in the value of assets or indexes that by themselves would not be purchased for the portfolio.

Under no circumstances will the manager undertake a derivative investment possessing elements of leverage that is non-covered or leveraged to the extent that it would cause portfolio duration to exceed the limits implied by the benchmark.

In addition, fixed income securities whose returns are tied to another security or currency are specifically prohibited. Investment in Class B mortgage derivatives is not permitted at this time. Class B means securities whose value changes as a multiple of the underlying security.

This restriction includes "Z" bonds, inverse floaters, leveraged floaters and other complex leveraged securities. IOs are specifically excluded, and POs are permitted.

The investment manager may not engage in short sales or margin purchases.

Foreign Equity

The Fund may also consist of international equities. International equities shall be purchased primarily through the use of mutual funds to ensure adequate diversification; however, ADRs of foreign companies traded on the New York, American or the NASDAQ markets are also permitted.

Real Estate

As real estate is introduced to the portfolio, the amount and type of exposure will be determined jointly by the organization and the investment manager not to exceed 10%.

PERFORMANCE MEASUREMENT

Domestic Equity Portfolios

Achieve a rate of return which exceeds the index/benchmark over a complete market cycle (3-5 years) on an after-fee basis. Example Benchmarks: S&P 500 for Large Cap, S&P Mid-Cap 400 Index for mid cap and Russell 2000 for Small Cap.

Domestic Fixed-Income Portfolio

Earn an average annual total return which exceeds the Lehman Brothers Aggregate Bond Index, for example over a complete market cycle (3-5 years) annually on an after fee basis.

International Equity Portfolio

Achieve a rate of return which exceeds the Morgan Stanley EAFE Index, for example, annually over a complete market cycle (3-5 years) on an after fee basis.

Total Fund

Goal on a total return basis is to achieve a rate of return which exceeds a benchmark weighted index as follows:

S&P 500 Index	2.0%
Russell Mid-Cap Index	2.0%
Russell 2000 Index	2.0%
Morgan Stanley EAFE Index	3.0%
Barclay Bond Aggregate Bond Index	0.3%

Prohibited Transactions

There have been questions as to the propriety of areas or lines of business, such as Tobacco stocks or securities of companies doing business with certain countries.

The NEC will consider such questions as they arise and, if appropriate, will determine areas and business in which AMVETS will not invest.

Furthermore, no investments will be made in the investment manager and/or consultant companies.

Structure

1) Should AMVETS National Department contract with a single investment manager, they shall perform as both the investment manager and consultant as provided for in this policy.

2) Independent investment managers will manage the assets.

Should there be more than one investment manager, an investment consultant may be employed by the NEC to monitor the performance of the investment managers and perform other duties as outlined below with respect to the investment consultants.

For efficiency, the number of managers should be minimized but will be determined by such factors as total funds committed to an investment asset category; diversification, monitoring

and cost considerations; and the investment style of the selected managers (e.g. value vs. growth). Emphasis will be placed on seeking high quality investment managers.

A proven style of investment that offers the best opportunity for meeting the investment objectives of this policy is a basic requirement. Characteristics of selected firms will include a clear investment strategy, proven investment record and a disciplined decision-making process.

In all cases, careful analysis will be conducted to evaluate the likelihood of the organization's prior track record being maintained.

To this end, and because of the conservative nature of AMVETS, new organization or investment managers will not be considered.

AMVETS National Headquarters Contact Personnel

Primary Contact:	National Finance Director
Other Contacts:	National Executive Director
	National Commander (Elected position-one year term)

Investment Manager Guidelines

(1) Investment manager(s) must be either an investment adviser registered as an investment adviser under the Investment Advisers Act of 1940 and qualified to act as an investment manager for the Funds under Section 3 (38), or a bank as defined in that Act, and must execute an "Investment Manager Agreement" which will include fee structure, investment guidelines and restrictions contained in this policy, and any additional guidelines or restrictions specific to the manager.

(2) Assets are to remain in custody of the Trustee unless specifically assigned to a trustee pooled account maintained by the investment manager, in which case the investment manager will furnish the Trustee with evidence of ownership of the units of the pooled account.

(3) Assets are to be managed in such a way that they are subject to prudent standard of care and any other applicable governmental or legal requirements.

If there is any doubt or concern as to the prudence of any investment or as to interpretation of this paragraph, the investment manager must notify the National Headquarters staff, if appropriate; of such doubt or concern before making the investment.

(4) Managers are to seek “best execution" on all trades as measured by market impact andcommissionstoaccomplishtheinvestmentobjectivesoutlinedinthisdocument.

(5) Investment managers are expected to comply with prudent standard of care and all applicable laws, rules and regulations of appropriate regulatory bodies.

Investment Communications Guidelines

The investment consultants, who in the discretion of the NEC, may also be the investment managers, are responsible for the following:

(1) Assisting in the development and periodic review of the investment policy;

(2) Monitoring the performance of the investment portfolio and reporting their performances, as well as the overall portfolio performance, on no less than a quarterly basis;

(3) If the consultant is a separate entity, performing due diligence of and contracting with, investment managers in accordance with this policy and the wishes of the NEC via its NFC; and communicating matters of policy, manager research, and manager performance, manager organizational changes, and other external risk factors, to the Investment Committee on a regular basis.

Termination of Investment Manager

An investment manager and/or consultant may be terminated for any of the following:

(1) Investment performance, which is significantly less than anticipated, given the discipline employed and the risk parameters established, or unacceptable justification of poor results;

(2) Failure to adhere to any aspect of this statement of investment policy, including communication and reporting requirements; or

(3) Significant qualitative changes to the investment management and/or consultant organizations.

AMENDMENTS

The NEC reserves the right to change this policy at its discretion.

Any authority not delegated by this policy remains with the NEC, including, but not limited to, changing acceptable asset classes and investments and changing the strategic asset allocation and allocation ranges.

The Investment consultant and managers are not obligated to changes in this policy until communicated and accepted by them in writing.

CURRENT INVESTMENT MANAGER

Morgan Stanley
Jill E. Bracci, CFP®, CDFA™, Vice President, Financial Advisor
Jill.Bracci@morganstanley.com; 937-431-7857

James Stuart Client Service – Marketing
James.Stuart@morganstanley.com; 937-431-7839

Shannon Blair, Client Service Associate
Shannon.Blair@morganstanley.com; 937-431-7828

Appendix E: AMVETS Uniform Department Constitution

(In accordance with Article IX, Section 10 of the National Constitution)

Section 1. Departments shall be organized with a headquarters located as authorized by the department convention or an intervening State (Department) Executive Committee (SEC or DEC) meeting.

Local posts shall be formed, and intermediate administrative groups may be created by the State Executive Committee to function within their respective jurisdiction where such action is deemed advisable.

This appendix to the AMVETS National constitution shall be the constitution for all departments.

Departments shall formulate Bylaws to address those aspects of operation not covered in this constitution no later than July 1, 2007.

Section 2. Departments shall be composed of state officers, both elected and appointed—and the members of the State Executive Committee.

It shall be the duty of the state officers to advance the cause of AMVETS, to carry out its aims and purposes, and to provide for realization of the plans and policies established by the mandates of the department convention and the State Executive Committee.

Section 3. In cases where face to face meetings are not possible due to a national emergency or pandemic Department Convention protocol contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section4. Each department shall conduct its convention, to be held annually between May 1 and June 30, at which time it shall elect department Officers and its delegate and alternate to the National Convention and its national executive committeeman and alternate.

Elected department officers shall assume office not later than July 15.

National executive committeemen and alternates shall assume office in accordance with Article VII, Section 4 of this Constitution.

(a) The department convention delegation shall be comprised as prescribed by the Department Bylaws.

(b) Each post shall choose a delegate(s) and an alternate(s) at a post meeting.

(c) The department commander shall vote only in the case of a tie.

(d) Each delegate shall be entitled to one vote. Alternates shall have all the rights and privileges of their delegates except they shall vote only in their delegate's absence. No delegate or alternate, however, shall be seated at the department convention unless the individual's accounts with department headquarters are fully paid up.

(e) No delegate of an accredited post shall be seated at the department convention unless the respective post shall be fully paid up in all its accounts with department headquarters and department districts.

No post delegate or alternate shall be permitted to register as such unless the delegate or alternate shall have been a member in good standing on the department rolls for at least 30 days prior to the opening of said convention and possesses a membership card or other satisfactory evidence identifying the delegate or alternate as a member of the post from which the individual is registering.

(f) Departments shall specify convention quorum requirements in Bylaws or convention rules.

(g) No department convention bids shall be received on the convention floor unless they are previously submitted to the Department Finance Committee and/or the State Executive Committee, in accordance with the rules of said committee, and in accordance with the rules and procedures of the State Executive Committee.

(h) Convention Chairmen shall be chosen in accordance with the Department Bylaws.

(i) The Convention Rules Committee, after reviewing and making necessary changes, shall present to the State Executive Committee at a regular SEC meeting, for its approval, the Rules of the Annual Convention following the SEC meeting at which the rules are considered.

The Department Headquarters will then circulate those rules to the posts at least 30 days prior to the Annual Convention.

The Rules of the Convention may be amended by a majority vote of the delegates assembled at the Annual Department Convention.

Section 5.

(a) The department convention shall elect a department commander, a department first vice commander, a department second vice commander, a department finance officer, a department National Executive Committeeman, a department Alternate National Executive Committeeman, a department provost marshal, a department judge advocate, and any other officers prescribed in the Department Bylaws.

(b) No member shall be eligible for any department office unless the individual is fully paid up in all accounts with the department headquarters 30 days prior to the opening date of the department convention.

(c) Departments shall specify candidate eligibility certification procedures in the bylaws

or convention rules.

The department commander, with the consent and approval of the State Executive Committee, shall appoint and have the power to remove a department chaplain, a department inspector general and such other officers and committee chairmen as specified in the Department Bylaws. These appointments shall be made at the post-convention SEC meeting.

Section 6. All elected and appointed department officers shall be members of the State (Department) Executive Committee.

The authority for officers to vote on the State (Department) Executive Committee shall be prescribed in the Department Bylaws.

Section 7.

(a) An elected officer may be removed from office only by a two-thirds vote of the Department Executive Committee after written charges against such officer shall have been preferred and furnished by certified mail to the officer concerned and to the members of the Department Executive Committee.

A full hearing shall be held by the Department Executive Committee on charges preferred against an elected department officer. Such hearing shall be held not less than 30 days after the charges are referred to and mailed.

(b) The procedure for removal from office of elected officers shall be prescribed by the State Executive Committee on recommendation of the department judge advocate in accordance with the UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF A MEMBER (AMVETS National Bylaws, Appendix B)

Section 8. Department officers elected at a department convention shall be installed in office at a ceremony held at the Convention.

The term of office shall be as prescribed in the Department Bylaws.

Section 9. In the event of a vacancy in the office of department commander, the department first vice commander shall succeed to that office, except that the Department Bylaws may prescribe election of the department commander by the State Executive Committee.

In the event of a vacancy in the office of the department first vice commander, the department second vice commander shall assume the office of department first vice commander.

Any additional vice commanders specified in the department Bylaws shall similarly participate in succession.

Section 10. In the event of a vacancy in the office of the most junior vice commander, department finance officer, department provost marshal or department judge advocate, or other elected officer, regardless of the reason for such vacancy, the department commander

shall appoint an AMVET to fill the vacant office for the unexpired term.

Such appointment shall be with the approval of the State Executive Committee, and the appointee shall be in compliance with all qualifications and restrictions regarding the holding of said office as set forth in any other article of the constitution and bylaws of AMVETS, except the requirement of election.

On approval of the State Executive Committee, the appointee shall assume all powers and responsibilities pertaining to the office as though elected.

Section 11. The administrative power between department conventions shall be vested in the State Executive Committee, which shall be composed of the department commander, the department first vice commander and the department second vice commander, all other elected department officers, past department commanders and others as prescribed by the Department Bylaws.

Each of the above members shall be entitled to one vote except the department commander, who shall vote only in case of a tie, and except that the past department commanders present may be entitled to vote as prescribed in the Department Bylaws.

In cases where face to face meetings are not possible due to a national emergency or pandemic department (state) executive committee meetings protocol contained herein will be altered per procedures established as Appendix F to AMVETS National Bylaws.

Section 12. Voting members of the State Executive Committee shall be delegates to the department convention, each entitled to one vote, providing their respective posts have complied with all the provisions of the department constitution and bylaws.

Section 13. The management of the Department budget as approved at the state convention shall be under the control of the State Executive Committee, which shall delegate sufficient general and specific authority to the Department Finance Committee, as authorized by the Department Bylaws, to carry out the usual duties of such committee.

The Department Finance Committee, with the approval of the State Executive Committee, shall have the authority to retain independent investment experts as needed for consultation in supervising any and all AMVETS funds.

(a) The Department Finance Committee shall consist of members as prescribed in the department bylaws.

(b) The Finance Committee shall meet prior to each SEC meeting, or at other times as set forth in the department bylaws.

(c) The Finance Committee shall make an annual report to the department convention.

Revenue shall be derived from annual dues and such other sources as may be approved by the State Executive Committee.

(d) The Finance Committee shall submit a provisional annual budget as prescribed in the Department Bylaws.

Section 14. The following provisions shall govern the establishment and administration of the budget of the Department Headquarters:

(a) The Finance Committee has the sole fiduciary responsibility to prepare and present a budget that is fiscally sound;

(b) In determining the budget, revenue shall be based on tangible assumptions and realistic and/or proven income projections to include revenue that provides funding for the operations and programs approved by the Finance Committee, State Executive Committee, and department convention.

(c) In the full execution of approved programs within the budget, expenses shall be budgeted as realistically as possible to ensure overall spending integrity.

(d) A contingency budget line shall be developed solely to address unexpected expenses during the operating fiscal year and included in the budget.

(e) In no case shall the Department Finance Committee or any other body of the department organization be permitted to adopt or approve a budget in which the expenses, provisions for capital expenditures and provisions for debt reduction exceed the income established above.

Under no circumstances, however, shall the aggregate budget as approved by the Department Convention be over-expended.

Violation of any of the foregoing provisions by any person shall constitute cause for disciplinary action, including removal from office or dismissal from employment; and

(f) Any person who willfully violates any provision of this section shall, in addition to any other disciplinary action taken, be personally financially liable for any amount spent that exceeds the budget appropriations unless such excess had prior approval of the Department Finance Committee.

Any salary or expense money due or to become due to such person may be retained by the organization to offset all or any part of the unauthorized over-expenditure.

Section 15. The Department Finance Committee shall have the power and authority to designate the depository banks or other financial institutions to receive deposits into various accounts belonging to the Department and to disburse such funds on checks signed by two or more persons designated by the Department Bylaws.

Section 16. The fiscal year shall be designated in the department bylaws.

Section 17. Any resolution emanating from a department convention involving the expenditure of funds or any financial commitment shall be referred to the Department Finance Committee for approval.

In reviewing resolutions adopted at a department convention, the Department Finance Committee shall have three options: (1) provide funding from the newly adopted department budget, (2) defer funding pending appropriate planning by the department staff as part of the next fiscal year or (3) deny funding based on current and projected funding levels.

If a resolution is denied or deferred because of a want of available funds within the meaning of Section 13 hereof, the Department Finance Committee shall report such decision to the Department Executive Committee at its next meeting.

Section 18.

(a) The State Executive Committee, after notice and hearing, may cancel, suspend or revoke the charter of any post for good and sufficient cause. Procedure for any such action shall be as prescribed by AMVETS National Bylaws, Appendix A.

(b) In the event of the cancellation, suspension or revocation of any charter of any Post, the suspended body shall have the right of appeal to the next department convention.

Section 19. As prescribed in the Department Bylaws, the department commander, after notice, may invoke and formulate a trusteeship to take over the operation of a post for good and sufficient reasons and for the well-being of the AMVET organization.

Section 20. From among the voting membership of the State Executive Committee, the state commander shall appoint a State Grievance Committee, consisting of three members, to hear grievances and appeals as are provided for in this constitution and bylaws and to report its findings and recommendations to the State Executive Committee.

The state commander shall designate the chairman.

This committee shall function during the state convention, meetings of the State Executive Committee, and upon the call of the state commander or State Executive Committee.

Such appointees shall serve at the pleasure of the state commander with the advice and consent of the State Executive Committee.

The state commander and state judge advocate shall serve as ex-officio members of this committee without vote.

Appendix F: Uniform Code of Procedures Where Regularly Scheduled Meetings or Conventions are not Possible due to a National or State Emergency or Pandemic

Section 1.

(a). Protocols contained in this Appendix F are in effect when a national or state emergency or a condition of widespread pandemic declared by the President of the United States, or the governor of a state prevents physical meetings or conventions and AMVETS functions.

(b). The National Commander with the concurrence of the National Executive Committee has the power to implement the procedures identified in this Appendix F.

Section 2. National Constitution Article V requirement for an annual National Convention is suspended. National Convention will be cancelled at the latest point in time, which would normally allow convention planning to be implemented. Plans would then be shifted to the next scheduled annual convention.

Section 3. In the event of a convention being cancelled all elections of officers shall be postponed until the next scheduled convention. This is to include all National officers and National District Officers, causing their terms to be extended until the next scheduled convention.

Section 4. A department canceling their convention due to the above conditions will have their officers remain in place until the next elections. If for some reason, an officer cannot continue due to personal reasons, they may resign, and the vacant position be filled according to the department bylaws. In the event of an NEC or Alternate NEC term is expiring during the canceled convention their term will be extended until their next scheduled election year (A – M Even years; N – W Odd Years).

Section 5.

(a). The Finance Committee and the National Executive Committee, where possible, will meet utilizing secure online video meeting technology to complete their regularly scheduled meetings.

(b). Finance Committee will submit a provisional budget to the National Executive Committee for its approval via U.S. Mail or email to all voting members by August 15th.

(c). NEC votes may be cast via email on incidental issues which arise during the year.

(d). The National Grievance Committee shall function utilizing secure online video meeting technology.

Section 6.

(a). Where face to face meetings are not possible due to Section 1, department (state) executive committee and post meetings may be held via secure online video meeting technology.

(b). Post elections may be held as a write-in or sign-in ballot or by email. Where these means are not available, post officers will retain their positions until the next scheduled election.

Section 7.

(a). All state departments or subordinate organizations not affected by the circumstances described above will proceed within their respective CBL.

(b). If a state department or subordinate organization is impacted and does not have policies in place regarding cancelation of meeting or convention, they shall follow the above guidelines.

Section 8. If a Post or Department Charter has been suspended and the 60 day period falls in the period defined by the above-mentioned circumstances the appropriate body is empowered to continue proper actions to revoke or cancel the charter.

Section 9. At the conclusion of circumstances that make a physical meeting or convention an impossibility the National Commander will make all efforts to resume normal operations after appropriate consultations with NEC.

As amended at the AMVETS National Convention on August 21, 2026.