

NATIONAL SONS OF AMVETS **CONSTITUTION & BY-LAWS**

CONTENTS PAGE

CONSTITUTION

<u>TITLE</u>	<u>PAGE #</u>
PREAMBLE	1
ARTICLE I – NAME	1
ARTICLE II – AIMS	1
ARTICLE III – ORGANIZATION	2
ARTICLE IV – MEMBERSHIP	3
ARTICLE V – LIFETIME MEMBERSHIP	5
ARTICLE VI – DEPARTMENTS	5
ARTICLE VII – LOCAL SQUADRONS	8
ARTICLE VIII – NATIONAL OFFICERS	11
ARTICLE IX – NATIONAL CONVENTION	13
ARTICLE X – FINANCE	13
ARTICLE XI – DISCIPLINE	15
ARTICLE XII – PUBLICATIONS	15
ARTICLE XIII – AMENDMENTS	15

BY-LAWS

<u>TITLE</u>	<u>PAGE #</u>
ARTICLE I – COMMITTEES	17
ARTICLE II – DUTIES OF OFFICERS	18
NATIONAL COMMANDER	18
1ST VICE COMMANDER	19
2ND VICE COMMANDER	20
3RD VICE COMMANDER	20
FINANCE OFFICER	20
JUDGE ADVOCATE	21
PROVOST MARSHAL	22
LEGISLATIVE DIRECTOR	22
ARTICLE III – DUES	22
ARTICLE IV – LIFETIME MEMBERSHIP	24
ARTICLE V – MEMBERSHIP CARDS	24
ARTICLE VI – DISCIPLINE	24
ARTICLE VII – FUND RAISING PROJECTS	25
ARTICLE VIII – FINANCE	25
ARTICLE IX – AMENDMENTS AND RESOLUTIONS	25
ARTICLE X – RIGHTS OF APPEAL	26
ARTICLE XI – RELATIONSHIP OF SONS OF AMVETS	26
ARTICLE XII – DISCLAIMER	26

CONTENTS PAGE

<u>TITLES</u>	<u>PAGE #</u>
INDUCTION CERMONY FOR CANDIDATES FOR THE SONS OF AMVETS	27
SONS OF AMVETS OBLIGATION OATH	27
SONS OF AMVETS OFFICER INSTALLATION OATH	28
INSTALLING OFFICERS	28
APPENDIX A: UNIFORM CODE OF PROCEDURES FOR THE REVOCATION, CANCELLATION, OR SUSPENSION OF DEPARTMENT AND SQUADRON CHARTERS	29
APPENDIX B: UNIFORM CODE OF PROCEDURES FOR THE SUSPENSION OR EXPULSION OF A MEMBER	31
SIGNATURE PAGE	33

NATIONAL SONS OF AMVETS STANDING RULES OF OPERATION

<u>TITLES</u>	<u>PAGE #</u>
ARTICLE I – NATIONAL OFFICERS	35
SECTION 1 – EXPENSE & TRAVEL	35
SECTION 2 – VOUCHER PROCEDURE	35
SECTION 3 – BACKGROUND CHECKS	35
ARTICLE II – MEMBERSHIP CARD PROCEDURES	36
ARTICLE III – MISCELLANEOUS	37
SECTION 1 – OLDEST LIVING MEMBER	37
SECTION 2 – UNIFORM COVERS	37
SECTION 3 – POCKET PLATES	37

THE CONSTITUTION OF THE NATIONAL SONS OF AMVETS

PREAMBLE

We, the Sons of AMVETS (American Veterans), fully realize our responsibility to our parents, community, State and Nation, associate ourselves for the following purposes; To uphold and defend the Constitution of the United States of America; To safeguard the principles of freedom, liberty, and justice for all; To promote the cause of peace and goodwill amongst nations; To maintain the freedom of our country; To preserve the fundamentals of democracy; To perpetuate the friendships and associations of the AMVET organization; 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 "Sons of AMVETS."

ARTICLE II, AIMS

The Aims and Purposes of this organization are as follows:

SECTION 1:

To serve our nation at all times and to help build and maintain the welfare of the United States of America; To move toward lasting prosperity and peace for all its inhabitants.

SECTION 2:

To encourage in keeping with the policies of our Government; The establishment of a concrete plan to secure permanent international peace, and to assist in the maintenance of international peace.

SECTION 3:

To inspire in our Membership a sense of responsibility and to develop leadership for the preservation of our American democratic way of life.

SECTION 4:

To help unify groups in the overall interests of American democracy.

SECTION 5:

To cooperate with all duly recognized Veterans Organizations and their subordinate groups in the furtherance of the aims of the American Veterans.

SECTION 6:

To aid in the fulfillment of the Aims and Purposes of AMVETS, our parent organization.

SECTION 7:

To keep the American public forever reminded that the Veteran served to preserve peace, liberty, and democracy for our nation.

SECTION 8:

To promote the welfare and fellowship of our members and their families.

SECTION 9:

To recognize that the parent organization known as AMVETS, which was Chartered by Congressional Action on 23rd July 1947, is our parent organization.

SECTION 10:

To promote the interests of the parent organization, AMVETS.

ARTICLE III, ORGANIZATION**SECTION 1:**

Sons of AMVETS shall be organized with a National Headquarters, and 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 Intervening National Executive Committee. (NEC)** Local Squadrons shall be formed within such Departments, and intermediate administrative groups may be created within their respective jurisdictions where such action is deemed advisable. Their corresponding level of AMVETS shall approve each level, and shall be a subordinate of the sponsoring level.

SECTION 2:

Where no State Department exists, Local Squadrons will be directly responsible to the National Department in all Sons of AMVETS matters.

SECTION 3:

The State Department shall be composed of all State Officers, and one (1) representative from each local organization within that State.

SECTION 4:

A State Department Charter may be issued to a State Department of the Sons of AMVETS where there exists at least **three (3)** local organization with a total of at least forty (**24**) members. Any State with at least eight (**5**) Local Squadrons shall form a Department within one (1) year of the Chartering of the eighth (**5th**) Squadron. After such time, no new Squadron Charters shall be issued in said State until a Department is organized.

SECTION 5:

Eight (8) eligible individuals approved by both the Local AMVET Post, and the State Department of AMVETS may form a local organization. The local organization shall be called a Squadron.

SECTION 6:

The Executive Committee of each corresponding level shall be the Governing body between all meetings.

SECTION 7:

All Departments shall be governed by the Department Uniform Constitution and By-Laws, approved by the parent organization, and which shall not be in conflict with the Constitution and By-Laws of the National Department of the Sons of AMVETS. All Squadrons shall be governed by the Squadron Uniform Constitution and By-Laws.

SECTION 8:

The National Coordinator of the Sons of AMVETS, who shall be appointed by the AMVETS National Commander, and shall oversee all actions of the Sons of AMVETS and shall report all findings to the parent organization of the AMVETS. The National Coordinator shall be a member of the parent organization

All Charters for Sons of AMVETS shall be issued by the Sons of AMVETS, National Headquarters at the direction of the National Sons of AMVETS Commander, and may remain open for a period of no longer than six- (6) months.

ARTICLE IV.

MEMBERSHIP

SECTION 1:

Eligibility for membership in the Sons of AMVETS shall be limited to all male descendants, grandsons, adopted sons, stepsons, fathers, husbands, widowers and brothers of members of AMVETS, and deceased members of AMVETS, or service personnel who died and would have been eligible for membership in the parent AMVET Organization, and are at least eighteen- (18) years of age and is not eligible in the parent organization. This is not to include in-laws of any type.

SECTION 2:

Any member of the Sons of AMVETS, who has qualified under the provisions of ARTICLE IV, SECTION 1, shall be allowed to maintain his membership as long as he remains a member in good standing.

- a. A member whose dues have not been paid for a period of one (1) year or more, must re-establish eligibility, and shall be considered a new member.
- b. A member who has let his dues lapse for a period of less than one (1) year, may not join a different Squadron until he pays his dues at the Squadron where his records are. Then he can fill out a Transfer Form.

- c. Any applicant requesting membership in the Sons of AMVETS, who is not accepted by a Squadron, may not re-apply to that same Squadron in the same membership year.

SECTION 3:

No person who is a member of, or who advocates the principles of an 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 the Sons of AMVETS.

SECTION 4:

No person shall be a member of more than one (1) Squadron at any one time. Any member in good standing may be permitted to transfer to another Squadron (and/or Department), providing that said transfer is acceptable to both Squadrons (and/or Department) involved and without having to re-pay the current annual dues, if already paid prior to transfer. No person expelled by one Squadron shall be eligible for membership in another Squadron without the consent of the expelling Squadron or the consent of the Department Executive Committee after hearing an appeal. A Squadron Transfer Form shall be completed, signed, and dated. No Transfer Form shall be denied by a Squadron (and/or Department) from which the transfer is requested without just cause.

SECTION 5:

Membership in the Sons of AMVETS shall be accepted only after the Sponsor completes the application for membership, and is verified by the Adjutant **Or the Vice Commander in charge of Membership** of the sponsoring Post.

SECTION 6:

Any person meeting the requirements under ARTICLE IV, SECTION 1, in an area where no Local Squadron exists, may become a Member-At-Large (MAL) by showing proof of eligibility to the Department Commander (where one exists), or to the National Membership Coordinator. AMVETS must make eligibility certification on either the Department or National Level. Dues shall be in accordance as follows:

Where a Department exists, the member shall be responsible for Department and National dues. If no Department exists, the member shall be responsible for National dues only. Any MAL shall be governed by the Department Uniform Constitution and By-Laws (where a Department exists) or by the National Constitution and By-Laws. The renewal process shall be the same as for the general membership. Any MAL will be ineligible to hold any office on the Department or National Level.

SECTION 7:

No person that has served in any branch of the United States Armed Services shall be allowed membership into the Sons of AMVETS.

ARTICLE V, LIFETIME MEMBERSHIP

SECTION 1:

The Sons of AMVETS shall provide for Lifetime Members.

SECTION 2:

There shall be a permanent Lifetime Membership Fund established.

SECTION 3:

A Lifetime Membership Trust Fund Committee shall be formed, consisting of eight (8) members. These members shall be four (4) elected Officers; The Commander, 1st Vice Commander, Finance Officer, and the Judge Advocate. It shall include any two (2) Past National Commanders, and any two- (2) Department or Past Department Commanders. The Commander shall vote only in case of a tie. The Commander with the approval of the Executive Committee shall appoint this Committee.

SECTION 4:

Any and all changes in the permanent Lifetime Membership Trust Fund shall be approved by at least two-thirds ($2/3^{\text{rds}}$) majority of registered delegates at the Annual Convention.

ARTICLE VI, DEPARTMENTS

SECTION 1:

Each State of these United States shall constitute a Department and shall be under the jurisdiction of the Department whose name it bears. Each Sons of AMVETS Department shall be identical in geographical limits within the respective Department of AMVETS, and shall be identified by the same name. It shall be composed of Officers and Representatives selected by Local Squadrons to the Department Convention. Departments shall have an Executive Committee and shall conduct their own Convention, which shall be held between May 15th and June 30th, or at the same time and place as the parent organization AMVETS, at which time it shall nominate and elect Officers. All other offices may be elected or appointed at the Department Convention, according to the Uniform Constitution & By-Laws. All Departments shall follow the National sons Uniform Department Constitution & By-laws.

- a. National Convention Department Delegates shall be elected at the Department Conventions. Departments may provide for the election or appointment of any Alternate National Convention Department Delegate.
- b. A minimum of **Three (3)** Local Squadrons shall be required to organize and maintain a Department.

- c. The National Commander, or his representative, shall call a meeting of all Squadrons within the State, sixty (60) days from the receipt of a petition for the organization of a Department, signed by not less than **Three (3)** Local Squadrons. At such organizational meetings, his representative shall open the meeting and preside until the election of Officers; Shall Install the Officers elected, and thereupon, surrender the Chair to the elected Commander and his Staff.
- d. It shall be the duty of the Departments to aid the organization and provide assistance to the Local Squadrons; To carry out the policies and plans delegated to it by National, and adhere to the provisions of this Constitution. The National Commander and the National Executive Secretary shall receive copies of all bulletins and information sent by the Departments to their Local Squadrons.
- e. New Departments shall fall under the **National Uniform Departments Constitution and By-Laws** at the time of their inception.
- f. **Each Department will submit a Current and complete copy of its standing rules of operation to National Headquarters.**
- g. All Department administration problems shall be resolved within the confines of the Department. If and when it becomes necessary to secure further information or advice on said problems, the problem may be referred to the National Commander, who shall refer it to the proper National Officer. Any correspondences from these Officers shall send copies to the Department Commander and the National Executive Committee.
- h. The Department shall provide a procedure and provision to protect the Constitutional Rights of the individual member. Local Squadrons or Departments shall provide the necessary procedures for appeals.
- i. Departments shall have a Board of Trustees. Consisting of all past Department Commanders. When called upon, said board of trustees shall act in an advisory capacity.
- j. In the event of the surrender, cancellation, or forfeiture of a Department Charter, all money, official records, and property, shall **immediately be** surrendered to the Sons of AMVETS, National Headquarters, to be held in trust for a period no longer than three (3) years. Upon re-organization, they shall receive only those funds being held in their Trust Fund. And all other official records and properties of which had been surrendered to National Headquarters.
- K It shall be the duty of the Department Executive Committee to require, collect and forward, through the proper Department Officer, all forms (IRS 990, etc.) and all donations to National Programs, to the National Headquarters.

SECTION 2:

The State Executive Committee shall be composed of the Commander and all elected Officers. All Past Department Commanders may be seated at the Executive Meetings with a vote, if such is provided for in the Department Standing rules. The Department uniform By-Laws outline the duties and members of Standing Committees.

- a. The Commander or other representatives of each Local Squadron may be seated at the State Executive Committee Meetings with a vote if such is provided in the Department By-Laws.
- b. A quorum for State Executive Committee Meetings shall be established by the Department Standing Rules.

SECTION 3:

- a. Departments shall elect a delegate and an alternate delegate to the National Convention. The Department Commander may be eligible for this election. The Department Delegate and Alternate to the National Convention shall not be considered Department Officers.
- b. No Department shall be seated at the National Convention without filing an Annual Revalidation/Officers Form on or before July 15th. All Departments must furnish a copy of a filed Form 990, where applicable, according to the IRS regulations. After proper notification to the AMVETS or to the Sons of AMVETS, the Department concerned must be paid in full before they may be seated at the National Convention.
- c. A Department Commander may be re-elected, but shall not serve for more than two (2) consecutive terms, unless running unopposed, or no other candidate meets the required eligibility. All other Officers may be re-elected or re-appointed as provided by the Uniform Department By-Laws.
- d. No member shall hold two (2) elected offices on any one- (1) level. Officers shall hold office as long as they remain members in good standing as defined in this Constitution.
- e. The National Executive Secretary shall receive all National Forms (IRS 990, etc.), from the Departments. Donations to National Programs shall be received and recorded by the National Executive Secretary, and sent within seven (7) days to the Finance Officer.

SECTION 4:

- a. Department Officers and the Chairman may parallel with those prescribed by National in so far as the body wishes, regarding the duties of the Program Chairman.
- b. Nominations for Department Officers shall be made from the Floor of the Annual Convention. Roll Call vote, or secret ballot may elect the Department Officers.
- c. Any vacancies occurring in a Department Office shall be filled according to the previous outlined in the Constitution as they apply to the National Officers.
- d. The Department Officers shall assume their duties as provided for in the Department uniform By-Laws.

ARTICLE VII, LOCAL SQUADRONS**SECTION 1:**

Local Squadrons shall be Chartered by National, and administered by the Departments, and shall be governed locally by their own Officers, elected and installed prior to the Department Convention. The policies, activities, and actions of the Local Squadrons shall never be at variance with those prescribed by National. All Squadrons shall follow the National Sons Uniform Squadron Constitution and By-Laws.

- a. Local Squadrons may be formed on application of not less than eight (8) members eligible for membership, and on a form provided by the Sons of AMVETS National Department. The AMVETS Post and the Department Commander shall approve application for Charter. If there is no organized Department, applications shall be forwarded directly to Sons of AMVETS, National Headquarters. A Charter shall be issued within ninety (90) days after approval. The National AMVETS Commander, AMVETS Executive Director, and the Sons of AMVETS National Commander shall sign Squadron Charters. After its receipt, the Charter may remain open for a period not to exceed six (6) months. And at the end of such time, the names to appear thereon shall be submitted to the Sons of AMVETS National Headquarters.
- b. At the organizational meeting, called by the Department Commander or his representative for the purpose of making application for a Squadron Charter. Temporary Officers shall be eligible for election as Annual Officers. Where no Department exists, the National Commander shall appoint a representative from a Local Chartered Squadron to offer assistance at the organizational meeting.
- c. The Squadron shall have the same number as its AMVETS Post. Where no AMVETS Posts exists, a Squadron shall not be formed.

- d. In the case of the discontinuance of the AMVET Post by voluntary surrender of its Charter or by forfeiture or revocation of its Charter. The Squadron shall continue to operate for a period of not more than one (1) year. After one (1) year, the membership has the choice of becoming an MAL, or transferring to another Squadron.
- e. Any Squadron with less than eight (8) members may have until the Department Convention to obtain the required number of members. If membership requirements are not met by this date, the Squadron shall forfeit their Charter after due notification by their respective Department. If the required number of members is obtained before the date of surrender of the Charter, the Squadron shall be re-activated. If the Squadron is re-organized after a period of three (3) years, the Squadron shall be considered a new Squadron.
- f. A Squadron shall be considered in good standing when all requirements, as set forth in this Constitution have been fulfilled.
- g. All Local Squadron administration problems shall be resolved within the confines of the Local Squadron. If and when it becomes necessary to secure further information or advice on said problems, the problem may be referred to the Department Commander, who shall refer it to the proper Department Officer (National Officer where no Department exists).
- h. The Local Squadron shall provide a procedure and provision to protect the Constitutional Rights of the individual member, and shall provide the necessary procedures for hearing appeals, in accordance with the Department By-Laws.
- i. All correspondences relative to Local Squadron matters emanating from the Local Squadron Officers, shall be channeled through the next higher Department Level. In the event the Department takes no action on the said correspondence within thirty (30) days, the Local Squadron shall have the right to refer the matter directly to National, with copies being forwarded to the Department Commander.
- j. Local Squadrons shall hold at least one (1) business meeting every two- (2) months. One of these meetings shall be the Annual Meeting, at which time the election of Squadron Officers shall be held.
- k. It shall be the duty of the Local Squadron Executive Committee to require, collect, and forward through the proper Squadron Officers, all forms (IRS 990, etc.), and donations to the National Programs to the Department Officers. Where no Department exists, all forms, except Dues and Remittance (D & R) Forms shall be sent to the National Executive Secretary. Dues and Remittance (D & R) Forms shall be handled by the current membership card procedures.

SECTION 2:

- a. The Local Squadron Executive Committee shall be composed of the Commander, all elected Officers, and the Immediate Past Commander, as outlined by the Uniform Squadron By-Laws. Special meetings of the Committees may be held on reasonable notice of the membership at the call of the Commander, or by four (4) members of the Executive Committee.
- b. The National Uniform Squadron Constitution and By-Laws shall provide a definite quorum for Local Squadrons.
- c. Applications for membership are subject to approval by the membership. In the event the application is not approved, the applicant shall be notified by certified mail, stating the reason for objection, with a copy retained for the Local Squadron files.

SECTION 3:

- a. Local Squadrons shall elect a Commander, Vice Commanders, and Finance Officers. All other Officers may be elected or appointed according to the Uniform Squadron By-Laws. Officers may parallel with those of the Department, in so far as the body wishes, regarding the duties of the Program Chairman.
- b. Nominations for Officers shall be made from the floor, and shall be elected and installed prior to the Department Convention, and installed no later than the Officers of the parent AMVETS Post.
- c. Local Officers shall assume their office and duties as provided for in the Uniform Squadron By-Laws.
- d. The Commander, with the approval of the Executive Committee shall fill vacancies occurring in the Local Squadrons.
- e. In the event the office of the Commander is vacated, and the 1st Vice Commander refuses to assume the office, the highest ranking Officer shall call a special meeting for the purpose of nominations and elections to fill the office of the Commander.

SECTION 4:

No Squadron shall be seated at the National Convention without filing a Local Squadron Change of Officers Form on or before July 15th. No Squadron will be seated without an IRS Employer Identification Number (EIN) Form, on file with the Sons of AMVETS National Headquarters. New Squadrons shall be allowed ninety (90) days to furnish a filed IRS 990 Form, where applicable, after one (1) year of existence, according with IRS regulations. After proper notification, all indebtedness to AMVETS or Sons of AMVETS must be paid in full before the Squadron concerned may be seated at the National Convention.

SECTION 5:

In the event of the surrender, cancellation, or forfeiture of a Squadron Charter, all money, official records, and property, shall **Immediately** be surrendered to the Department Sons of AMVETS, to be held in trust for a period of, no longer than, three (3) years. However, in case such Squadron is reinstated or reactivated within a period of three (3) years, such monies, papers, records, etc... shall be delivered to such reorganized Squadron in connection with the Charter. A reactivated Squadron may have the privilege of reopening the Charter for a period of no longer than six (6) months.

At the end of three (3) years, if the Squadron remains inactive, all properties shall become permanent possession of the Department Sons of AMVETS. If no Department exists, all properties become the possession of the National Sons of AMVETS.

ARTICLE VIII, NATIONAL OFFICERS**SECTION 1:**

The elected National Officers of this organization shall be the Commander, Vice Commander for Membership, Vice Commander for Programs, Vice Commander for Promotions, Finance Officer, Judge Advocate, and the Provost Marshal.

SECTION 2:

The Commander, with the approval of his Executive Committee, may appoint a VAVS Coordinator, Chaplain, Public Relations Officer/Historian, **Legislative Director** and a **Inspector General**. These offices shall be filled for a one- (1) year term, effective September 1st to August 31st of each year.

SECTION 3:

Nominations for all Officers shall be made from the Floor, and elections shall be as described in ARTICLE VIII, SECTION 1.

SECTION 4:

No member shall be eligible for any National Office unless he is fully paid up in all his individual accounts with the National Department thirty (30) days prior to the opening date of the National Convention.

SECTION 5:

No member shall be eligible for any National Office unless a valid National membership card has been presented to the Credentials Committee of that Convention.

SECTION 6:

- a. The National Commander shall have the power to suspend any appointed Officer for cause, and to appoint an Acting Officer to perform the duties of the suspended Officer until the National Executive Committee has rendered a

final decision on the Officer's status. At the time of such suspension, the National Commander shall set forth, in writing, the cause for such suspension, and shall forward a copy thereof to the members of the National Executive Committee, and to the suspended Officer. Such written cause shall constitute the complaint upon which the National Executive Committee shall pass in determining whether the suspended Officer shall be removed from office. The final decision shall be made, no later than the National Executive Committee Meeting, first following the replacement or prior to the opening of the National Convention, whichever occurs first. Said removed Officer shall be entitled to speak on his behalf, before the National Executive Committee prior to the final decision.

- b. An elected Officer may be removed from office only by a two-thirds (2/3^{rds}) vote of the National Executive Committee, after written charges against such Officer have been preferred and furnished by certified mail to the Officer concerned, and to the National Executive Committee. The National Executive Committee shall hold a full hearing on charges preferred against an elected National Officer, or by three (3) members of the National Executive Committee. Such hearing shall be held within thirty (30) days after charges are preferred and mailed.
- c. Procedure for removal of elected Officers from office, shall be prescribed by the National Executive Committee, upon the recommendation of the National Judge Advocate.

SECTION 7:

National Officers elected at a National Convention shall be installed in office the same session at which they are elected. The term of office shall be from September 1st to August 31st of each year.

SECTION 8:

In the event of a vacancy in the office of the National Commander, the National Executive Committee shall select one (1) of the Vice-Commanders to complete the term of the National Commander.

SECTION 9:

In the event of a vacancy in any other National Executive Committee office, the National Commander shall appoint a Son of AMVETS member to fill the vacant office, with the approval of the National Executive Committee.

SECTION 10:

No Sons of AMVET member may be a candidate for the office of National Commander, unless he has served at least two (2) years on the National Executive Committee.

SECTION 11:

No Candidate for the office of National Commander may be elected for more than one (1) consecutive term, unless running unopposed, or no other candidate meets the required eligibility.

ARTICLE IX. NATIONAL CONVENTION

SECTION 1:

Voting members of the National Convention, shall consist of all elected National Officers, one (1) delegate representative from each Department, and registered delegates from each Squadron. For the purpose of, and at the time of Officer elections, National Officers will be seated with their respective States. Polling a designated representative of each State will tabulate results. The total of each State shall not exceed that's States total voting strength. The National Commander shall vote only in the case of a tie, *except during the elections of Officers*.

SECTION 2:

Delegates to the National Convention of the Sons of AMVETS from all Squadrons, shall be limited to two (2) delegates, and two (2) alternate delegates up to the first twenty-five (25) members, plus one (1) alternate delegate for each additional fifteen (15) members, or major fraction thereof, based on membership figures recorded with the National Sons of AMVETS Vice Commander for membership thirty (30) days prior to the National Convention The National Executive Committee shall set forth registration fees, not less than sixty (60) days prior to the Convention.

SECTION 3:

No State Department delegate shall be eligible to serve as a delegate or alternate delegate of his Squadron, as long as he is a voting State Department delegate.

SECTION 4:

One (1) more than half of those registered and eligible to vote shall constitute a quorum.

SECTION 5:

The National Sons of AMVETS shall meet in Convention at the same time and place as the AMVETS.

ARTICLE X. FINANCE

SECTION 1:

The National Finances of the Sons of AMVETS shall be under the control of the National Executive Committee, which shall delegate sufficient general and specific authority to the Finance Committee to carry out the usual duties of such a committee.

SECTION 2:

The Finance Committee shall consist of five (5) members, composed as follows:

- a. The National Finance Officer as Chairman
- b. The Immediate Past Finance Officer
- c. The National Commander
- d. The Immediate Past Commander

e. The National Judge Advocate

In the event any of the foregoing members of the Committee are unable to serve on the Committee, for any cause whatsoever, the National Commander may appoint another member of the Sons of AMVETS to serve in the place instead of said member.

SECTION 3:

The Finance Committee shall make an annual report to the National Convention. Revenue shall be derived from annual dues. The National Executive Committee may approve other sources.

SECTION 4:

The Finance Committee shall submit a provisional budget to the National Executive Committee for approval at its Pre-Convention Meeting. Within sixty (60) days thereafter, the National Commander elect, at his discretion, may reconvene the Finance Committee for the purpose of preparing and acting upon such recommendations for budgetary change as he may purpose. The Finance Committee may adopt or reject such proposals by a majority vote.

SECTION 5:

The following provisions shall govern the establishment and administration of the budget for the Sons of AMVETS National Headquarters:

- a. In the determination of a due figure to be utilized for budgetary purposes in any fiscal year, the Finance Committee shall not include, and the National Executive Committee shall not approve any sum in excess of annual regular dues actually realized as of July 31st of the current year. Income from sources other than membership shall be established and included in any proposed budget, based upon actual income from similar sources realized as of July 31st of the current year. Reasonable assurances should exist that such income will be realized.
- b. In no case shall the Finance Committee, or any other bodies of the National Organization, be permitted to adopt or approve a budget in which expenses, provisions, or capital expenditures, and provisions for debt reduction exceed the income established above. Under no circumstances, shall any authorized expense item be over extended. Violation of any of the foregoing provisions by any Officer or employee of the Sons of AMVETS, shall constitute cause for disciplinary action, include removal from office, or employment. Any Officer or employee who violates any provision of this section shall, in addition to any other disciplinary action taken, be personally financially liable for any amount spent which exceeds the budget appropriations unless such excess has had prior approval of the National Finance Committee. Any salary or expense money due to any Officer or employee, may be retained by the organization to offset all or any part of the unauthorized over expenditure.

SECTION 6:

The fiscal year shall be September 1st to August 31st.

SECTION 7:

Any resolution emanating from a National Convention involving the expenditures of funds or any financial commitment shall be referred to the Finance Committee for approval. In the event the Finance Committee disapproves the proposal on its merits, such disapproval must be submitted to a special meeting of the National Executive Committee for ratification or rejection. If, however, such disapproval is made because of a want of available funds within the meaning of Section 5 thereof, then in that event a mere report of action needs to be made to the National Executive Committee at its next meeting.

ARTICLE XI, DISCIPLINE**SECTION 1:**

Disciplinary rules relative to Local Squadrons shall be prescribed by the Uniform Constitution and By-Laws and the Uniform Codes of Procedures for the Suspension or Expulsion of a Member, and cannot be in violation of the Department Uniform Constitution & By-Laws or the National Department Constitutions, or By-Laws, or Uniform Codes of Procedures for the Suspension or Expulsion of a Member.

ARTICLE XII, PUBLICATIONS

All publications bearing the name of the Sons of AMVETS, and published by the State Departments or Local Squadrons, shall be under the supervision of the National Executive Committee. Copies of all publications shall be sent to the National Headquarters for approval of the National Executive Committee, prior to any printing, publication, or distribution.

ARTICLE XIII, AMENDMENTS**SECTION 1:**

This Constitution may be amended by a two-thirds ($2/3^{\text{rds}}$) vote of the members present and eligible to vote at the annual National Convention. Proposed amendments must be submitted typewritten, dated, and signed. Members (in good standing), Squadrons, Department Conventions, or Executive Committees, National Executive Committees, and Appointed Committees, or any National Officer may submit proposed amendments. Proposals shall be postmarked no later than forty-five (45) days prior to the opening day of the annual National Convention, and addressed to National Headquarters. The National Executive Committee shall notify all Squadrons and Departments of any proposed amendments in writing, postmarked no later than thirty (30) days prior to the opening day of the annual Convention. The National Constitution and By-Laws Committee shall report the same for action at the annual National Convention. This Constitution may, however, be amended at any National Convention without prior notice, by unanimous vote.

SECTION 2:

Roberts Rules of Order, Newly Revised, shall be the parliamentary authority for all matters not specifically covered in the Constitution and By-Laws of this organization. Any conflict among these authorities shall be governed in the following precedence: the Constitution first, the By-Laws second, and the provisions of Robert Rules of Order, newly Revised being last.

SECTION 3:

All amendments shall become effective immediately upon approval of the membership present at the annual National Convention, and the parent organization...AMVETS.

SECTION 4:

This Constitution shall automatically be amended by any action taken by our parent organization...AMVETS, effecting the Constitution of the Sons of AMVETS.

BY-LAWS **NATIONAL SONS OF AMVETS**

ARTICLE 1, COMMITTEES

SECTION 1:

- a. The National Executive Committee shall be composed of all National elected Officers, and the Immediate Past National Commander. Each Department may send one (1) National Executive Committeeman (NEC), who shall have a vote, but shall not be considered a National Officer. The Committee shall meet at least once during, and immediately after the National Convention. Special meetings shall be held upon reasonable notice at the call of the National Commander, or by the Commander after receiving written requests by four (4) members of the National Executive Committee. This meeting shall be scheduled within fifteen (15) days, and be held within thirty (30) days.
- b. A Department National Executive Committeeman will only be approved when a letter is on file at the Sons of AMVETS National Headquarters, to verify that member's appointment. (This must be done on a yearly basis.)
- c. The National Commander May call a meeting with just his Elected Officers at any time provided reasonable notice is given.

Section 2:

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

SECTION 3:

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 subject to the limitations set forth in the Constitution.

SECTION 4:

The National Executive Committee shall approve the appointment and employment of proper Officers for the administration of the affairs of the Sons of AMVETS, and prescribe their duties and compensation.

SECTION 5:

Any National Officer, Committee Chairman, member of a Committee, or other authorized representative, may receive reimbursement for his authorized activities 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.

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 the National Executive Committeeman, Department Officers, or members of the National Executive Committees, may be referred to and determined by the Executive Committee of the Department involved.

SECTION 7:

From the membership of the National Executive Committee, the National Commander shall appoint a National Grievance Committee, consisting of three (3) members to hear grievances and appeals as are provided for in this Constitution and By-Laws and to report their findings and recommendations to the proper authorities. The National Commander shall designate a Chairman. This Committee shall function during the National Convention, and during meetings of the National Executive Committee. Such appointees shall serve at the pleasure of the National Commander. The National Judge Advocate shall serve as member ex-officio of this Committee, but without a vote.

SECTION 8:

The National Commander shall appoint such Committees, as he deems necessary to the proper conduct of the organizational affairs, subject to the approval of the National Executive Committee. Such appointees shall serve during the term of the administration appointing them, and shall terminate upon the expiration of the term of the appointing administration.

ARTICLE II, DUTIES OF OFFICERS

SECTION 1 – NATIONAL COMMANDER:

The National Commander shall be the Executive Head of the Sons of AMVETS, with full power to enforce the provisions of the National Constitution, the By-Laws, and the will of the National Convention, and the National Executive Committee.

- a. He shall act as Chairman of the National Executive Committee.
- b. He shall direct and supervise the activities of the other elected and appointed Officers and Committee Chairman.
- c. He shall be a member of all Committees, and shall vote on all Committees only in the case of a tie.
- d. Together, with the Finance Officer, he shall be responsible for all business affairs and monies involving the National Sons of AMVETS.
- e. He shall, along with the Finance Officer, be authorized to make the usual expenditures within the budget. All other expenditures shall only be authorized through the National Executive Committee in conjunction with the National Finance Officer.

- f. The Commander shall be the official spokesman for all matters involving the National Sons of AMVETS.
- g. The Commander shall be responsible for scheduling National Executive Committee Meetings, and so deemed Special Meetings.
- h. The National Commander shall be properly bonded with a good and solid bonding and surety company acceptable to the United States Treasury as surety to cover the average amount of the Sons of AMVETS funds handled by him in a single year.1. National Headquarters shall be informed of the following (A) The name of the bonding company, (B) the effective and expiration dates, (C) the name of the officials covered, and the amount of coverage.

SECTION 2 – NATIONAL VICE COMMANDERS:

The National Vice Commanders shall act as representatives of the National Commander in all matters referred to them by him and shall, upon his request, preside over the meetings of the National Executive Committee.

a. 1ST VICE COMMANDER:

The National Vice Commander for Membership shall coordinate all Department Membership Directors or Vice Commanders in charge of membership, through and with the National Executive Secretary. He shall also:

- 1. Correlate the Convention mandates on membership between the National Departments and the Squadrons.
- 2. Review and reevaluate the present membership programs, and report his 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 Executive Committee.
- 4. Be informed on the membership strength of the National Department, State Departments, and Local Squadrons of the Sons of AMVETS. It shall be his responsibility to mail quarterly, this information to the State Department Commanders, and Adjutants, and to all National Officers.
- 5. He shall perform other such duties in connection with membership as the National Commander may direct.

b. **2ND VICE COMMANDER:**

The National Vice Commander for Programs shall coordinate all Department Program Chairmen through and with the National Executive Secretary. He shall also:

1. Review and reevaluate the present Membership Programs, and report his recommendations to the National Commander, the National Executive Committee, and the National Convention.
2. Coordinate all Programs between National and Department Levels.
3. Be charged with the responsibilities of 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, especially those involving contact with the general public.
5. He shall perform such other duties in connections with the Sons of AMVETS Programs, as the National Commander shall direct.

c. **3RD VICE COMMANDER:**

The National Vice Commander for Promotions shall coordinate all fund raising activities by the National Department. He shall also:

1. Evaluate all fund-raising possibilities, and make his recommendations to the National Executive Committee.
2. Coordinate all promotions between the National and the Department Levels.
3. Perform such other duties in connection with the Sons of AMVETS, as the National Commander shall direct.

SECTION 3 – FINANCE OFFICER:

The Finance Officer shall act as the Chairman of the Finance Committee, and perform the following duties:

- a. Be responsible for the overseeing and receiving, banking, disbursing, and accounting for all the National Sons of AMVETS. The Finance Officer will ensure that all monies are deposited in a timely manner. Disbursement shall NOT exceed seven (7) working days of receipt. **The Finance officer will direct the National Executive Secretary to deposit all monies (cash, checks, etc,) at National Headquarters by the of the business week.**

- b. The Finance Officer, the National Commander, and the National Executive Secretary, shall establish a two- (2) signature bank account, or accounts, and countersign all the National Sons of AMVETS checks.
- c. He will also be prepared to issue reports, as requested, for the Executive Committee. The Finance Officer will prepare and present a financial report at each National Convention.
- d. The Finance Officer, along with the Finance Committee, shall prepare an annual budget to be presented to the Executive Committee and the general membership for approval and acceptance at the National Convention. The Finance Officer, along with the Finance Committee, shall prepare an annual report to be presented to the Executive Committee for approval at the National Convention.
- e. The Finance Officer shall have the Sons of AMVETS books in good order for the annual report, and for turning over to the incoming Finance Officer. The new Finance Officer shall provide a receipt for the National Sons of AMVETS books and monies to the outgoing Finance Officer. An annual audit shall be performed by an independent outside accountant prior to October 1st of the calendar year.
- f. The Finance Officer, along with the National Commander, are authorized to pay all bills, invoices, and debt obligations that fall under standard and usual expenses within the limitations of the annual budget. All other expenditures must be reviewed and approved by the Finance Committee.
- g. He shall be responsible for other duties described in these By-Laws, and other duties designated by the National Commander, with the approval of the Executive Committee.
- h. He shall be responsible for the accounting functions through August 31st of the calendar year of term. The Finance Officer shall also use this time to familiarize the Incoming Finance Officer with procedures.
- i. The Finance Officer shall be properly bonded with a good and solid bonding and surety company acceptable to the United States Treasury as surety to cover the average amount of the Sons of AMVETS funds handled by him in a single year. National Headquarters shall be informed of the following: the name of the bonding company, the effective and expiration dates, the name of the official covered, and the amount of the coverage. The Finance Officer shall submit a monthly report, including bank statements, to the National Executive Secretary. The Secretary will then provide the Commander and the Sons Coordinator a copy of said report.

SECTION 4 – JUDGE ADVOCATE:

The Judge Advocate shall act as the advisor to the National Commander and the Executive Board. He shall:

- a. Serve as the Parliamentarian at the National Convention and at all Executive Committee Meetings.
- b. Be responsible for the Constitution and By-Laws, maintenance, amendment proceedings and interpretations.
- c. Be responsible for compliance with, and approval of, the Constitution and By-Laws with the National AMVETS.
- d. Be responsible for conduct investigations in membership and Officer discipline.
- e. Assume such other duties as the National Commander, may designate with the approval of the Executive Committee,.

SECTION 5 – Provost Marshal:

The Provost Marshal shall be responsible for the National Sons of AMVETS Colors. He shall ascertain that only members in good standing are present at regular, special, and annual meetings. He shall maintain order at all meetings and functions in accordance with instructions from the National Commander. He shall assume such other duties, as the National Commander shall designate, with the approval of the Executive Board.

SECTION 6 - Legislative Director:

The National Legislative Director is to be the Liaison Officer on Legislative issues between the National AMVETS Organization, and the National and Departments Sons of AMVETS. He is to work closely with the National AMVETS Legislative Director on a monthly basis.

ARTICLE III, DUES

SECTION 1:

- a. The annual membership dues shall be established by the National Executive Committee to be presented for approval at the National Convention by a two-thirds (2/3^{rds}) vote. Annual dues for the Sons of AMVETS shall be no less than their sponsoring AMVET Level.
- b. The disbursement of the dues will be made by the Local Squadron Finance Officer to the respective Department Sons of AMVETS, to include the National and the Department dues, with the remainder of the dues to be retained by the Local Squadron. Where no Department exists, the Local Squadron shall disburse, directly to the National Sons of AMVETS, the proper amount of the National dues, and retain any portion of the dues in excess.

The Department shall be responsible for disbursement of dues from the Local Squadrons to the National Sons of AMVETS, pursuant to current fees.

SECTION 2:

Dues shall cover a calendar year from January 1st to December 31st.

- a. Any Officer on any Level (National, State, or Squadron), not submitting their dues by mid-night December 31st, shall forfeit their office, and the Commander on that level shall appoint a currently paid up member to replace him.

SECTION 3:

Squadrons not submitting dues by December 31st, shall be considered delinquent, and have their Squadrons placed in Membership Suspension.

- a. (Squadrons with Departments) The Department 1st Vice Commanders shall notify the Squadrons within their States in writing by January 15th that they have been placed in Membership Suspension, and that they must submit membership to the Department by February 1st, or be placed into Charter Suspension. Copies of this letter shall be forwarded onto National Sons Headquarters.
- b. (Squadrons without Departments) Squadrons shall be notified in writing by the 1st Vice Commander in charge of membership by January 15th that their Squadron has been placed in Membership Suspension, and they must submit their dues by February 1st or be placed in Charter Suspension.

SECTION 4:

Squadrons not submitting dues by February 1st, shall have their Charters placed in Suspension.

- a. (Squadrons with Departments) The Department 1st Vice Commanders shall notify any Squadron within their Department in writing by February 15th that they are now under Charter Suspension for failing to submit dues. Copies of this letter will be forwarded to the Department Coordinator, the Post Commander of the AMVETS, and to National Sons Headquarters.
- b. (Squadrons without Departments) The National 1st Vice Commander in charge of membership shall notify the Squadron(s) in writing by February 15th that they are now under Charter Suspension for failing to submit dues. Copies of this letter will be forwarded onto the parent AMVETS, Department and Post.

ARTICLE IV, LIFETIME MEMBERSHIP

SECTION 1:

A Lifetime Membership Trust Fund shall be established for the purpose of providing an annual operating budget for the National and State Departments, and Local Squadrons of the Sons of AMVETS.

SECTION 2:

A permanent Trust Fund shall be established exclusively for the purpose of operating budgets, and cannot for any reason be used for any other purpose.

SECTION 3:

Additional accounts may be established by the Committee for the purpose of generating additional revenues for use to be determined by the Executive Committee. (Example: scholarships, recruiting, legislative matters, etc...)

SECTION 4:

Distribution of the Lifetime Membership Fund shall not exceed the following on an annual basis:

National = \$9.00 Departments = \$7.00 Squadrons = \$4.00

The Lifetime Membership Trust Fund Committee shall make annual reviews of Distribution.

SECTION 5:

The Lifetime Membership Trust Fund Committee shall be responsible for the regulation and disbursement of all investment funds. Distribution of annual dues shall be made by January 31st of each year.

ARTICLE V, MEMBERSHIP CARDS

Membership cards issued by the National Sons of AMVETS, shall be the only official authorized cards with the Sons of AMVETS. Departments and Squadrons are not authorized to issue their own membership cards.

ARTICLE VI, DISCIPLINE

SECTION 1:

- a. Disciplinary rules relative to Local Squadrons shall be prescribed by the Departments (where they exist) and by the National Department otherwise.
- b. The Executive Committee may suspend or expel any member on the proper showing of cause. Written charges may be based on disloyalty, neglect of duty, misappropriation of Sons of AMVETS funds, or disregard of the

provisions of the Constitution and By-Laws. The National Executive Committee shall provide a Uniform Code of Procedure to be followed in the Revocation, Cancellation, or Suspension of Department, Squadron, or members. And a method of appeal to the National Convention and National Executive Committee (Appendix A).

SECTION 2:

- a. The National Executive Committee, after a notice of a hearing before a Committee, may cancel, suspend, or revoke the Charter of any Department for good and sufficient cause. The National Judge Advocate shall prescribe procedures for any such action.
- b. In the event of the suspension or revocation of the Charter of any Department, the suspended body shall have the right of appeal to the next National Convention.

ARTICLE VII, FUND RAISING PROJECTS

SECTION 1:

Any fund raising project on the National, Department, or Squadron Level, must receive prior approval from the parent AMVETS corresponding level. It shall then be the responsibility of so deemed AMVETS to submit such projects for approval, if necessary, in accordance with ARTICLE VII, SECTION 3, item (a), of the AMVETS National By-Laws.

ARTICLE VIII, FINANCE

SECTION 1:

- a. All finances of the National Sons of AMVETS shall be under the jurisdiction of the Executive Committee.
- b. Revenue shall be derived from annual dues. The Executive Committee may approve other sources.

ARTICLE IX, AMENDMENTS AND RESOLUTIONS

These By-Laws may be amended in the same manner as prescribed in ARTICLE XIII, of the National Constitution of the Sons of AMVETS.

ARTICLE X, RIGHTS OF APPEAL

SECTION 1:

The right of appeal shall protect the Constitutional rights of the member.

SECTION 2:

On both the National and the Department Levels, the Commander shall appoint an Appeals Board to report their recommendations to the Executive Committee, upon completion of the following steps. The policy and procedure published in this manual shall be used as a guideline:

Step 1: Departments desiring to appeal, will present a statement thereof to the Commander, who will then refer the written and signed complaint to the Appeals Board.

Step 2: The Chairman shall arrange a meeting of the Appeals Board to conduct a hearing. The parties involved shall be heard separately and in confidence. The Board and parties involved shall make every effort to reach an agreement.

Step 3: In the event either party desires to appeal any decision, said appeal must be filed within sixty (60) days. Local Squadrons have the right to appeal only to their Departments. Departments are granted the right to appeal to National. The decision reached on any level shall be final. The records of the National appeals shall be filed with the National Sons of AMVETS Headquarters, sealed, and kept for a period of three (3) years. The Appeals Board upon Orders of National may open the records. Where no Department exists, Squadrons may appeal directly to National.

ARTICLE XI, RELATIONSHIP OF SONS OF AMVETS

Sons of AMVETS are a subordinate of AMVETS. AMVETS has the right to amend, alter, change, or repeal any provisions contained in the Constitution and By-Laws or other governing instruments of the Sons of AMVETS. The Board of Directors for AMVETS, by majority vote, has the preliminary power to nullify or alter provisions of the Constitution and By-Laws or other governing instruments of the Sons of AMVETS, or its subordinates, if it determines that such provisions or actions are injurious to the AMVETS, or its subordinates.

ARTICLE XII, DISCLAIMER

This document is a Sons of AMVETS document. Any references to Department or National pertain to the Sons of AMVETS, unless otherwise stated. If at any time this Constitution and By-Laws reference is made to the Executive Director, it shall be determined to mean the Executive Secretary.

INDUCTION CERMONY
FOR CANDIDATES FOR
THE SONS OF AMVETS

Do you seriously declare, upon your honor, that you freely offer to become a candidate for induction into the Sons of AMVETS?

(Answer) "I DO!"

Do you, upon your honor, seriously declare that you have never advocated the overthrow of our Government of these United States of America by force from within, of surrender to forces without, by or to any power whatsoever?

(Answer) "I DO!"

Do you, upon your honor, seriously declare before your comrades and fellow beings that you seek induction into the Sons of AMVETS, because you believe in the fellowship of mankind, and that you do desire to be of greater service to your Community, Organization, and Country?

(Answer) "I DO!"

Then raise your right hand, and repeat after me, using your name where I use mine.

SONS OF AMVETS OBLIGATION OATH

I, _____, in the presence of God, swear that I have read or had read to me, the Sons of AMVETS Principles, and that I accept and adopt them as my own, and will ever strive toward their accomplishment. I solemnly promise to defend the Constitution of the United States, and to support the American Democratic principles, upon which it and my Country was founded.

I will aid the parent organization, AMVETS, to the best of my ability, and do all in my power, to preserve and further the ideals for which our Veterans have served. I will abide by the Constitution and By-Laws of the SONS of AMVETS, and the Post, State, and National AMVETS, and their rules and regulations so help me God.

(Signed)

(Date)

SONS OF AMVETS
OFFICER
INSTALLATION OATH

(Installing Officer)

Raise your right hand, and repeat after me, using your name where I use mine.

I, _____, solemnly swear that I will support and defend the Constitution of the United States. That I will defend and support the United States from all enemies, both from within and without, and that I will support and obey the Constitution of the Sons of AMVETS, and that I will carry out the duties of my office, to the best of my ability, So help me God.

INSTALLING OFFICERS

SQUADRON LEVEL:

Any Past National Commander

Any Past Department Commander (of the Sons of AMVETS, or the parent organization of AMVETS)

Any Present National or Department Officer (of the Sons of AMVETS, or the parent organization of AMVETS)

Any Present/Past Commander of the same unit (of the Sons of AMVETS or the parent organization of AMVETS)

DEPARTMENT
LEVEL:

Any Past National Commander

Any Past Department Commander (of the Sons of AMVETS, or the parent organization of AMVETS)

Any Present National or Department Officer (of the Sons of AMVETS, or the parent organization of AMVETS)

NATIONAL
LEVEL:

Any Past National Commander (of the Sons of AMVETS or the parent organization of AMVETS)

APPENDIX A

UNIFORM CODE OF PROCEDURE FOR THE REVOCATION, CANCELLATION, OR SUSPENSION OF DEPARTMENTS AND SQUADRONS CHARTERS

SECTION 1:

Sons of AMVETS Department and Squadron 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 VI of the Constitution
- b. Failure to comply with ARTICLE VI, SECTION 1, item a, of the Sons of AMVETS National By-Laws
- c. Any violation of law that reflects unfavorably on the name of the Sons of AMVETS, in which case the National Commander may seize the Department or Squadron Charter prior to the hearing provided herein, or
- d. Any misconduct unbecoming any Sons of AMVETS Department or Squadron
- e. Violation of any other provisions of the Sons of AMVETS National Constitution and By-Laws.

SECTION 2:

Any Department or Squadron Charter may be canceled if fraud or deception obtained it.

SECTION 3:

Any member in good standing may prefer charges against an offending Department or Squadron. 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 National Judge Advocate who shall, without delay, send a notice by mail to all members of the National Executive Committee of the filing of said charges and the date and place of the meeting to be held. The meeting shall be held not less than five (5) days, nor more than twenty (20) days after the date that 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 National Executive Committee shall decide by majority vote whether they shall be accepted, and the accused Squadron placed on trial. If the National Executive Committee accepts the charges, the National 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 Department or Squadron, together with a copy of the charges and specifications. The date of the hearing shall not be less than fifteen (15) days from the date of the acceptance of the charges by the National Executive Committee.

SECTION 6:

If, after notice has been duly served, the offending Department or Squadron is not presented at the time and place of the hearing, the National Executive Committee may conduct the hearing to a final conclusion.

SECTION 7:

The National Judge Advocate shall prosecute the charges. The offending Department or Squadron shall be entitled to counsel. The attendance of a court reporter shall be permitted.

SECTION 8:

The National 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 (2/3^{rds}) of the National Executive Committee members present to sustain any charge or specification.

SECTION 11:

If any charge or specification is sustained, the Department or Squadron shall be declared guilty, and the Commander shall put the question of the degree of punishment, beginning with Charter Revocation. If that not be 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 be imposed, a vote of two-thirds (2/3^{rds}) of the members of the National Executive Committee present at the hearing shall be necessary to decide the degree of punishment.

SECTION 13:

Any Department or Squadron whose Charter is Revoked or Suspended, may appeal to the National Executive Committee by notifying the National Executive Secretary by registered 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:

The National Judge Advocate shall prescribe procedures for the handling of any such appeal.

APPENDIX B

UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF A MEMBER

SECTION 1:

Sons of AMVETS 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 By-Laws.
- b. Any violation of law that reflects unfavorably on the name Sons of AMVETS.
- c. Any other conduct unbecoming a Son of 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 Sons of AMVETS may prefer 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.

SECTION 3:

All charges and specifications shall be filed with the Squadron Commander of the Squadron to which the member complained about belongs, or if said member be a Member-At-Large, then with the Department Commander, or National Commander where a Department doesn't exist. On receipt of said charges and specifications, said respective Commander shall, within five (5) 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 thirty (30) days after said date of mailing.

SECTION 4:

Said charges and specifications shall be heard by the Executive Committee of the Squadron, or in the instance of a Member-At-Large, by the Executive of the Department, at which said hearing the member complained about shall have the right to be represented by counsel and to cross-examine his accuser or accusers and witnesses presented against him. No member against whom charges have been preferred, or who has preferred charges against another member, shall sit in judgement on any panel hearing or deciding the matter.

SECTION 5:

The Squadron, Department, or National 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 the said Executive Committee shall decide all questions as to the relevancy of the 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 be a basis for the charge of charges. And if by vote hereinafter mentioned, it is determined there is none, the charges may be dismissed. If the charges are not dismissed, then a vote shall be taken on the guilt or innocence of each of the charges and said specifications. A two-thirds (2/3^{ds}) vote of the members of the Executive Committee hearing the charges and specifications shall be required to sustain any charges or specification. Voting herein provided for, shall be secret or open as said Executive Committee may, by majority vote thereof, and determine.

SECTION 8:

If any charge or specification is sustained, then the matter shall be deemed guilty thereof, and the Officer Presiding at the meeting 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 specification, i.e., from Squadron Executive Committee, to Department Executive Committee. From Department Executive Committee to National Executive Committee. Notice of appeal must be filed in writing with the appellate body no later than fifteen (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 National Judge Advocate shall prescribe the procedure for the handling of any appeal to be heard by the National Executive Committee or the National Convention. The procedure for the hearing of an appeal by the Department Executive Committee shall be prescribed by the Department Judge Advocate. And the Squadron Judge Advocate shall prescribe the procedure for the handling of any appeal to be heard by the Squadron Executive Committee. No such procedure at any level, however, shall be inconsistent or in conflict with the National, Department, or Squadron Constitution and By-Laws, or this code.

SIGNATURE PAGE

**SONS OF AMVETS
NATIONAL COMMANDER
David Helmuth**

Signature _____

**SONS OF AMVETS
NATIONAL JUDGE ADVOCATE
Bob Grose**

Signature _____

**AMVETS
NATIONAL COMMANDER
Bill Kilgore**

Signature _____

**AMVETS
NATIONAL JUDGE ADVOCATE
Art Klinge**

Signature _____

**Revised August 2002
Bob Grose
National Judge Advocate
Sons of AMVETS**

NATIONAL SONS OF AMVETS STANDING RULES OF OPERATION

The National Department of the Sons of AMVETS hereby recognizes the following rules and regulations that pertain to the daily operational facets of this organization. The following rules in no way may contradict the National Constitution & By-Laws of the Sons of AMVETS.

ARTICLE I, NATIONAL OFFICERS

SECTION 1 – EXPENSES AND TRAVEL:

Providing that funds are available, upon the determination of the National Finance Committee, expenses for a meeting of the National Executive Committee shall be reimbursed as follows:

- a. Round trip coach fare between the Officer's city of permanent address and the city where the meeting is being held. Or
- b. Mileage at the rate of **thirty-Five cent (0.35)** per mile of driving, the lesser sum being the determinant factor of reimbursement.
- c. Two- (2) night's lodging at the site of the meeting, if applicable, **Seven (7)** nights lodging for National Conventions.
- d. The Executive Committee must approve any function, other than an Executive meeting, in which travel expenses are necessary. A written report must be submitted to National Sons Headquarters within thirty (30) days from their return, stating what was accomplished on the trip, and noting any expenses to be claimed on a voucher.
- e. Shall receive a **thirty-Five dollar (\$35.00)** per diem per day while on National Department business away from home.

SECTION 2 – VOUCHER PROCEDURE:

All financial vouchers must be submitted within thirty (30) days of the actual expenses, to the National Executive Secretary, who will keep a file of each officer, and record the date received. The Secretary will then immediately forward a copy to the National Finance Officer for payment. These records will be kept as a permanent record at National Headquarters. The National Executive Committee must approve all vouchers.

SECTION 3 – BACKGROUND CHECKS:

All elected and appointed Officers of the National Sons of AMVETS will be required to submit to a criminal background check. Therefore, no member with a felony record shall hold an office within the National Sons of AMVETS.

- a. All cases may be held for review and appealed by a member, or the body of the Convention Floor.

ARTICLE II, MEMBERSHIP CARD PROCEDURES

- a. The National 1st Vice Commander for membership will distribute ***National Pre-Printed Cards and all numbered New Membership Cards*** to all Department 1st Vice Commanders for membership. Cards will be distributed on the basis of total membership count from the previous year. If a Department does not exist, the National Membership Coordinator will be responsible for those Squadrons needing cards.
- b. Each Department shall be responsible for a monthly membership report, which will include copies of all D & R's and statements of all monies that are received and handled regarding membership.
- c. All cards will include the National Commanders signature, and the year that the card is assigned for. Where a Department exists, all other information will be added by the Department 1st Vice Commander for membership. If a Department does not exist, the National Membership Coordinator will complete the information for the Squadrons.
- d. All unused National cards and pins are to be returned to National Headquarters by ***December 31st of the current calendar year***. Failure to do so will result in a charge of nine dollars (\$9.00) per each non-returned card. All cards, and monies must be accountable for. There will also be no cards issued to any Department with non-returned cards from the previous year.
- e. Each Department will be directly responsible for every card that is issued to them.
- f. All D & R's and monies will be sent to National Headquarters where the National Membership Coordinator will then be responsible in sending that information to the National 1st Vice Commander for Membership and the National Finance Officer.
- g. During the extended membership period of July 1st and December 15th, Departments shall send D & R's and monies to National Headquarters where the National Membership Coordinator will process the cards and return them to the Department. This procedure also applies to Squadrons not having a Department.
- h. ***As of September 1st, Departments will begin processing new and renewal membership.***

- i. You may not issue membership cards to any Squadron within your Department that has not submitted their Change of Officers Form for the New Year.

ARTICLE III, MISCELLANEOUS

SECTION 1:

The National Department shall pay the yearly dues for the current oldest living member, with information from submitted Dues and Remittance (D & R) Forms. Upon the notification of that members' death, the following year the records will be viewed and the next oldest will then be covered.

SECTION 2 – UNIFORM COVERS:

The official uniform for the Sons of AMVETS shall consist of a navy blue jacket, light blue shirt, gray pants, tie, and cover. The covers will be worn as follows:

- a. All duly elected and appointed Officers on the National Department Level shall wear the gray cover with the gold braid.
- b. All duly elected and appointed Officers on the State Department Level, to include District Commanders, shall wear the gray cover with the black braid.
- c. All Squadron members and District Officers, other than the District Commander, shall wear the gray cover with the red braid. No other cover may be worn unless he is elected or appointed to the State or National Level.
- d. No other covers may be worn without permission from the National Executive Committee.

SECTION 3 – POCKET PLATES:

- a. All duly elected and appointed Officers on the National Level shall wear the brushed gold pocket plate with black letters.
- b. All duly elected and appointed Officers on the State Department Level shall wear the brushed gray pocket plate with black letters.
- c. All duly elected and appointed Officers on the District Level shall wear the light blue pocket plate with navy blue letters.
- d. All Squadron members shall wear the white pocket plates with black letters, unless he is elected or appointed to the State, District, or National Levels.