

Jewish War Veterans of the United States of America  
National Constitution & By-Laws

*By-Laws Restated, Revised & Amended as of August 2011*

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[Click On Article Name To Go To Page Section](#)

[Click Anywhere On Page's Red Border To Return To Table of Contents](#)

NATIONAL CONSTITUTION PREAMBLE.....	3
ARTICLE I.....	4
Name	
ARTICLE II .....	4
ARTICLE III.....	4
Organization	
ARTICLE IV .....	4
Membership	
ARTICLE V.....	6
National Convention	
ARTICLE VI.....	7
National Officers	
ARTICLE VII.....	7
National Executive Committee	
ARTICLE VIII .....	8
Departments	
ARTICLE IX.....	8
District or County Councils	
ARTICLE X.....	8
Posts	
ARTICLE XI.....	9
Finances	
ARTICLE XII .....	9
Subsidiary Organizations	
ARTICLE XIII.....	10
Amendments	

# NATIONAL BYLAWS

ARTICLE I.....	13
<b>Membership</b>	
ARTICLE II .....	19
<b>Per Capita Tax, Dues, and Indebtedness</b>	
ARTICLE III.....	23
<b>National Executive Committee</b>	
ARTICLE IV .....	24
<b>Committees and Commissions</b>	
ARTICLE V.....	28
<b>National Convention</b>	
ARTICLE VI.....	29
<b>National Officers</b>	
ARTICLE VII.....	31
<b>Departments</b>	
ARTICLE VIII .....	35
<b>District or County Councils</b>	
ARTICLE IX.....	37
<b>Posts</b>	
ARTICLE X.....	40
<b>Discipline</b>	
ARTICLE XI.....	44
<b>Licensing</b>	
ARTICLE XII .....	45
<b>Official Publication and Manual of Ceremonies</b>	
ARTICLE XIII.....	46
<b>Rules of Incorporation</b>	
ARTICLE XIV .....	48
<b>All other Legal Entities</b>	
ARTICLE XV.....	48
<b>Rules of Order</b>	
ARTICLE XVI.....	48
<b>Amendments</b>	

## National Constitution Preamble

*We, citizens of the United States of America, of the Jewish faith, who served in the Wars of the United States of America, in order that we may be of greater service to our country and to one another, associate ourselves together for the following purposes:*

*To maintain true allegiance to the United States of America; to foster and perpetuate true Americanism; to combat whatever tends to impair the efficiency and permanency of our free institutions; to uphold the fair name of the Jew and fight his or her battles wherever unjustly assailed; to encourage the doctrine of universal liberty, equal rights, and full justice to all men and women; to combat the powers of bigotry and darkness wherever originating and whatever their target; to preserve the spirit of comradeship by mutual helpfulness to comrades and their families; to cooperate with and support existing educational institutions and establish new educational institutions; and to foster the education of ex servicemen and ex servicewomen, and our members in the ideals and principles of Americanism; to instill love of country and flag; and to promote sound minds and bodies in our members and our youth; to preserve the memories and records of patriotic service performed by the men and women of our faith; to honor their memory and shield from neglect the graves of our heroic dead.*

## ARTICLE I

### Name

This Organization shall be known as “Jewish War Veterans of the United States of America, Inc. (“JWV”), chartered by an act of the Congress of the United States of America.

## ARTICLE II

This Organization is civilian and shall not be used for the promotion of political candidates, partisan politics or issues and interests not authorized by the National Organization; and the use of its name, uniform, insignia and titles of rank, past or present, directly or indirectly, for any such purposes, is expressly forbidden.

## ARTICLE III

### Organization

**Section 1.** The bodies of this Organization, in order of rank, shall be:

- a) National Convention, an annual assembly;
- b) National Executive Committee;
- c) Departments;
- d) District or County Councils;
- e) Posts.

**Section 2.** There shall be associated with, but subordinate thereto, and under the general supervision and control of this Organization, the following Subsidiary Organizations.

- a) A Ladies Auxiliary (“JWVA”);
- b) Posts or other echelons created outside the United States of America; Such other Subsidiary Organizations as may be created by a two thirds vote of the National Executive Committee of this Organization.

**Section 3.** All Subsidiary Organizations and all members, units or Echelons of this Organization and of all Subsidiary Organizations shall, at all times, be subject to this National Constitution and Bylaws, Manual of Ceremonies, Rules, Regulations and Policies of the Jewish War Veterans of the United States of America, as amended from time to time.

## ARTICLE IV

### Membership

**Section 1. Membership** in this Organization shall be limited to active members, associate members, honorary members, in service members, posthumous members, life members, distinguished life members, all as hereinafter defined and classified. No person who promotes, or is a member of any organization or group which believes in, or advocates, bigotry or the overthrow of the United States government by force of arms or subversion, shall be eligible for any class of membership, or status in, or with, the Jewish War Veterans of the United States of America.

The membership and status lists of the JWV, and any of its Subsidiary, affiliate and subordinate Organizations, are proprietary and confidential, and are the sole property of JWV, and may not be circulated, delivered or transferred, without the express written consent of a committee of the National Commander, National Executive Director and the Chairman of the National Executive Committee. Failure to comply shall be a disciplinary offense under the terms of the Bylaws.

**Section 2. Active Membership.** Any person of the Jewish faith of good character, who is a citizen of the United States of America, who was regularly enlisted, drafted, inducted or commissioned, and who was accepted for and assigned to active duty in the armed forces of the United States of America (including the National Guard and Reserves), in any of its wars, campaigns, conflicts, or as may be further set forth in the Bylaws; or who being a citizen of the United States of America, at the time of his or her entry therein, served on active duty in the United States of America, during any of the said wars, campaigns, conflicts, or expeditions; may be elected to active membership, provided, however, that no person, discharged or released under conditions other than honorable from any such service, shall be eligible to membership.

Election and obligation to active membership shall confer full and equal rights with all other active members of the Jewish War Veterans of the United States of America, without limitation, except as may be provided in the Bylaws, and provided that he or she is in good standing with the National Organization.

**Section 3. Associate Membership.** Any person who is a citizen of the United States of America, and of the Jewish faith, not otherwise eligible to Active Membership, shall be eligible for Associate Membership and be entitled to all the rights and privileges of active members, except the right to act as a delegate of any echelon, provided he or she qualify as follows:

- a) Who, during the time of any war, campaign or conflict in which the United States of America was an active participant, was a member of the armed forces of any country allied to the United States of America in that war, campaign or conflict, provided however, that no person, discharged or released under conditions other than honorable from any such service shall be eligible to membership; (Amended 8/97)
- b) Who, having served in the armed forces of the United States of America (including the National Guard and Reserves), on active duty during a time other than as provided for in the eligibility period provisions of the National Bylaws, provided however, that no person discharged or released under conditions other than honorable from any such service, shall be eligible to membership. (Amended 8/97)

**Section 4. Life Members.** All life members shall be considered active members, for all purposes, without the obligation for payment of dues. The National Executive Committee is authorized to make adjustments in life membership arrangements with the Posts, District and County Councils, Departments or Members at Large, as it may deem proper under the circumstances.

**Section 5. Distinguished Life Members.** Upon certification by the National Executive Director, that any veteran otherwise eligible to active or associate membership, is a service-connected paraplegic, a double amputee, or is suffering from a service connected total blindness, the National Executive Committee, after investigation and report, and upon recommendation of a National Executive Committeeman, may award such a veteran a Distinguished Life Membership. Such member, upon obligation, should be considered an active or associate member, as determined by the eligibility requirements, for all purposes, without the obligation for payment of dues.

**Section 6. Posthumous Membership.** The JWV may, with the written consent of the next of kin of a member of the armed forces, of the Jewish faith, who died while in the active service of the armed forces of the United States of America, as set forth for active membership, add the name of such person to the roster of deceased members of the JWV.

**Section 7. In-Service Membership.** Any person, who is a citizen of the United States of America, of the Jewish faith, and of good character, and who is on active duty in any of the branches or units of the armed forces of the United States of America, may be elected to active membership in the Jewish War Veterans of the United States of America, while engaged in that service. Election and obligation to such active membership shall confer full and equal rights with all other active members of the Organization during such term. In Service members shall be exempt from the payment of dues; and Posts shall be relieved from the obligation of transmitting the applicable per capita tax to National Headquarters, Departments, District or County Councils for such member.

**Section 8. Honorary Membership.** Hereafter, any citizen of the United States of America, not eligible to active membership, who has performed distinguished or faithful service for the United States of America, or for this Organization, may be elected to Honorary Membership. Honorary membership in the Jewish War Veterans of the United States of America may be conferred only by a National Convention, after investigation and report received from a Committee designated by the National Executive Committee.

## ARTICLE V National Convention

**Section 1.** The supreme power of this Organization shall be lodged in the National Convention, which shall meet at least once a year.

**Section 2.** The National Convention shall be held at such time and place as shall have been determined by the National Executive Committee; and membership at a National Convention of this Organization shall be restricted to the following:

- a) Voting members of the National Executive Committee who shall vote at the same time with their Posts;
- b) Delegates.

**Section 3.** Every voting member of the National Executive Committee, who is present at such Convention, except the delegates of a Post, shall be entitled to one vote. No person who is a full time paid employee of any Echelon of the Organization shall vote at any Convention or meeting of any Echelon of this Organization.

**Section 4. Delegates.** Each Post shall be entitled to one (1) delegate and one (1) alternate for each ten (10) members, or major fraction thereof. A Post with less than ten (10) members in good standing shall be deprived of all representation and shall have no vote at the National Convention or of any Echelon. Six (6) or more delegates shall constitute a major fraction thereof, based upon the numerical strength of members in said Post not less than thirty (30) days prior to the convening date of the National Convention. Each Post may select from its membership such delegates and alternates at a meeting, and shall forward delegates' and alternates' names, certified by the Post Commander and Post Adjutant, to the National Executive Committee not later than fifteen (15) days prior to the commencement of the National

Convention. In the absence of such certification, a member in good standing of any Post registered at the National Convention, shall be considered a delegate from a Post.

**Section 4(a).** The majority of a delegation of a Post may vote the full strength of a Post present, but, in questions where a record vote is taken, then, the votes of those voting in the minority of any Post delegation shall be deducted from the strength of such delegation and recorded separately. When the delegation of a Post is equally divided, the strength of such delegation shall be recorded in equal proportion.

## **ARTICLE VI National Officers**

**Section 1.** At each National Convention, there shall be elected a National Commander. The National Commander shall serve a term commencing with the adjournment of the National Convention, and ending with the adjournment of the next National Convention.

**Section 1(a).** When a vacancy occurs in the office of National Commander, it shall be filled by election by the National Executive Committee; the Chairman of the National Executive Committee will act as National Commander until such election; the election to be held at the next National Executive Committee meeting or within sixty (60) days, whichever occurs first. No person elected at a National Convention shall be eligible to succeed himself or herself to the office of National Commander except at a time when the United States of America is at war.

## **ARTICLE VII National Executive Committee**

**Section 1.** Between National Conventions, this Organization shall be governed by the National Executive Committee, which shall be composed of the following: (1) the National Commander; (2) the elected National Executive Committeemen as provided in the Bylaws; (3) Department Commanders, or in their absence, Department Senior Vice Commanders, if the said Department Commander is the sole representative of said Department on the National Executive Committee; (4) the National Judge Advocate; (5) the National Adjutant; (6) the National Quartermaster, (7) the National Inspector; (8) the National Editor; (9) all Past

National Commanders. Each shall have but one (1) vote.

**Section 2.** Members of the National Executive Committee shall assume their duties immediately upon their installation by the respective Departments. The National Executive Committee shall convene within the seven (7) days next preceding the opening of the National Convention, and the first order of business shall be to elect, from its membership, a Chairman and a Vice Chairman, who shall serve in such capacity until their successors have been elected. The National Adjutant shall serve as the Secretary of the National Executive Committee.

**Section 3.** In any Department consisting of ten (10) or more Posts no two (2) members of the same Post may serve at the same time as an elected National Executive Committeeman. (Amended 08/10)

**Section 3(a).** National Executive Committeemen shall serve a term of one (1) year, commencing with the adjournment of the Department Convention at which they were elected. In the event of a vacancy, the successor shall serve only the balance of the term of his or her predecessor's office. (Amended 08/10)

**Section 3(b).** Vacancies in the office of elected National Executive Committeemen shall be filled by the Department from which the vacancy occurred, at its next ensuing Council of Administration or Executive Committee meeting. The candidate must be a member in good standing of a Post in said Department. (Amended 08/10)

## **ARTICLE VIII Departments**

**Section 1.** Departments shall be chartered by the National Executive Committee and shall be composed of the Posts within their respective areas, as defined in the Bylaws. Any new Department shall have a minimum of five hundred (500) members before being eligible for charter application and approval.

**Section 2.** Between Conventions, each Department may be governed by a Council of Administration or Executive Committee, or both (in accordance with the Department Charter, Constitution or Bylaws), which shall meet at least once every three (3) months.

## **ARTICLE IX District or County Councils**

**Section 1.** Each Department, through its Council of Administration or Executive Committee, shall have authority to create intermediate bodies between the Posts and the Department, to act as a liaison between such Echelons, and for the purpose of promoting and implementing National and Departmental programs and policies.

**Section 2.** Such intermediate bodies, which shall be known as District or County Councils, shall have such powers as may be determined by the National Constitution and Bylaws, and Department Constitution and Bylaws, not inconsistent therewith.

**Section 3.** Between Conventions, each District or County Council shall be governed by a Council of Administration or Executive Committee which shall meet at least once every three (3) months.

## **ARTICLE X Posts**

**Section 1.** Applications for Post charters, consisting of at least ten (10) eligible members, shall be directed to the National Headquarters, accompanied by a nonrefundable charter fee of twenty dollars (\$20.00), and shall contain the proposed name of the Post and its location, and, where applicable, together with the approval of the District or County Council and the Department, where they exist. In the event of the disapproval of such application by any Echelon, notice of such disapproval shall be forwarded forthwith with reasons for such action, in writing, to National Headquarters. A report of such action shall be made to the next National Executive Committee meeting for approval or disapproval of such action. The National Executive Committee action shall be final. Charters shall be issued and signed by the National Commander and countersigned by the National Adjutant.

**Section 1(a).** Posts, as Subsidiary Echelons, may be created outside of the United States of America, consisting of members of the Jewish faith, who served in the Armed Forces of the United States of America, as defined in this National Constitution and Bylaws.

**Section 1(b).** No Post shall be named for any living person, or any industrial, economic, union, business, fraternal, religious, or political group or employ the use of ideological reference, or the name of any other national or local organization.

**Section 2.** When a new Post has been approved by a Department, and the National Commander determines that the new Post has met all requirements for a charter, and there are more than four (4) weeks until the next National Executive Committee meeting, the National Commander may issue a provisional charter to the new Post. A report of such action shall be made to the next National Executive Committee meeting, for approval or disapproval of such action pursuant with Section 1 of this Article.

## **ARTICLE XI**

### **Finances**

**Section 1.** The revenues of the National Organization shall be derived from an annual per capita tax, and from such other sources, as may be approved by the National Executive Committee.

**Section 2.** Fiscal Year. The fiscal year of the National Organization and of all Echelons shall begin on the first (1st) day of July and shall end on the thirtieth (30th) day of June in each year. (Amended 8/02).

**Section 3.** During the year in which the new Post is instituted, and only during that said first year, the annual per capita tax dues for the members of said Post, shall be payable from the day commencing with the approval of the Post charter by the National Executive Committee, and prorated as follows: prior to April 1st, fifty (50) percent of the per capita tax shall be paid; thereafter, the per capita tax for the said fiscal year shall be applied to the next following fiscal year.

**Section 4.** The full amount of annual dues or fees for each new member, membership reinstatement or other members, shall be transmitted by the Post to the National Quartermaster upon receipt. Per capita tax shall be waived in, and during, the fiscal year following the release from active duty of any Jewish veteran. Provided, however, if such member has been released from active duty after April 1, per capita tax shall be waived for the following fiscal year. The provisions of this Section shall apply to all members of the armed forces eligible for membership.

## **ARTICLE XII**

### **Subsidiary Organizations**

**Section 1.** There is hereby recognized a Subsidiary Organization known as the Ladies Auxiliary to the Jewish War Veterans of the United States of America, whose program shall be coordinated with the National JWV Program and which shall be governed by this National Constitution and Bylaws, Manual of Ceremonies and such Rules, Regulations and Policies as may be prescribed by this Organization from time to time. Membership therein shall be limited to: mothers, wives, daughters, sisters, grandmothers, granddaughters, mothers in law, daughters in law and sisters in law of a person eligible to active or associate membership in the Jewish War Veterans of the United States of America; and to those similarly related to all men or women who are otherwise eligible to active or associate membership in the Jewish War Veterans of the United States of America or had died in the line of duty, or after discharge or release under honorable conditions; and to the women, who, of their own right, are eligible to membership in the Jewish War Veterans of the United States of America.

**Section 2.** The National Constitution and Bylaws of any Subsidiary Organization, and any amendments

thereto, shall be subject to the approval of the National Executive Committee of the Jewish War Veterans of the United States of America. They shall be submitted in the first instance to the National Judge Advocate of the Jewish War Veterans of the United States of America for his or her approval, prior to consideration by the National Executive Committee and any such Constitution, Bylaw or amendment shall not become valid and effective until the approval of the said National Judge Advocate and of the said National Executive Committee.

**Section 3.** All Subsidiary Organizations and all members, units or Echelons of this organization and all Subsidiary Organizations shall, at all times, be under the general supervision and control of the Jewish War Veterans of the United States of America, subject to this National Constitution and Bylaws, Manual of Ceremonies, Rules, Regulations and Policies of the Jewish War Veterans of the United States of America.

- a) A Subsidiary Organization, and its units or Echelons, may administer their own operations and employ their own staff and provide for their own dues structures.
- b) A Subsidiary Organization, and its units and Echelons, may issue their own membership cards.
- c) Except as may presently exist, all and any charters for a Subsidiary organization, or any of its units or Echelons, shall be separately issued by the National Executive Committee of the Jewish War Veterans of the United States of America. No Subsidiary Organization, nor any of its units or Echelons, shall be deemed to exist, or to be affiliated, with this Organization unless, and until, a valid charter is issued to such Subsidiary Organization, unit or Echelon.
- d) In addition to any other mechanism for revocation of a charter issued to a Subsidiary Organization and its units and Echelons, such a charter may be revoked by a two thirds (2/3) vote of the National Executive Committee of this Organization.

### **ARTICLE XIII Amendments**

This National Constitution may be restated, amended, altered or modified in either of the following ways:

**Section 1.** By the National Convention, by a two thirds (2/3) vote of the members present and voting at a stated meeting thereof; provided, however, that such restatements, amendments or amended sections have been approved and are presented by any Echelon and/or the National Organization, and or National Executive Committeeman, and notice thereof has been given each Echelon by the National Adjutant, in writing, posted no less then thirty (30) days before the assembling of the National Convention. It shall be the duty of the National Adjutant to give such notice, provided that his or her failure to do so shall not prevent subsequent consideration by the National Convention, where such amendments have been duly presented to the National Adjutant for action.

**Section 2.** By a Constitutional Convention assembled for the purpose of considering the proposed restatement, or amendments or amended sections. Representation at such Convention shall be limited to Post delegates. Each Post shall be entitled to the same vote such Post had at the last National Convention immediately preceding such Constitutional Convention. An affirmative vote of two thirds (2/3) of those present and voting shall be necessary for the adoption of any restatement, amendment or revision.

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

# Jewish War Veterans of the United States



## National By-Laws

Revised August 2011

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

# NATIONAL BYLAWS

## ARTICLE I Membership

**Section 1. Defined.** A Member shall be either a Post Member or a Member-at-Large. A Post Member is an Individual who is in good standing and is assigned to the rolls of a specific Post. A Member-at-Large is an Individual who is in good standing with National Headquarters. A member shall be considered in good standing so long as he or she is carried on the rolls of membership of the Jewish War Veterans of the United States of America, is current in his or her obligations to JWV, and has not been suspended or his or her membership otherwise revoked.

**Section 2. Eligibility to Active Membership.** Service with the armed forces of the United States of America in any of its wars, campaigns, conflicts or expeditions, shall embrace service including, but not limited to, that for which medals have been awarded or in the field in a foreign country in action in which there were killed or wounded on the side of the United States troops participating. Further, the National Commander, by proclamation, upon advice and consent of the Chairman of the National Executive Committee and the National Executive Director, may declare any circumstances of arms, and any person therein, eligible for active membership, subject to other membership criteria.

**Section 2(a).** Such service shall include, but not be limited to:

- i) Civil War Campaign Medal. For service between April 15, 1861 and April 9, 1865, and for service in Texas up to August 20, 1866.
- ii) Indian Campaign Medal. For service in campaigns between 1865 and 1891, and in any action not occurring in one of the campaigns, but against hostile Indians, in which there were killed or wounded on the side of the United States troops.
- iii) Spanish Campaign Medal. For service ashore in, or on the high seas en route to-
  - (a) Cuba, between May 11, 1898 and July 17, 1898.
  - (b) Puerto Rico, between July 24, 1898 and August 13, 1898.
  - (c) Philippine Islands, between June 30, 1898 and August 16, 1898.
- iv) Army of Cuban Occupation Medal. For service in Cuba between July 18, 1898 and May 20, 1902.
- v) Army of Puerto Rico Occupation Medal. For service in Puerto Rico between August 14, 1898 and December 10, 1898.
- vi) Philippine Campaign Medal. For service-
  - (a) Ashore in the Philippine Islands between February 4, 1899 and July 4, 1902.
  - (b) Ashore in the Department of Mindanao, P. I., between February 4, 1899 and December 31, 1904.
  - (c) In the field in the operations against Pulajanes, on the island of Leyte, from July 20, 1906 to June 30, 1907; on the island of Samar from, on or about, August 2, 1904 to June 30, 1907.
  - (d) In the following expeditions:
    - (1) Against Pala and his followers, Jolo, P.L, April and May, 1905;
    - (2) Against Dalu Ali and his followers, Mindanao, P. L, October, 1905;

- (3) Against hostile Moos on Mount Bud-Daja, Jolo, P.L, March, 1906;
  - (4) Against hostile Moros on Mount Bagsac, Joto, P.L, January to July, 1913;
  - (5) In Mindanao and Jolo as members of any authorized expedition against hostile Moros, 1910, 1911, 1912 and 1913.
- (e) Philippines Congressional Medal. To those who, having entered the service under a call of the President for the war with Spain, served beyond the date on which they were entitled to their discharge, to help suppress the Philippines insurrection, and were subsequently honorably discharged from the Army or died prior to such discharge. Service as an enlisted man in the Regular Army, to count, must have been under an enlistment entered into between April 21 and October 26, 1898.
- vii) China Campaign Medal. For service ashore in China with the Peking relief expedition between June 20, 1900 and May 27, 1901.
- viii) Army of Cuban Pacification Medal. For service in Cuba between October 6, 1906 and April 1, 1909.
- ix) Mexican Service Medal. For service-
- (a) In Mexico, afloat or ashore, as members of the Vera Cruz expedition between April 24, 1914 and November 26, 1914;
  - (b) In Mexico as members of the punitive or other authorized expedition between March 14, 1916 and February 7, 1917;
  - (c) In any engagement against Mexicans between April 12, 1911 and February 7, 1917, in which there were casualties on the side of the United States troops;
  - (d) By those who were present as members of the Mexican border patrol between April 12, 1911 and February 7, 1917, in proximity to an engagement between Mexicans which resulted in casualties among their own company, troop, battery, or detachment.
  - (e) By those who participated in or who were in close proximity to either of the following named engagements against Mexicans:
    - 1) Nor Buena Vista, Mexico, on December 1, 1917;
    - 2) In San Bernardino Canyon, Mexico, on December 26, 1917;
    - 3) Near La Grula, TX, January 8 and 9, 1918;
    - 4) At Pilares, Mexico, on or about March 28, 1918;
    - 5) At Nogales, AZ, on August 27, 1918;
    - 6) Near El Paso, TX, and Juarez, Mexico, June 15-16, 1919
  - (f) Mexican Border Service Medal. For service
    - 1) In the National Guard, on the Mexican Border, or elsewhere in the field, in 1916 or 1917, under a call of the President for Mexican border duty
    - 2) In the Regular Army, as a member of the Mexican border patrol, between January 1, 1916 and April 16, 1917. Service as an actual member of the Mexican border patrol is required; service at a station on the Mexican border is not sufficient.
- x) **World War I**
- (a) On active duty at any time between April 6, 1917 and November 11, 1918.

- (b) As a member of the American Expeditionary Forces in Siberia or European Russia, after having entered the service subsequent to November 11, 1918.
- xi) Second Nicaraguan Campaign Medal. For service performed by the personnel of the Navy and Marine Corps during operations in Nicaragua, between August 27, 1926 and January 2, 1933
- xii) Yangtze Service Medal. For service by the personnel of the Navy and Marine Corps during the operation in the valley of Yangtze River, September 3, 1926 to October 21, 1927 and March 1, 1930 to December 31, 1932
- xiii) Marine Corps Expeditionary Medal. For service in China during the period September 9, 1924 to September 24, 1934, with the exception of the period already covered by the Yangtze Service Medal above.
- xiv) **World War II.** On active duty at any time from September 16, 1940 to July 26, 1947. Service in the Merchant Marine may be considered service in the Armed Forces. Also, active duty in the:
  - (a) Army of Occupation in Italy from May 9, 1945 to September 15, 1947
  - (b) Army of Occupation in Germany (except West Berlin) from May 9, 1945 to May 5, 1956
  - (c) Army of Occupation in Germany (West Berlin) from May 9, 1945 to October 2, 1990
  - (d) Army of Occupation in Austria from May 9, 1945 to July 27, 1956
  - (e) Army of Occupation in Korea from September 3, 1945 to June 29, 1949
  - (f) Army of Occupation in Japan from September 3, 1945 to April 27, 1952
  - (g) Navy Occupation Service in Italy from May 8, 1945 to December 15, 1947
  - (h) Navy Occupation Service in Trieste from May 8, 1945 to October 26, 1954
  - (i) Navy Occupation Service in Germany (except West Berlin) from May 8, 1945 to May 5, 1955.
  - (j) Navy Occupation Service in Austria from May 8, 1945 to October 25, 1955.
  - (k) Navy Occupation Service in the Asia Pacific from September 2, 1945 to April 27, 1952.
- xv) **Korean Conflict** . For active duty performed during the period of June 27, 1950 to January 31, 1955, or, who, as a member of the armed Forces of the United States, as defined by U.S.C. Title 10, served honorably in Korea from February 1, 1955 to a date yet to be determined.
  - (a) Served in Korea from October 1, 1966 to June 30, 1974.
- xvi) **Vietnam.** For active duty during the period January 1, 1959 to May 7, 1975, or in the Indochina Theater irrespective of time of service.
  - (a) Served in Vietnam from July 1, 1956 to July 3, 1965.
  - (b) Served in Laos from April 19, 1961 to October 7, 1962.
  - (c) Served in Cambodia from March 29, 1973 to August 15, 1973.
  - (d) Served in Thailand in direct support of Cambodia operation from March 29, 1973 to August 15, 1973.
  - (e) Served in the evacuation of Cambodia from April 11 to April 13, 1975.
  - (f) Served in the evacuation of Vietnam from April 29 to April 30, 1975.
  - (g) Served in the Thailand Military Operation from May 16, 1962 to August 10, 1962.
- xvii) Military Service 1948-to date. Personnel in the armed forces of the United States of America who

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

were awarded the Armed Forces Expeditionary Medal or the Navy and Marine Corps Expeditionary Medal, or who:

- (a) Served in Berlin airlift from June 26, 1948 to September 30, 1949;
- (b) Served in Lebanon from July 1, 1958 to November 1, 1958;
- (c) Served in the Islands of Queomoy and Matsu from August 23, 1958 to June 1, 1963;
- (d) Served in the Taiwan Straits between August 23, 1958 and January 1, 1959;
- (e) Participated in the United States operations in direct support of the United Nations in the Congo from July 14, 1960 through September 1, 1962; and a second Congo military operation from November 23 through November 27, 1964;
- (f) Served in Cuba from October 24, 1962 to June 1, 1963.
- (g) Served in the Dominican Republic from April 28, 1965 to September 21, 1966.
- (h) Served in the Mayaguez Operation on May 15, 1975.
- (i) Served in the Libyan Operation in the El Dorado Canyon from April 12-April 17, 1986. For service in the Armed Forces of the United States of America from December 31, 1960 to May 17, 1975, or at such other times as may be designated by the Secretary of Defense for the award of the National Defense Service Medal;
- (k) Served in Granada from October 23, 1983 to November 21, 1983;
- (l) Served in Lebanon from June 6, 1983 to December 1, 1987.
- (m) Served in the Cuban Military Operation from January 3, 1961 to October 23, 1962.
- (n) Served in the Iranian, Yemen and Indian Ocean Operation from December 8, 1978 to June 6, 1979; and from November 21, 1979 to October 20, 1981.
- (o) Served in Lebanon from August 20, 1982 to December 31, 1983.
- (p) Served in the Libyan Expedition from January 20, 1986 to June 27, 1986.
- (q) Served in the Persian Gulf from February 1, 1987 to July 23, 1987.
- (r) Served in the Persian Gulf - Operation Earnest Will from July 24, 1987 to August 2, 1990.
- (s) Served in Panama - Operation Just Cause from December 20, 1989 to January 31, 1990.
- (t) Served in Somalia - Operation Restore Hope from December 5, 1992 to a date indeterminate.
- (u) Served in Southwest Asia during Operation Desert Shield/Operation Desert Storm from August 2, 1990 to a date yet to be determined.
- (v) Served in support units in Israel, Egypt, Turkey, Syria, and Jordan from January 17, 1991 to a date to be determined.
- (w) Served in Bosnia-Herzegovina, Yugoslavia, Croatia or Hungary from December 1995 to a date yet to be determined.
- (x) Operation Desert Shield, aka Defense of Saudi Arabia, August 2, 1990-January 16, 1991. (8/07)
- (y) Operation Desert Storm, aka Defense and Liberation of Kuwait, January 17, 1991-April 11, 1991. (8/07)
- (z) Cease Fire Campaign, August 12, 1991-November 30, 1995. (8/07)
  - (aa) Operation Provide Comfort, June 1, 1992-November 30, 1995. (8/07)
  - (bb) Operation Iraqi Freedom, March 19, 2003-Present. (8/07)

(cc) Operation Enduring Freedom Afghanistan Campaign. (8/07)

(dd) Global War on Terrorism, September 11, 2001. (8/07)

**Section 3. Membership-at-Large.** Persons otherwise eligible to active membership may be elected to Membership-at-Large, or an Associate Membership-at-Large, upon submission of an application for admission, in writing, on a form furnished by National Headquarters, and with certification by the National Executive Director of compliance with membership regulations, and the approval of the National Commander. Dues shall be fifty dollars (\$50.00) per annum, payable in advance. (Amended 8/10).

**Section 3(a).** For the purpose of determining the membership numbers of the Department, National Convention delegates, the National Executive Committee and the National Policy Committee, all Members-at-Large shall be credited to the Department wherein the Members - at - Large maintain their mailing addresses.

**Section 4. Associate Membership.** Any person who is a citizen of the United States of America, and of the Jewish faith, not otherwise eligible to Active Membership, shall be eligible for Associate Membership and be entitled to all the rights and privileges of active members, except the right to act as a delegate of any echelon, provided he or she qualifies as follows:

- a) Who, during the time of any war, campaign or conflict in which the United States of America was an active participant, was a member of the armed forces of any country allied to the United States of America in that war, campaign or conflict, provided however, that no person, discharged or released under conditions other than honorable from any such service shall be eligible to membership; (Amended 8/97)
- b) Who, having served in the armed forces of the United States of America (including the National Guard and Reserves), on active duty during a time other than as provided for in the eligibility period provisions of the National Bylaws, provided however, that no person discharged or released under conditions other than honorable from any such service, shall be eligible to membership. (Amended 8/97)

**Section 5. In-Service Members.** Any member of the Jewish War Veterans of the United States of America, who is honorably serving in the armed forces of the United States of America on active duty, shall be exempt from the payment of dues while on active duty, and shall be entitled to all rights and privileges of active members, without limitation. Posts shall be relieved from the obligation of per capita tax to National Headquarters, Departments, District or County Council for such members, while on active duty.

**Section 6. Applications.** Every application for admission to active or associate membership shall be in writing and submitted on forms furnished by National Headquarters. No application shall be received unless it bears the endorsement by an active member in good standing, who personally examined the applicant's qualifications for membership and, if applicable, after approval by the Post, the application shall be submitted to National Headquarters to be part of the archives and records.

**Section 6(a).** Applications for active, associate or posthumous membership may be presented at any meeting of a Post. Each Post shall be the judge of its own membership, not inconsistent with the provisions contained within this National Constitution and Bylaws.

**Section 6(b).** If any applicant shall be barred or rejected, his or her admission fee shall be returned to him or her. If barred or rejected for a second time, he or she may not make any further application until

after the expiration of one year from the date thereof. The names of barred or rejected candidates shall be forwarded forthwith to the National Adjutant.

**Section 6(c).** Each applicant, upon election, should be notified by the Post Adjutant to present himself or herself for obligation. Upon failure to appear for obligation, within a period of six months after election, the Post may, after due notice, revoke the said election and declare the fee forfeited.

**Section 6(d).** Upon application, the applicant shall undertake to support the Constitution of the United States of America and the National Constitution and Bylaws of the Jewish War Veterans of the United States of America. He or she shall receive a membership button from the Post.

**Section 6(e).** A prospective member, whether In-Service or not, who has properly executed a membership application, and has been accepted by a Post, shall not be required to execute any additional application or acknowledgment before becoming a member. An In-Service member shall be recertified annually in order to remain a member. However, upon termination of military service, the Post shall verify compliance with this National Constitution and Bylaws.

**Section 6(f).** One whose membership has been terminated other than by dishonorable discharge shall be eligible to reinstatement. Applicants for reinstatement shall follow the same procedure prescribed for a new member.

**Section 6(g).** Any dishonorably discharged member, after a lapse of seven years, upon good cause being shown, may apply to National Headquarters for restoration to the status of an honorable discharge subject to review by the National Board of Inquiry and approval by the National Executive Committee.

**Section 6(h).** Any member of a defunct Post may, upon application, receive a transfer to any other accepting Post, or become a Member-at-Large.

**Section 6(i).** Any member in good standing, against whom no charges exist, must, upon written application, be given an honorable discharge, to be signed by the National Commander, and attested to by the National Adjutant. A member so discharged, may be readmitted in the same manner as a new member, in any Post of the Organization, or become a Member-at-Large.

**Section 6(j).** Any member in good standing, against whom no charges exist, may, upon written application, be granted a leave of absence for not more than one year. Upon approval by the Post, such member shall be relieved from the payment of dues for the period of his or her leave, but such member may not vote, hold office, serve as a delegate, or be courted for purposes of determining Post strength by the Post.

**Section 7. Transfer.** Any member in good standing, against whom no charges exist, must, upon his or her written application, be given transfer effective upon acceptance, to membership in another Post. Upon presentation of the name, he or she shall be accepted. Dues up to the time of the acceptance of the transfer shall belong to the Post granting the same. Such transfer shall not take place more than twice in each membership year. Upon transfer, the Post shall promptly notify the National Adjutant and the Post to which he or she previously belonged.

**Section 8. Membership in more than one post.** Members may maintain membership in more than one Post. Such member shall designate one of the Posts as his or her primary Post and shall be permitted to vote, hold office, serve as a delegate and be included in the determination of Post strength restricted solely to the primary Post.

**Section 9. Honorary Members.** An Honorary Member may be elected only by the National Convention, after a favorable recommendation by the National Executive Committee. Prior to the consideration by the National Executive Committee, the proposed granting of such Honorary Membership shall be referred to a Committee appointed by the National Executive Committee, which shall investigate the proposal, report and recommend action to be taken thereon, to the next meeting of the National Executive Committee. The proposal for such election shall come before the National Convention for consideration and vote.

**Section 9(a).** Honorary Membership may be terminated only by action of the National Convention, and only in the same manner, and by the same vote, as is required for election and may, upon cause, be suspended between Conventions by the National Commander and/or the National Executive Committee, pending final action by the Convention. However, this shall not preclude an Honorary Member from resigning, and the National Convention or the National Executive Committee may act upon such resignation.

**Section 9(b).** Honorary Members may be appointed to such committees, or may be called upon for such services, as the National Commander may designate.

**Section 10. Subsidiary Organizations.** All Subsidiary Organizations and all members, units or Echelons of this Organization, and of all Subsidiary Organizations, shall, at all times, be under the general supervision and control of this Organization, and subject to this National Constitution and Bylaws, the Manual of Ceremonies, and all Rules, Regulations and Policies of this Organization, as amended from time to time.

**Section 10(a).** There shall be associated with, but subordinate thereto and under the general supervision and control of this Organization, the following Subsidiary Organizations:

- 1) A Ladies Auxiliary;
- 2) Posts of other echelons created outside the United States of America;
- 3) Such other Subsidiary Organizations as may be created by a two-thirds (2/3) vote of the National Executive Committee of this Organization;

**Section 10(b).** Except as they may presently exist, all and any charters for a Subsidiary Organization or any of its units or Echelons, shall be separately issued by the National Executive Committee of the Subsidiary Organization. However, none of its units or Echelons may be deemed to exist or to be affiliated with this Organization unless and until a valid charter by JWV is issued to such Subsidiary Organization, unit or Echelon. A Subsidiary Organization and its units and Echelons may issue their own membership cards. In addition to any other mechanism for revocation of a charter issued to a Subsidiary Organization and its units and Echelons, such a charter may be revoked by a two-thirds (2/3) vote of the National Executive Committee of this Organization.

## ARTICLE II

### Per Capita Tax, Dues, and Indebtedness

**Section 1. Per Capita Tax.** Section 1. Per Capita Tax. There is hereby assessed upon each and every active and associate member in good standing, as hereinafter provided, a per capita tax to be paid solely to the National Organization of an amount to be determined by the NEC (Amended 08/11), payable from the annual dues received by the National Organization. The Post, where applicable, shall upon receipt of dues from a member, be responsible to forward the said full annual dues to the National Headquarters

for all new, delinquent or other members. There shall be no per capita tax assessed upon Life Members, In-Service Members and Honorary Members by, or on behalf of, the National Organization or by, or on behalf of the respective Department, District or County Council, and/or Post. The fiscal year for the National Organization, Department, District or County Councils, and Posts shall be from July 1st to June 30th in the following year (Amended 8/02). Notwithstanding the above, the NEC is hereby authorized to establish from time to time multi year and discount programs. (Amended 9/08).

**Section 1(a).** Each Department shall separately receive a per capita tax of one dollar and fifty cents (\$1.50) and may assess, upon each and every member in good standing, a sum not exceeding an additional five dollars and seventy five cents (\$5.75) per capita tax for the Department, if so authorized by a Department Convention, or duly called Department meeting, with at least a thirty (30) day written prior notice thereof given to the Posts; provided, however, that the total per capita tax received by any Department, including the per capita taxes for the District or County Council, shall not exceed the total sum of eleven dollars and twenty five cents (\$11.25).

**Section 1(b).** Each District or County Council within a Department shall separately receive a per capita tax of twenty-five cents (\$0.25) and may assess, upon each and every member in good standing, a sum not exceeding an additional three dollars (\$3.00) as per capita tax, for the use of the District or County Council within a Department, if so authorized by a regularly convened District or County Council Convention, after written notice of at least thirty (30) days to all Posts within the District or County Council. In the event there are no District or County Councils within a Department, then the Department shall receive an additional fifty cents (\$.50); provided, however, that the total per capita tax for any Department, including the per capita taxes for the District or County Council, shall not exceed the total sum of eleven dollars and twenty five cents (\$11.25).

**Section 1(c).** No per capita tax or dues need be paid for any member who has been released from active duty with the armed forces of the United States of America, in and during the fiscal year of such release. Provided, however, that such member has been released from active duty after April 1st, per capita tax shall be paid for such member for the subsequent following fiscal year. The provisions of this Section shall apply to all members of the armed forces eligible for membership.

**Section 2. Dues.** The annual dues of each active and associate member shall be paid directly to the National Quartermaster. The National Quartermaster shall directly bill each member. Each Post shall, in writing, advise National Headquarters as to its dues structure, and any future change therein. Each Department, District or County Council shall, in writing, advise National Headquarters of the amount of annual per capita tax due to it, and of any future change therein. If the dues of any member have not been paid by such member to National Headquarters by January 31st, or a new member is admitted into membership, then the Post Quartermaster is authorized to collect dues from such new or delinquent member, and to transmit all such dues and other dues paid to the Post Quartermaster, upon receipt and in full to the National Quartermaster. All dues collected by the National Quartermaster, from the members and the Posts, shall be maintained in an account from which allocation and distribution shall be made, no less than monthly, respectively to the National Organization, Department, District or County Council and Post.

**Section 2(a).** Each Post shall fix the admission fees and dues to be charged to its members. New members associating themselves with the Organization after July 1st shall pay a full year's dues, applicable to the following fiscal year. All such dues must be paid in advance. Completed membership applications for eligible veterans are to be forwarded to National Headquarters upon receipt.

**Section 2(b).** A member may be suspended from membership if the per capita tax is not paid on or

before April 1st in any year; however, all rights shall be promptly restored upon payment of dues and per capita taxes. The number of delegates a Post shall be entitled to at the National Convention shall be based upon the paid-up membership reported by National Headquarters thirty (30) days prior to the commencement of the National Convention.

**Section 3. Indebtedness.** National Headquarters shall withhold, as offset, any amount due by way of refund or dues rebate to any Echelon in complete or partial settlement of any debt due National Headquarters from such Echelon.

**Section 3(a).** A Post, delinquent in the payment of indebtedness to National Headquarters, or its Department or its District or County Council, shall be deprived of all representation and shall have no vote at the Convention or meetings of any Echelon. All rights shall be promptly restored upon the proper adjustment of such deficiencies.

**Section 3(b).** National Headquarters, upon notification by a Department, shall withhold, as offset, any amounts due by way of refund or dues rebate to any Echelon in said Department, in complete or partial settlement of any amount due to said Department, and transmit said amount withheld to the Department due said indebtedness.

**Section 3(c).** National Headquarters, upon notification by a District or County Council, shall withhold, as offset, any amount due by way of refund or dues rebate to any Echelon in said District or County Council, in complete or partial settlement of any amount due to said District or County Council, and transmit said amount withheld to the District or County Council due said indebtedness.

**Section 4. Financial Report:** All Echelons of the Jewish War Veterans must submit, by May 1, a report to the National Finance Board, on a form to be issued by National Headquarters. This report shall pertain to Echelon finances, relating to all fund raising under the name of the JWV, and donations made by that Echelon for the preceding fiscal year. Each Echelon must maintain books and records, subject to audit, in support of the information contained in the report for a minimum of six years. Echelons not submitting said report by May 1 of each year shall not be considered in good standing with the National Organization, Department or District or County Council. All rights shall be promptly restored upon the filing of the report.

**Section 5. Rules And Regulations For The National Finance Board.** In order for National Headquarters to properly implement National programs, lobby for veterans' issues, actively publicize our views and maintain service offices throughout the country, proper funding is needed. It is of utmost importance that all echelons comply with the rules and regulations of the National Finance Board in order for National Headquarters to continue providing these services to you and the members of your Post.

#### **Submitting an Annual Financial Report:**

All fund raising activities conducted in the name of any unit of the Jewish War Veterans of the United States of America (JWV) or any other unit of JWV or any other entity associated in any way with a JWV unit, or any corporation or any other entity organized by or controlled by any unit of the JWV, which includes all subordinate and subsidiary organizations, including but not limited to the National Ladies Auxiliary, Jewish War Veterans of the United States of America (JWVA), shall file with the National Finance Board an Annual Financial Report for fund raising projects.

Annual Financial Reports and instructions for the Reports can be obtained from National Headquarters. All Reports for fund raising or reports of donations made to outside organizations by the Auxiliaries, shall be sent directly to the JWVA which reports, in turn, to National Headquarters.

The Annual Financial Report must be signed by the unit Quartermaster /Treasurer and countersigned by the unit Commander/President submitting the Report. All Reports must be sent to National Headquarters by the first of May of the respective year.

The National Finance Board, having sole and exclusive authority to grant a permission to fund raise, will do so no later than thirty days after receipt of a letter of request for permission to fund raise.

### **Government Regulations:**

All echelons are required to submit to the Federal Government IRS Form 990. Submit a copy of that form to National Headquarters with the annual financial statement. The forms are for our records and may be audited by the IRS. Please note that we are required by law, to notify the IRS annually of the names and addresses of each of our units.

Echelons involved in fund raising that requires reports sent to governmental authorities, e.g., Bingo Commission reports, must forward a copy of that report to National Headquarters at the same time the original is submitted to the appropriate authority.

All Posts, Departments, County Councils, etc., must have an Echelon Federal ID number. If you do not have the Echelon Federal ID number please contact National Headquarters for an application so you may properly file for one.

### **Procedures Of The JWV National Finance Board:**

In order to preserve the fiscal integrity of the Jewish War Veterans of the United States of America and to provide proper planning and continuity of the JWV programs and operating budget, the following procedures have been established by the JWV.

1. All monies raised through the National Finance Board are used EXCLUSIVELY for the JWV-USA Memorial Building Fund and its operations and such other vital projects as may be approved by the National Executive Committee.
2. Contributions by echelons/units to National JWV will be made based on their donations made to any outside organization, regardless of the method used in raising those funds. In other words, if your unit does not contribute monies outside JWV, you have no requirement for a watchdog obligation to JWV National.
3. In order to retain your echelon's voting and membership privileges it is imperative that you file a report. You are to submit a report to the National Finance Board by May 1st of each year.
4. Exempted from contributions to the National Organization will be:
  - a) Donations made to Veterans Administration Medical Centers (VAMC), or State Soldiers' Homes;
  - b) Donations made to the JWV-USA National Memorial, Inc.;
  - c) Donations made to the JWV-USA National Memorial Building Funds;
  - d) Donations made to any JWV or JWVA higher echelon;
  - e) Monies spent for legitimate operations of echelons/units;
  - f) Any other special project approved by the NEC from time to time.

Any other exemption, on a case by case basis, must be authorized by the National Finance Board and approved by the National Commander.

5. Methods Of Allocating Contributions To JWV-National Based On Donations To Outside Organiza-

tions: Dollar for Dollar

It is important to emphasize that the contributions required to be made by your unit to the National Organization are not based on how much money you raise, but on how you spend your money. Donations to the Building Fund will be applied against your contribution to the JWV.

All echelons of the Jewish War Veterans of the United States of America are required to continue to submit an application for fund raising projects prior to embarking on such fund raising project as previously enunciated by the National Executive Committee. Applications and instructions can be obtained from National Headquarters.

### **ARTICLE III** **National Executive Committee**

**Section 1.** The National Executive Committee shall meet within the seven (7) day period preceding the scheduled date of the opening of the National Convention. In addition thereto, the National Executive Committee shall hold a minimum of one more meeting. A special meeting may be called upon written request by twenty-five (25) voting members of the National Executive Committee, upon the call of its Chairman, or at the request of the National Commander. Between meetings of the National Executive Committee, the executive power of this Organization shall be vested in the National Commander.

**Section 1(a).** Fifteen (15) voting members from at least three (3) different Departments shall constitute a quorum for meetings or actions of the National Executive Committee.

**Section 2.** There shall be elected at each Department Convention a National Executive Committeeman as authorized by Article VII of the National Constitution. Each Department shall be entitled to one (1) elected National Executive Committeeman in the event that said Department has a membership in excess of four hundred (400) members. Such elected National Executive Committeeman shall serve for a period to the adjournment of the next succeeding annual Department Convention. In the event of a vacancy in such office, it shall be filled by the next Department Council of Administration or Department Executive Committee meeting. No person shall, during any continuous time period, serve more than three (3) consecutive annual terms as elected National Executive Committeeman. For the purpose of this section, service during any portion of an annual term, shall constitute service for an annual term. There shall be an additional elected National Executive Committeeman for each increment as follows: for each of the next one thousand (1,000) additional members one (1) additional elected National Executive Committeeman, above the initial four hundred (400) members, to a maximum of three (3) additional members with respect to such Increment; and then for each additional increment of one thousand, two hundred and fifty (1,250) members, one (1) additional elected National Executive Committeeman above the initial three thousand four hundred (3,400) members.

**Section 3.** The National Executive Committee shall have the power to appoint such committees as, in its discretion, may be necessary to determine the effectiveness of the operation of all committees and the affairs of the Jewish War Veterans of the United States of America.

**Section 3(a).** The National Executive Committee may constitute itself as a tribunal of the Jewish War Veterans of the United States of America to air, determine, and adjudicate disputes arising between the various Echelons of the Organization.

**Section 3(b).** The National Executive Committee may create a National Guard of Honor consisting of

members in good standing of the Jewish War Veterans of the United States of America.

**Section 4.** The National Executive Committee shall have full power to: authorize the sale by, or purchase of, for the Jewish War Veterans of the United States of America, or any of its echelons, real estate deemed necessary and/or incidental for the corporate purposes of the Jewish War Veterans of the United States of America or any of its Echelons; to direct the execution by the National Commander, on behalf of the Jewish War Veterans of the United States of America, of any deed or document pursuant to such authority, and affix to any such deed or document the seal of the Jewish War Veterans of the United States of America as attested to by the National Adjutant or National Quartermaster. Nothing herein shall be construed to limit the authority of the National Housing Commission, or any corporation designed to implement the National Housing Commission program, from entering into contracts approved by the National Judge Advocate for execution by the National Commander, or from accepting or conveying any title to real or personal property. The National Headquarters of this Organization shall be located at 1811 R Street, N.W., Washington, D.C., 20009-1659.

**Section 4(a).** No Echelon shall be permitted to buy, sell, or donate, other than to, and for, the Jewish War Veterans of the United States of America or to, and for, the Jewish War Veterans, U.S.A., National Memorial, Incorporated, or in any way, manner or fashion, effectuate the transfer, conveyance or alienation of any real property, without the express prior written approval of the National Commander and National Judge Advocate. Any approved transfer or conveyances between the Echelons of the Jewish War Veterans of the United States of America, its Subsidiaries, affiliates and subordinate Organizations, shall be excluded from the above provision. Failure to secure such approval shall make any such attempt to transfer voidable at the sole discretion of the National Commander and/or the National Executive Committee.

## ARTICLE IV Committees and Commissions

**Section 1. National Board of Inquiry.** There is hereby created a National Board of Inquiry, which shall consist of six (6) members, who shall be voting members of the National Executive Committee when originally elected, and shall each be members of different Departments; and a Chairman appointed by the National Commander, who shall have a vote only in the event of a tie on any matter. At the meeting of the National Executive Committee preceding the National Convention, and following the election of the Officers of the National Executive Committee, there shall annually be elected from the voting membership two (2) members who shall each serve a three (3) year term. While they shall be voting members when elected, it is not necessary that they continue to be members of the National Executive Committee to serve on the Board. In the event of a vacancy, such vacancy shall be filled with a voting member by election at the next National Executive Committee meeting.

**Section 1(a).** In accordance with any disciplinary provisions of these laws, the Board of Inquiry shall consider all charges and specifications against any Echelon of this organization, or against a person holding the rank of Post Commander, or higher, or against a Subsidiary Organization. The report of the Board of Inquiry shall be sent to the National Adjutant, who shall forward same to the President of the National Court, if the same reflects a probable cause of action. If not, the report shall be filed with the National Adjutant and may be appealed by the charging party to the President of the National Court.

**Section 2. National Budget Committee.** There is hereby established a National Budget Committee, which shall consist of six (6) members appointed by the National Commander, each of whom shall be a

member of a different Department; and a Chairman appointed by the National Commander; all of whom shall serve a term contemporaneous with the National Commander. All of the membership of the committee shall be voting members of the National Executive Committee. The National Budget Committee and the National Personnel Committee shall meet at the same time and place as the National Executive Committee, and at such other times as a majority of such Committee shall request, or as the Chairman shall call. The National Executive Director and the Chairman of the National Personnel Committee shall be an ex-officio members of the National Budget Committee. (Amended 8/97)

**Section 2(a).** The National Budget Committee shall prepare an annual budget and present it for approval to the National Executive Committee.

**Section 2(b).** The minimum number of members required to constitute a quorum of the National Budget Committee shall not be less than three (3). Each member may have only one (1) vote. The Chairman shall have a (1) vote only in the event of a tie on any matter.

**Section 3. National Convention Committee.** There is hereby established a National Convention Committee, which shall consist of six (6) members, and a Chairman of the National Convention Committee, all of whom shall be appointed by the National Commander. The Chairman shall have a vote only in the event of a tie.

**Section 3(a).** The National Commander shall, as soon as practicable after his election, appoint six (6) members all of whom are voting members of the National Executive Committee for a one year (1) term of office contemporaneous with the term of the National Commander. No Department shall have more than one (1) member on the National Convention Committee. In addition to the regularly appointed Committee, the National Commander, after the Convention site has been selected by the National Executive Committee, shall appoint an additional member, from the Department in which the Convention is to be held, to serve for that said Convention only. The number of members required to constitute a quorum of the National Convention Committee shall be three (3). (Amended 8/97)

**Section 3(b).** The National Executive Director, the Chairman of the National Executive Committee, the National Budget Committee Chairman and the National Personnel Committee Chairman, or their designees, shall be ex-officio members of the National Convention Committee, with voice but no vote.

**Section 3(c).** The National Convention Committee shall, subject to the approval of the National Executive Committee: recommend the time and place of the National Convention; recommend the rates and fees of the National Convention; and recommend the registration fee for delegates.

**Section 3(d).** The National Convention Committee shall recommend arrangements and programs for the National Convention; and the arrangements necessary for the holding of the National Convention. The National Convention Committee may function through subcommittees among which the various activities of the Convention may be divided.

**Section 4. National Court.** There is hereby created a National Court, which shall consist of six (6) members, who shall be voting members of the National Executive Committee when originally elected, and shall each be members of different Departments; and a President, with or without a Vice-President, appointed by the National Commander, who shall have a vote only in the event of a tie. At the meeting of the National Executive Committee preceding the National Convention, and following the election of the Officers of the National Executive Committee, there shall annually be elected from the voting membership two (2) members who shall each serve a three (3) year term. While they shall be voting members when elected, it is not necessary that they continue to be members of the National Executive Committee

to serve on the Court. In the event of a vacancy, such vacancy shall be filled with a voting member, by election, at the next National Executive Committee meeting.

**Section 4(a).** The National Court shall consider all charges and specifications against any Echelon of this Organization, or against a person holding the rank of Post Commander, or higher, or against a Subsidiary Organization or as may be presented by the National Board of Inquiry. It shall also consider appeals brought by members of Echelons convicted by Courts ordered by a Post, District or County Council, or Department.

**Section 5 National Finance Board.** There is hereby created a National Finance Board consisting of eight (8) members and a Chairman. The National Commander each year shall appoint four (4) members to a term of two (2) years with the provision that no Department shall have more than one (1) member on the board. Any vacancy shall be filled by appointment of the National Commander for the balance of the term. All terms shall coincide with the National Convention. In addition to the above membership the National Commander will appoint a Chairman whose term shall be contemporaneous with the National Commander. The National Commander, the National Budget Chairman and the National Judge Advocate shall serve as ex-officio members of the Board, without vote.

**Section 5(a).** As delegated, the National Finance Board shall supervise the Constitution, Bylaws, Rules and Regulations of the National Organization as they pertain to the various echelons, their annual accounting, raising, depositing and spending of funds; and alienation of other assets.

**Section 5(b).** The minimum number of members required to constitute a quorum of the National Finance Board shall not be less than four (4). Each member may have only one (1) vote. The Chairman shall have a vote only in the event of a tie

**Section 6. National Housing Commission.** There is hereby established a Jewish War Veterans National Housing Commission consisting of eight (8) members and a Chairman. The National Commander each year shall appoint four (4) members to a term of two (2) years with the provision that no more than two (2) of these members may come from any one Department. Any vacancy shall be filled by appointment of the National Commander for the balance of the term. All terms shall coincide with the National Convention. In addition to the above membership, the National Commander will appoint a Chairman whose term shall be contemporaneous with the National Commander. The Chairman shall have a vote only in the event of a tie on any matter. The National Commander, the National Executive Director, the National Budget Chairman and the National Judge Advocate shall serve as ex-officio members of the Commission, with both voice and vote.

**Section 6(a).** The National Housing Commission shall have an annual certified independent audit and shall make an annual report to the National Convention. The National Housing Commission shall report the execution of any contract to the National Executive Committee. The National Housing Commission shall not financially obligate the Jewish War Veterans of the United States of America beyond such financial authorization as may have been approved by the National Executive Committee, or as may be contained in the National Budget, provided, however, that, once made, the National Budget Committee shall not change any such allocation, during the budget year, without prior approval of the National Executive Committee.

**Section 6(b).** The JWV National Housing Commission is hereby empowered to entertain contracts for the construction, ownership, sponsorship, maintenance, or management of housing, nursing home, extended care facilities, or other like type projects as permitted by Federal, State or Local law or program.

In this regard, all Echelons and/or Corporations or other entities are, at all times, subject and subordinate to the National Organization; and, therefore, copies of proposed and actual certificates of incorporation, Bylaws, applications, plans, contracts, revisions or amendments thereto relating in any way to a project, must be submitted to the Housing Commission for their review, advice and approval. All proposed projects and the actions of the National Housing Commission are to be reported to the National Executive Committee. All contracts entered into by the National Housing Commission shall be reviewed by the National Judge Advocate prior to execution. All contracts shall be executed only by the National Commander. The Commission is authorized to create Corporations to implement and carry out any projects approved by the National Executive Committee, subject to approval by the National Judge Advocate as provided for under the provisions of the National Bylaws.

**Section 7. National Personnel Committee.** There is hereby established a National Personnel Committee, which shall consist of six (6) members appointed by the National Commander, each of whom shall be a member of a different Department; and a Chairman appointed by the National Commander; all of whom shall serve a term contemporaneous with the National Commander. All of the Membership of the National Personnel Committee shall be voting members of the National Executive Committee. The National Personnel Committee and the National Budget Committee shall meet at the same time and place as the National Executive Committee, and at such other times as a majority of such Committee shall request, or as the Chairman shall call. The National Executive Director and the Chairman of the National Budget Committee shall be an ex-officio member of the National Personnel Committee. (Amended 8/97)

**Section 7(a).** The National Personnel Committee shall provide for, and appoint or employ, such Officers and employees, as it may deem necessary, for the proper administration of the affairs of this Organization, and shall prescribe their duties and emoluments.

**Section 7(b).** The National Personnel Committee shall keep and update a record of all rules and regulations relating to personnel practices, conditions of employment, and job descriptions on all positions established.

**Section 7(c).** The minimum number of members required to constitute a quorum shall not be less than three (3). Each member may have only one vote. The Chairman shall have a vote only in the event of a tie vote on any matter.

**Section 7(d).** The employment or appointment of the National Executive Director shall be subject to the approval of the National Executive Committee. No employee occupying the position of National Executive Director shall be discharged, or his or her employment terminated, except after a hearing before a Board of three (3) members, especially appointed for that purpose by the National Commander. A majority vote of such Board shall be controlling. Such employees shall be given at least fifteen (15) days written notice of the time and place of hearing, personally or by certified mail, by the National Adjutant. His or her failure to attend or be represented at such hearing shall in no way prevent the hearing from proceeding and a decision made.

**Section 8. National Policy Committee.** There is hereby established a National Policy Committee, chaired by the National Commander, which shall consist of: the National Executive Director; the Chairman of the National Executive Committee; the National Judge Advocate; the National Editor; the Immediate Past National Commander; the members elected from Departments as follows: Departments with between 400 and 4,999 members - one (1) representative; Departments with 5000 or more members - two (2) representatives. The National Judge Advocate, the National Executive Director, and the National Editor shall be members of the National Policy Committee with voice, but without vote. Elected Nation-

al Policy Committeemen shall serve from the time of the Department elections until their successors are chosen. For the purpose of this section, membership is defined as the numerical strength of the Department thirty (30) days prior to the commencement of the next ensuing National Convention, as recorded in the books and records at National Headquarters. The elected National Policy Committeemen must be voting members of the National Executive Committee during their term of service.

**Section 8(a).** The National Policy Committee shall have the power and duty to consider all matters involving policy of the Organization. The National Policy Committee shall have the authority to publish its decision on all matters of policy, except where the same materially changes existing organizational policy on any matter; and in such cases, the same shall first be referred to the National Executive Committee or National Convention for approval.

**Section 8(b).** The minimum number of members required to constitute a quorum of the National Policy Committee shall be not less than seven (7). Each member may have only one (1) vote. The Chairman shall have a vote only in the event of a tie on any matter.

**Section 8(c).** The National Policy Committee may meet between sessions of the National Executive Committee, and at such other times as the National Commander, as the National Policy Committee Chairman, may determine.

## ARTICLE V National Convention

**Section 1.** The election of the National Commander shall take place at the National Convention.

**Section 1(a).** To be a candidate for National Commander, one must be a member (active, associate, National Guard, Reserve) in good standing in the JWV of the USA for the current year and for the previous three years prior to the National Convention where the name is submitted; this amendment is retroactive to March 15, 1896. Passed 08/09/11

**Section 1(b).** To be presented as a candidate for National Commander at the National Convention, the proposed candidate must be endorsed by at least 3 posts from each of 3 different Departments and notice thereof given to the National Headquarters at least 30 days prior to the National Convention. Passed 08/09/11

**Section 2.** At each National Convention, there shall be elected a National Commander. The National Commander shall serve a term commencing with the adjournment of the National Convention, and ending with the adjournment of the next National Convention.

**Section 2(a).** When a vacancy occurs in the office of National Commander, it shall be filled by election by the National Executive Committee; the Chairman of the National Executive Committee will act as National Commander until such election; the election to be held at the next National Executive Committee meeting or within sixty (60) days, whichever occurs first. No person elected at a National Convention shall be eligible to succeed himself or herself to the office of National Commander except at a time when the United States of America is at war.

**Section 3.** The National Convention, upon the recommendation of the National Executive Committee, may award to any person, for special service in behalf of this Organization, or otherwise deemed worthy of special recognition, “the meritorious service award and medal”, otherwise known as the “Gold Medal of Merit.” In making its recommendation to the National Convention, for any such award, the National

Executive Committee must declare the exceptional services to the Organization and/or the nation which, in its judgment, warrants such award.

**Section 4.** Majority Vote. At the National Convention, and in elections in every Echelon of this Organization, a majority vote of the members present and voting shall be necessary in any matter properly presented for vote or for election to any office. If there is no election on the first ballot, the name of the member receiving the least number of votes shall be dropped and a new ballot taken, and so on, in successive ballots, until an election is had.

**Section 5.** Voting. Every member of the National Convention, or any member of this Organization, attending any convention or meeting of any Echelon of this Organization, who is present and entitled to vote at such convention or meeting, shall exercise the right of franchise, freely and voluntarily, as his or her conscience shall dictate, without being bound by any mandate or Echelon or unit rule from any Echelon of this Organization. This provision shall not be construed to prohibit any Echelon from expressing a preference in any matter or candidacy.

## ARTICLE VI National Officers

**Section 1.** The National Commander shall, as soon after his or her election as practicable, appoint the following Officers: National Judge Advocate, National Quartermaster, National Inspector, and National Adjutant (who shall also serve as the Secretary of the National Executive Committee), all of whom shall have voice and vote on the National Executive Committee.

**Section 2.** The National Commander may appoint such other National Officers as he or she deems necessary and assign to them their duties and titles. The National Commander may appoint such committees and the members thereof, as he or she deems necessary, and to assign to such committees their respective duties.

**Section 3.** Except as otherwise provided in the National Constitution and/or Bylaws, Officers and committee members appointed by the National Commander shall serve for a term contemporaneous with that of the National Commander appointing them. The National Commander may remove at his or her discretion, any Officer or committee member appointed by him or her. In the event of any vacancy, the National Commander shall have the right to make appointments to fit any vacancy that may exist, in the case of any appointed Officer or committee member, except as otherwise may be provided in the National Bylaws.

**Section 4.** The National Commander shall: enforce the National Constitution and Bylaws of the Jewish War Veterans of the United States of America and the orders of the National Convention and National Executive Committee; sign all contracts approved by the National Judge Advocate, and for his or her purpose, he or she may issue such orders as may be necessary; appoint such committees as may be required, and vest them with powers not inconsistent with the National Constitution and Bylaws; sign charters and take charge of, or authorize, all installations of Departments, District or County Councils, and Posts. For this purpose, he or she may designate any comrade to act in his or her stead. The Chairman of the National Executive Committee shall be the acting National Commander while the National Commander is out of the United States of America.

**Section 5.** The National Commander shall consider the requests of any Echelon of the Organization, or any individual member of the Organization, which or who becomes involved in a lawsuit while allegedly

carrying out the activities or programs of the Organization. In the event the National Commander determines that the petitioning Echelon or individual is entitled to have the action pursued or to be defended by the Organization, he or she shall have full authority to recommend the same, and the National Judge Advocate shall be responsible for supervising the same. In the event of a legal suit against the National Organization, the National Commander and/or the National Judge Advocate, shall take immediate steps to provide for the defense of said suit.

**Section 6. National Executive Director.** The affairs of this Organization shall be administered by the National Executive Director. He or she shall be employed by the National Executive Committee, and shall be directly responsible thereto and to the National Commander and National Personnel Committee Chairman for the proper execution of his or her duties and responsibilities. He or she shall assist the National Commander in carrying out the mandates of the National Convention and the National Executive Committee, and shall coordinate the activities of all paid personnel in the discharge of their duties. For such purposes he or she is, consistent with National Budget funding availability, empowered to employ and discharge personnel (subject to the provisions of the National Constitution and Bylaws and Personnel codes or agreements); is directly responsible for operation of the Veterans Service Program, the National Ladies Auxiliary, and any other Subsidiary Organization, and the Jewish War Veterans of the United States of America; shall coordinate activities of this Organization and any other Subsidiary Organization with other civic, veteran and patriotic organizations; shall be responsible for the implementation of policies and decisions in all areas, as well as coordination of activities of all appointed National Officers and committees. The National Executive Committee may vest in or delegate to, the National Executive Director, any further powers necessary to carry out the aforementioned responsibilities, or such other duties as may be assigned to him or her by the National Executive Committee. The National Executive Director shall make a written report at each National Executive Committee meeting, at each annual Convention, and at such other times, as in his or her judgment shall be deemed appropriate, or as the National Personnel Chairman may require.

**Section 7.** No person employed, or with a volunteer status, on the administrative staff of the Organization, shall under any circumstances be deemed an Officer of the Organization by reason of such employment or volunteer status.

**Section 8. National Judge Advocate.** The National Judge Advocate shall advise the National Officers and the National Executive Committee on all legal matters including the construction and interpretation of the National Constitution and Bylaws, all contract approvals, and shall perform such other duties as are usually incident to the office. He or she shall be an attorney of record duly admitted to the practice of law. The National Judge Advocate shall not render opinions to individual members or lower Echelons except by, and through, members of the National Executive Committee. Opinions rendered by Judge Advocates of lower Echelons shall be subject to review of the National Judge Advocate, upon presentation to him or her through a member of the National Executive Committee, but only after review and attempted resolution by the Judge Advocates of all lower Echelons. It shall be the duty of the National Judge Advocate to approve and certify the National Constitution and Bylaws or any amendments thereto of all Echelons and of any Subsidiary Organization. The decision of the National Judge Advocate on questions concerning construction and interpretation of the National Constitution and Bylaws as referred to him or her by a Post, County or Department, shall be final, provided, however, that his or her decision may be overruled by the National Convention, or by a majority vote of the members of the National Executive Committee present and voting at any regular or special meeting.

**Section 9. Bonding.** Any person appointed or elected to any office, or any position within any Echelon of this Organization, or any affiliate thereof, the performance of whose duties shall consist of the collec-

tion, custody, control, or disbursement of funds, shall, prior to assuming said office, be bonded with an indemnity company, as surety in a sum equal to the amount of funds and the value of property for which he or she may be accountable during his or her term of office. The bond premium shall be paid from funds of the National Organization, Department, District or County Council, Post, Subsidiary Organization, or affiliate, as the case may be, to which each Officer or appointee so required to be bonded is accountable. The said bond shall be executed by a company or companies as surety which shall be acceptable to the National Organization. A certificate of the surety company evidencing the issuance of each such bond shall be filed with National Headquarters by the Echelon, Subsidiary Organization, or affiliate concerned within thirty days following the election or appointment of each person to be bonded under the provisions hereof. In the event of failure of compliance with any of the foregoing provisions, the National Executive Director shall notify the Echelons, Subsidiary Organizations, or affiliates concerned and the National Organization expressly shall not assume any liability as a result of such noncompliance and failure to obtain. Non-compliance with this provision may be deemed to be an offense recognizable under Article X of these Bylaws.

**Section 9(a).** The National Insurance Committee shall solicit bids for, and make available, blanket fidelity bonds to cover all employees and Officers elected or appointed whose duties and powers of office involve the collection, disbursement and authorization of funds. This provision shall apply to the National Organization and its Headquarters, Departments, District or County Councils and Posts. The cost of the premium shall be paid by the individual Echelon to the National Organization. The amount of such premium shall constitute a debt of such Echelon to the National Organization. Where there are individuals handling funds in excess of the amount of blanket bonds, specific excess coverage shall immediately be obtained by that Echelon.

**Section 10.** Jewish War Veterans of the United States of America shall indemnify the National Commander, the National Executive Committee and its members and National Officers in carrying out their duties who were or are a party to any inchoate, pending or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, against judgment, fines, penalties, amounts paid in settlements or expenses, including reasonable attorney's fees, actually and reasonably incurred by him or her, in connection with such suit, action or proceeding, or any appeal therein, to the fullest extent permitted pursuant to apposite statute as the same exists or hereafter be amended but, in the case of such amendment, only to the extent that such amendment permits the Jewish War Veterans of the United States of America to provide broader indemnification rights than such statute permitted the Jewish War Veterans of the United States of America prior to such amendment. In lieu thereof, the Jewish War Veterans of the United States of America may maintain insurance coverage to such purposes.

**Section 10(a).** Any Chairman, committee member, member, or employee acting within their scope of duties and policies of the Jewish War Veterans of the United States of America who is threatened to be made a party to any inchoate, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, arising out of his or her duties as a member of the National Executive Committee, Committee Chairman, committee member or employee or otherwise of the Jewish War Veterans of the United States of America, against judgment, fines, penalties, amounts paid in settlements or expenses, including reasonable attorney's fees, actually and reasonably incurred by him or her, in connection with such suit, action or proceeding, or any appeal therein, to the fullest extent permitted pursuant to apposite statute, as the same exists or hereafter be amended but, in the case of such amendment, only to the extent that such amendment permits the Jewish War Veterans of the United States of America to provide broader indemnification rights than such statute permitted the Jewish War Veterans of the United States of America prior to such a amendment shall be indemnified upon Resolution of the Na-

tional Executive Committee. In the event that emergent action is required and the National Commander finds it in the best interest of the Jewish War Veterans of the United States of America, the National Commander may authorize and expend such funds as may be reasonably required for appropriate defense and action until the next meeting of the National Executive Committee. In lieu thereof, the Jewish War Veterans of the United States of America may maintain insurance coverage to such purposes.

## **ARTICLE VII**

### **Departments**

**Section 1.** Whenever no less than three or more Posts of the Organization are established in any State, Territory or adjoining States of the United States of America, a Department may be organized, provided there are not less than 500 members therein.

**Section 2.** An application for the establishment of a Department must be approved by a majority of the Posts, within the geographical area of the proposed Department, after due notice has been given to the members thereof. When so approved the application may be made in writing by the Commanders of the Posts approving same, and shall be forwarded to the National Executive Committee. Upon approval by the National Executive Committee, a charter shall be issued.

**Section 3.** When so established, the Department shall be the governing body of all Posts within its jurisdiction, subject to the authority of the National Organization.

**Section 4.** Each Department shall hold an annual Convention, but the time for the holding of such annual Convention shall not be less than thirty (30) days prior to the convening of the National Convention for such year.

**Section 4(a)** Such Convention may not be held outside the geographic territory of the Department; except that a Department Convention may be held in the geographic area of another Department if such other Department consents thereto in writing within thirty (30) days of written request. If consent to the request is not denied within thirty (30) days from the date of the request, then it shall be considered automatically approved.

**Section 4(b)** For conventions, meetings, events or similar presentations, the geographic area of the District of Columbia for this purpose shall automatically include a contiguously permissible 15 mile area into the States of Maryland and Virginia. To avoid possible conflicts, at the beginning of each calendar year, the Department of the District of Columbia shall present to the Department of Maryland and the Department of Virginia/North Carolina its calendar with non-conflicting dates and places, subject to any further agreements, to avoid any conflict with future conventions, meetings, or events or similar presentations. (Amended 08/11).

**Section 5.** The following only shall have membership and a vote in a Department Convention:

- a) National Commander;
- b) Members of the National Executive Committee who are members of Posts located within the said Department;
- c) The following Department Officers:
  - 1) Commander;
  - 2) Vice-Commanders;

- 3) Judge Advocate;
- 4) Chief Aide;
- 5) Chief of Staff;
- 6) Adjutant;
- 7) Quartermaster;
- 8) Chaplain;
- 9) Patriotic Instructor;
- 10) Inspector;
- 11) Historian;
- 12) Service Officer;
- 13) Surgeon;
- 14) Sergeant - at- Arms or Officer of the Day;
- d) All Past Department Commanders of such Department;
- e) Delegates elected by each Post;
- f) Such other Officers, past and present, as may be designated in by the Department Constitution and Bylaws.

**Section 6.** The mode of procedure at a Department Convention shall follow that of the National Convention. Post representation at Department Conventions shall be the same as that provided for in the National Convention. A Post shall not be entitled to representation at a Department Convention unless it is in good standing with National Headquarters, its District or County Council , and its Department. Each Post representation in such Department Convention shall be based upon the last per capita tax to National Headquarters, filed not later than fifteen (15) days prior to such Convention.

**Section 7.** The Officers of a Department shall be, and shall rank in the following order, each title to be preceded by the designation “Department”:

- a) Commander;
- b) Vice-Commanders;
- c) Judge Advocate;
- d) Adjutant;
- e) Chaplain;
- f) Quartermaster;
- g) Sergeant-at-Arms or Officer of the Day; and such other Officers as may be determined by the Department Constitution and Bylaws.

**Section 8.** Between Conventions, each Department shall be governed by a Council of Administration or Executive Committee, which shall have all the powers of the Department Convention, except where limited by the National Constitution and Bylaws, or the Constitution and Bylaws of the Department. Membership in the Council of Administration or Executive Committee shall be as determined by the Department Constitution and Bylaws, not inconsistent with the National Constitution and Bylaws. The Council of Administration or Executive Committee shall meet at least once every three (3) months.

**Section 9.** It shall be the duty of the Department Commander to preside at all meetings of the Department Convention, and Council of Administration or Executive Committee. The Department Commander shall, as soon as possible after his or her election, appoint the following Officers, unless the same are elected at the Department Convention:

- a) Judge Advocate;
- b) Adjutant;
- c) Quartermaster;
- d) Chaplain;
- e) Chief Aide;
- f) Chief of Staff;
- g) Historian;
- h) Inspector;
- i) Patriotic Instructor;
- j) Sergeant-at-Arms or Officer of the Day;
- k) Surgeon.

**Section 9(a).** The Department Commander may appoint such other officers or deputies as assistants to the elected or appointed Officers or committees. The Department Commander may, with or without cause, remove all appointed Officers at his or her discretion. The Department Commander shall be the Trustee of all property of the Department. The Department Commander shall countersign all drafts approved by the Department Convention, or Council of Administration or Executive Committee, and drawn by the Quartermaster. The Department Commander shall take charge of the installation of the Posts and their Officers, and may appoint deputies to act for him or her. The duties of the Department Officers shall conform as nearly as possible to the duties as set forth for the National Officers holding the same or similar offices.

**Section 10.** In the event of a vacancy in the office of Department Commander, his or her successor shall be chosen, as may be determined by the Department Constitution and Bylaws, or in the absence of such provisions, by an election held by the Executive Committee or Council of Administration, to be convened not least than thirty (30) days hence, nor later than sixty (60) days, after such vacancy occurs. Notice of at least ten (10) days shall be given for such election. Any other vacancies occurring in elective Department offices shall be filled as provided by the Department Constitution and Bylaws, or in the absence of such provisions, by an election held by the Council of Administration or Executive Committee, at a meeting specially called for that purpose.

**Section 11.** Each Department shall adopt a Constitution and Bylaws governing the conduct of Posts within its jurisdiction, provided that such Constitution and Bylaws are not inconsistent with the National Constitution and Bylaws as now existing, or as may hereafter be in effect. Each Department may take necessary steps to abate any infraction of such Constitution and Bylaws, subject to review on appeal to the National Executive Committee. All Constitution and Bylaws, or any amendments thereto, shall not become effective until certified by the National Judge Advocate.

**Section 12.** Whenever less than three (3) Posts remain in existence in any Department, the National Executive Committee may revoke the charter of such Department, and such Department charter, records and property shall at once become the property of the Jewish War Veterans Building Fund for the benefit

of the Jewish War Veterans, U.S.A., National Memorial, Incorporated, and be turned over to the National Commander or to such other Officer as he or she may direct. Without the consent of the National Executive Committee, no state may withdraw from a multi-state Department if it would result in there being less than three (3) states remaining.

**Section 13. Bronze Medal of Merit.** The Department Convention, upon recommendation of the Department Council of Administration or Executive Committee, may award to any person, for special service in behalf of this Organization, or otherwise deemed worthy of special recognition, “a meritorious service award and medal,” otherwise known as the “Bronze Medal of Merit.” In making its recommendation to the Department Convention for any such award, the Department Council of Administration or Executive Committee must declare the exceptional services to the Organization and/or the nation which, in its judgment, warrants such award.

## ARTICLE VIII District or County Councils

**Section 1.** Whenever three (3) or more Posts of the Organization are established in any county, or in areas of close geographical proximity, a District Council may be organized. Such District Council may, at its option, be known as a County Council. When so established, the District or County Council shall be the governing body of all Posts within the District or County, subject to the jurisdiction of the National and/or Department Organization.

**Section 2.** An application, for the establishment of a District or County Council, must be approved by a majority of the Posts in said county or aforesaid area, at meetings of the Posts after due notice has been given to members thereof. When so approved, the application may be made in writing, by the Commanders of the Posts approving same, and shall be forwarded to the Department Council of Administration or Executive Committee. Upon approval by the Department Council of Administration or Executive Committee, a charter shall be issued.

**Section 3.** Each District or County Council shall hold an annual Convention. This annual Convention shall be held during the month of April or May of each year. Upon the application by a District or County Council, the Department Commander or the Department Council of Administration or Executive Committee, may approve a change in such date. At the annual Convention, there shall be transacted such business as may properly come before it, and the following District or County Council Officers shall be elected:

- a) Commander;
- b) Vice-Commanders;
- c) Judge Advocate;

and such other Officers as may be determined by the Department and District or County Council Constitutions and Bylaws. The Officers elected at such Convention shall be installed prior to its adjournment. The rules of order, as set forth for the National Convention, shall govern the procedure of the District or County Council Convention.

**Section 4.** The following only shall have membership and vote in a District or County Council Convention:

- a) National Commander;
- b) Department Commander;

- c) Members of the National Executive Committee who are members of Posts located within the said District or County Council;
- d) The following District or County Council Officers:
  - 1) Commander;
  - 2) Vice-Commanders;
  - 3) Judge Advocate;
  - 4) Chief Aide;
  - 5) Chief of Staff;
  - 6) Adjutant;
  - 7) Quartermaster;
  - 8) Chaplain;
  - 9) Patriotic Instructor;
  - 10) Inspector;
  - 11) Historian;
  - 12) Service Officer;
  - 13) Surgeon;
  - 14) Sergeant - at-Arms or Officer of the Day;
- e) Delegates elected by each Post; such other Officers, past and present, as may be designated by the District or County Council Constitution and Bylaws.

**Section 5.** The mode of procedure at a District or County Council Convention shall follow that of the National Convention. Post representation at District or County Council Conventions shall be the same as that provided for in the National Convention. A Post shall not be entitled to representation at a District or County Council Convention unless it is in good standing with the National Headquarters and its Department. Each Post representation in such District or County Council Convention shall be based upon the last per capita tax report to National Headquarters, filed no later than fifteen (15) days prior to such Convention.

**Section 6.** The Officers of a District or County Council shall be, and shall rank, in the following order, each title to be preceded by the designation “District” or “County”:

- a) Commander;
- b) Vice-Commanders;
- c) Judge Advocate;
- d) Adjutant;
- e) Chaplain;
- f) Quartermaster;
- g) Sergeant at Arms or Officer of the Day.

**Section 7.** Between conventions, each District or County Council shall be governed by a Council of Administration or Executive Committee which shall have all the powers of the District or County Council Convention, except where limited by the National Constitution and Bylaws, Department Constitu-

tion and Bylaws, or the Constitution and Bylaws of said District or County Council. Membership in the District or County Council of Administration or Executive Committee shall be as determined by the District or County Council Constitution and Bylaws. The District or County Council of Administration or Executive Committee shall meet at least once every three (3) months.

**Section 8.** It shall be the duty of the District or County Council Commander to preside at all meetings of the District or County Council Convention and Council of Administration or Executive Committee. The District or County Council Commander shall, as soon as possible after his or her election, appoint the following Officers, unless the same are elected at the District or County Council Convention:

- a) Judge Advocate;
- b) Adjutant
- c) Quartermaster;
- d) Chaplain;
- e) Chief Aide;
- f) Chief of Staff;
- 9) Historian;
- h) Inspector;
- i) Patriotic Instructor;
- j) Sergeant-at-Arms or Officer of the Day;
- k) Surgeon.

**Section 8(a).** The District or County Council Commander may appoint such other officers, deputies as assistants to the elected or appointed Officers or committees. The District or County Council Commander may remove, with or without cause, all appointed Officers at his or her discretion. The District or County Council Commander shall be the Trustee of all property of the District or County Council. The District or County Council Commander shall countersign all drafts approved by the District or County Council Convention, Council of Administration or Executive Committee and drawn by the Quartermaster. The duties of District or County Council Officers shall conform as nearly as possible to the duties as set forth for National Officers holding similar positions.

**Section 9.** In the event of a vacancy in the office of District or County Council Commander, his or her successor shall be chosen as may be determined by the District or County Council Constitution and Bylaws, or in the absence of such provisions, by an election held by the District or County Council Council of Administration or Executive Committee, to be convened not less than thirty (30) days hence, nor later than sixty (60) days after such vacancy occurs. Notice of at least ten (10) days shall be given for such election. Any other vacancies occurring in elective District or County Council offices shall be filled as provided by the District or County Council Constitution and Bylaws, or in the absence of such provisions, by an election held by the District or County Council Council of Administration or Executive Committee or at a meeting specially called for that purpose.

**Section 10.** Each District or County Council shall adopt a Constitution and Bylaws governing the conduct of Posts within its jurisdiction, provided that such Constitution and Bylaws are not inconsistent with the National Constitution and Bylaws and Department Constitution and Bylaws, as now existing or as may hereafter be in effect. Each District or County Council may take the necessary steps to abate any infractions of such Constitution and Bylaws subject to review on appeal to the National Executive

Committee. All Constitution and Bylaws, or any amendments thereto, shall not become effective until certified by the National Judge Advocate.

**Section 11.** Whenever less than three (3) Posts remain in existence in any District or County Council, the Department Council of Administration or Executive Committee may revoke the charter of such District or County Council, with approval of the National Executive Committee, and the property of the District or County Council, together with its records, shall at once become the property of the Jewish War Veterans Building Fund for the benefit of the Jewish War Veterans, U.S.A., National Memorial, Incorporated. Without entire consent of the National Executive Committee, no County may withdraw from a multi-County District if it would result in there being less than three (3) Counties remaining.

## **ARTICLE IX**

### **Posts**

**Section 1.** Upon the issuance of a charter to a Post, the National Commander shall cause said Post to be instituted within ninety (90) days, in accordance with the regulations of this Organization.

**Section 2.** The Installing Officers shall report, in writing, to the National Adjutant, giving the name and number of said Post, the number of members obligated at the time of installation, their names and addresses, and the names and addresses of the Officers for the first year. The Installing Officer shall deliver to the Post Commander, after he or she has been installed, the National Constitution and Bylaws, Manual of Ceremonies, and such other property as have been duly provided. He or she shall instruct the Officers of the Post in their duties and perform such other services as required.

**Section 3.** When two (2) or more Posts desire to consolidate, they shall hold special meetings called for that purpose, of which all members in good standing shall be given notice in writing at least 30 days prior to the special meeting. If two-thirds (2/3) of the members present and voting at such meetings shall vote in the affirmative, the Commanders of the Posts shall certify that fact to the Department Commander for his or her approval, and then, to the National Commander for the approval of the National Executive Committee. Upon the approval by the Department Commander and the National Executive Committee, the consolidation shall become effective. A new charter shall be issued to the consolidated Post. All Officers of the Posts so consolidated shall be entitled to the rank they formerly held as past Officers.

**Section 4.** No charter may be surrendered by any Post as long as ten (10) members thereof demand its continuance. This section shall not be applicable where a consolidation of Posts is effectuated.

**Section 5.** The Officers of each Post shall be, and shall rank, in the following order, each title to be preceded by the designation "Post":

- a) Commander;
- b) Senior Vice-Commander;
- c) Junior-Vice Commander;
- d) Judge Advocate;
- e) Chief of Staff;
- f) Adjutant;
- g) Quartermaster;
- h) Chaplain;

- i) Patriotic Instructor;
- j) Sergeant - at - Arms or Officer of the Day;
- k) Surgeon;

and any such other Officers as maybe determined by the Post Bylaws.

**Section 6.** The following Officers shall be elected by a majority vote of the members in good standing present and voting by ballot:

- a) Commander;
- b) Senior Vice-Commander;
- c) Junior Vice-Commander (one or more);
- d) Judge Advocate;

and such other Officers as may be determined by the Post Bylaws. Notice of such election shall be given, in writing, to all members in good standing, at least ten (10) days prior to the date of the meeting. Nominations for these offices may be made at the meeting prior to the month in which elections shall take place. Elections shall take place at any time between January 1st and April 30th. The newly elected Officers shall be installed in their respective positions within sixty (60) days after they are elected or appointed, and shall take office immediately upon installation. Installation of Post Officers shall not take place within fifteen (15) days of a Department Convention. Installation ceremonies may be conducted publicly, and shall be conducted by a member in good standing who shall be designated by a proper warrant of the Department Commander (or, where there is no Department, then by the National Commander). An installation ceremony shall be conducted by a Past Post Commander or a past or present Officer of a higher Echelon.

**Section 6(a).** If a Post fails to hold an election of Officers between January 1st and April 30th in any year, the National Commander shall direct such Post to hold an election, on proper notice, within thirty (30) days after such directive, and upon the failure of the Post to apply with such directive, the National Commander shall declare the offices of the Post vacant, and the Department Commander, and where there is no Department, the National Commander shall thereupon proceed to hold such election without delay and/or appoint an acting Commander.

**Section 7.** All Officers shall be elected for one (1) year. Each Officer shall serve until his or her term has expired or until a successor has been duly installed. All candidates shall be members in good standing of the Post, and shall have paid their dues at the time of their nomination and election. No person shall be eligible for nomination and election to the office of Commander of the Post unless he or she shall have been a member in good standing for a period of one (1) year preceding his or her nomination or election. This shall not apply to a newly instituted Post. A Past Post Officer is one who, after having been elected or appointed and installed, has served until the end of his or her term. This shall not apply to a Post Officer who has died during his or her term or who has been elected to an office in a higher Echelon.

**Section 8.** The Post Commander shall appoint, as soon as possible, all other Post Officers. These Post Officers may be installed immediately after appointment, and shall hold office until they have been properly relieved by the Post Commander. The Post Commander may remove, with or without cause, any of these Post Officers at his or her discretion.

**Section 9.** A majority vote of the members present and voting shall be necessary for the election to any office in a Post. If there is no election on the first ballot, the name of the candidate receiving the least

number of votes shall be dropped and a new ballot taken, and so on in successive ballots, until an election is determined.

**Section 10.** In the event of a vacancy in the office of Post Commander, the Post Senior Vice-Commander, if qualified, shall at once succeed to the title and duties of Post Commander. All other vacancies shall be filled by ballot, provided due notice in writing has been given to every member in good standing of the contemplated election. Posts may provide in their Bylaws for the removal of elected Officers.

**Section 11. Meetings.** Each Post shall hold at least one (1) stated meeting per month, which shall be known as a regular muster. Special meetings may be convened by order of the Post Commander at any time. Upon written notice of seven (7) members in good standing, the Post Commander or the Post Adjutant shall call a special meeting.

**Section 11(a).** The regular order of business shall be followed at all meetings. If notice to a special meeting contains the agenda of the proposed meeting, no other business shall come before that meeting.

**Section 11(b).** Not less than seven (7) members in good standing shall constitute a quorum at any meeting of the Post.

**Section 11(c).** A Post may, by majority vote at a special meeting properly called for that purpose, change its name, provided due notice has been given every member in good standing and further provided that the change is approved by the National Executive Committee.

**Section 12.** Posts may elect to office as Associate Chaplain a regularly ordained Rabbi, who is acting in that capacity with a regularly established congregation, and who is not otherwise eligible to active or associate membership in the Organization. Only one Associate Chaplain may hold office at one time in any one Post.

**Section 13.** Each Post may adopt a Constitution and Bylaws governing the conduct of the Post, provided that such Constitution and Bylaws are not inconsistent with the Constitution and Bylaws of any higher Echelon. Each Post may take the necessary steps to abate any infractions of such Constitution and Bylaws, subject to review on appeal through Echelons to the National Executive Committee. All Constitution and Bylaws, or any amendments thereto, shall not become effective until certified by the National Judge Advocate.

**Section 14.** In the event of surrender of a charter by a Post, or other Echelon of this Organization, or of the charter being declared no longer in existence, under the authority of the National Executive Committee, all property of such Echelon, or any building or other corporation thereof, whether it be of real, personal or mixed property, including all funds and Special or Designated Fund Accounts, and whether on deposit in banks or in the possession of any individual, shall be allocated and all funds are assigned to the Jewish War Veterans Building Fund for the benefit of the Jewish War Veterans, U.S.A., National Memorial, Incorporated. Failure on the part of any individual to honor a request for the surrender of such property shall be deemed to be an offense recognizable under Article X of these Bylaws.

## **ARTICLE X**

### **Discipline**

**Section 1. Offenses by Individuals.** Offenses by individual members, or members of any Subsidiary Organizations, and recognizable by the Jewish War Veterans of the United States of America, shall be:

- a) Disloyalty to the United States of America;
- b) Violation of the oath of obligation;
- c) Making a false statement on an application for membership;
- d) The conviction for an offense constituting a felony under the laws of the forum where committed;
- e) Violation of any material provision of the National Constitution and Bylaws of the National Organization, or the Constitution and Bylaws of a Department, District or County Council, or Post;
- f) Violation or disobedience of any lawful orders issued by proper authority of the Jewish War Veterans of the United States of America;
- g) Disorderly conduct at any meeting or function of the Organization or under its auspices;
- h) Conduct prejudicial to good order and discipline;
- l) Divulging any of the private affairs of the Jewish War Veterans of the United States of America, unless authorized by the National Executive Committee or the National Commander, for the furtherance of the purposes and ideals of the Organization;
- j) Misappropriation or misapplication of funds belonging to this Organization or any of its Echelons;
- k) Failure to make prompt and proper accounting and returns of any property or funds belonging to this Organization or any of its Echelons;
- i) The promotion of partisan politics by any act while at a meeting of any Echelon of the Organization, or in any other manner using this Organization for partisan political purposes.

**Section 1(a).** Penalties which may be assessed against any individual are:

- 1) Dishonorable discharge or suspension from the Jewish War Veterans of the United States of America or any Subsidiary Organization;
- 2) Removal or suspension from elected or appointed office;
- 3) Disqualification from holding office for a specified period;
- 4) Fine, of a specified sum, to be paid into the treasury of the authority during the Court Martial;
- 5) Reprimand by the National Court;
- 6) Deletion from the rolls of the National Organization;
- 7) Forfeiture of any or all ranks held in the Jewish War Veterans of the United States of America or any Subsidiary Organization.

**Section 2. Offenses by Echelons.** Offenses of Echelons under the control of a subsidiary to the Jewish War Veterans of the United States of America, and recognizable by this Organization shall be:

- a) Disloyalty to the United States of America;
- b) Violation of any material provision of the National Constitution and Bylaws of the National Organization or other body superior to the Echelon being charged;
- c) Conduct prejudicial to good order and discipline;
- d) Violation or disobedience of any lawful orders issued by the National Commander or other proper authority of the Jewish War Veterans of the United States of America;
- e) Misappropriation or misapplication of funds or property belonging to this Organization or any of its echelons;
- f) Failure to make prompt and proper accounting and returns of any property or funds belonging to this

Organization or any of its Echelons;

- g) The promotion of partisan politics by any act while at a meeting of any Echelon of this Organization, or in any other manner using this Organization for partisan political purposes.

**Section 2(a).** Penalties which may be assessed against any Echelon under the control of, or subsidiary to, the Jewish War Veterans of the United States of America are:

- 1) Revocation of its charter;
- 2) Cancellation of its charter;
- 3) Suspension of its charter for a stated period;
- 4) Fine of a specified sum;
- 5) Reprimand.

**Section 2(b).** No Post, District or County Council, Department or other Subsidiary Organization under the control of the Jewish War Veterans of the United States of America shall, during the pending of charges, be suspended unless an emergency exists as hereinafter provided.

**Section 3. Procedures.** All accusations shall be made in the form of written charges and specifications and shall be submitted to a Board of Inquiry and, if required, be tried by a court, which is hereby established nationally and within each Echelon of this Organization for that purpose.

**Section 3(a).** A Court of a Post, District or County Council, or Department shall consist of no less than three (3) nor more than seven (7) members in good standing.

**Section 3(b).** All charges and specifications against any Echelon or Echelons of this organization, or against any member irrespective of rank or position, if any, or against a member, Officer, unit or Echelon, or against a Subsidiary Organization, or against any Subsidiary member irrespective of rank or position, if any, or against a member, Officer, unit or Echelon of a Subsidiary which is submitted to the National Adjutant at National Headquarters shall promptly be forwarded to the National Board of Inquiry and, if applicable, to a Subsidiary Organization or a member, Officer, unit or Echelon thereof, then to the Executive Director and Secretary or Adjutant of a Subsidiary Organization.

- 1) The Chairman of the National Board of Inquiry shall, in the first instance, determine if the matter is one for consideration by the National Board of Inquiry, if not, the Chairman may refer it back to the proper unit or Echelon for its consideration and action. If retained for the National Board of Inquiry, it shall be the duty of the Chairman to investigate the matter and he or she may call meetings of the Board.
- 2) If a charge and specification relates to a member, Officer, unit or Echelon of a Subsidiary Organization, the Chairman shall, in the first instance, request the Subsidiary Organization to conduct their own investigation of any member, Officer, unit or Echelon of the Subsidiary Organization and, within fifteen (15) days of such request, the Subsidiary Organization shall report back to the Chairman.
- 3) The Chairman shall, in the first instance, seek to mediate, if possible, and resolve the outstanding charges between the parties, and if same is not resolved within thirty (30) days, a report shall be forwarded to the National Adjutant at National Headquarters promptly after the conclusion of the investigation or the final Board of Inquiry meeting.
- 4) The National Adjutant shall forward the same to the President of the National Court, if there is a finding of probable cause, or to a unit or Echelon tribunal, or to a Subsidiary Organization, if so recommended by the National Board of Inquiry.

- 5) No person who has served on the National Board of Inquiry considering the Charges and Specifications is eligible for service on the National Court in the trial of such charges.
- 6) Upon submission of charges and specifications in proper form, the National Executive Committee may have the same investigated by a committee, and if such committee reports that the charges and specifications have merit, then a Court may be ordered to try the offender.

**Section 3(c).** Nothing herein contained shall require the filing of charges or hearing thereon as same may relate to violations of any Constitution, Bylaws, rules, regulations or the like of any Subsidiary Organization by any unit Echelon, Officer, or members of such Subsidiary Organization. Such matters may be handled internally by such Subsidiary Organization taking into account the proper procedural safeguards contained in this Article.

- 1) Charges may be filed by National, any lower Echelon, or any member in good standing.
- 2) The following ranks may only be charged in accordance with Section 3(b) of this Article, to wit: Post Commander, or Officers of higher rank.
- 3) No member, Officer, unit, or Echelon of any Subsidiary Organization may be investigated by a Board of Inquiry other than by the National Board of Inquiry, or tried by any Court of any unit or Echelon of this Organization, other than by the National Court, unless the accused consents thereto in writing to be investigated and/or tried by a lower Echelon.
- 4) Members, Echelons or units convicted by Courts ordered by a Post, County or District Council, or Department, or Echelon or unit of a Subsidiary Organization shall have the right to appeal to the National Court. Appeals must be taken within thirty (30) days after such Courts' written decision by filing the said notice or request of appeal with the National Adjutant at the National Headquarters with a copy to the Court which issued the decision. Failure to take such appeal within the specified time shall be considered to be a waiver of the right to appeal. The time limit provided for shall commence after due notice is given to the member, unit, or Echelon of such conviction. Nothing herein contained shall be considered to deny the right of appeal to the National Commander for clemency, nor to abridge the right of the National Commander to extend clemency and to reduce or cancel assessment of fines and costs.

**Section 3(d).** It shall be the duty of the President of the National Court to forward to the accused and to the Executive Director and Secretary or Adjutant of any Subsidiary Organization, if applicable, by personal service, by fax or e-mail, registered, express or certified mail, return receipt requested, an exact copy of the Charges and Specifications, and to notify the accused of the time and place of the trial; the proof of such mailing, whether accepted or not by the accused, shall constitute sufficient and due notice. The accused shall be entitled to at least twenty (20) days notice, and shall have the right to be represented by counsel of his or her own choosing. A representative of any Subsidiary Organization may appear as a friend of the Court should a member of their Subsidiary Organization be the accused. If the accused is not otherwise represented by counsel, upon demand by the accused in writing, the Court shall appoint a comrade to act as counsel to the accused; after due notice of the time and place of trial, the Court may proceed in all respects as if the accused were present and had pleaded "not guilty."

**Section 3(e).** All members of the Jewish War Veterans of the United States of America or of any Subsidiary Organization, when summoned by a Court or the National Organization, shall attend as witnesses before any Court, and their testimony shall be taken under oath. The testimony of persons not members shall be likewise taken under oath, when not inconsistent with the laws of the place where the Court is held.

**Section 3(f).** In the absence of the accused, after written notice of the time and place of trial have been given him or her, the Court may proceed in all respects as if he or she were present and had pleaded “not guilty.”

**Section 3(g).** The National Organization shall not be liable for, nor required to pay, any costs or expenses of an accused; nor to provide for, or make available, any transportation or facilities for the accused, counsel or any defense witnesses.

**Section 3(h).** In case the accused is charged with the “conviction of an offense constituting a felony under the law of the forum,” the record of his conviction by a Court of competent jurisdiction shall be prima facie evidence of his guilt of the offense of which he has been convicted, and in the absence of the accused, the court may proceed to try the same as if the accused were willfully absent.

**Section 3(i).** Upon receipt at National Headquarters of the filing of charges or offense against any accused and it appearing that an emergency exists or that the charges relate that a state of facts exists by reason of detailed information contained in such charges showing that probable cause exists, or there is a continued disregard of lawful orders which affects the welfare and good of this Organization, the National Commander may issue a cease and desist order, acting upon the review of the National Judge Advocate. A copy of such Order shall also be sent to the Executive Director and Secretary or Adjutant if the said order relates to a member, Officer, unit or Echelon of a Subsidiary Organization; however, such notice shall not act to extend any time periods set forth in this section. If any such accused shall fail to obey said order within twenty-four (24) hours, then the National Commander shall have the right to issue an order suspending such unit, Officer, member or person of this, or any Subsidiary Organization, immediately. If such a suspension order is issued, the National Commander shall forthwith refer the same to the National Board of Inquiry or appoint two (2) or more persons to make an investigation. Such investigation shall be completed and a report made within fifteen (15) days of the receipt of the aforesaid Order. If the National Commander, after receipt of the report so determines, he or she may vacate or modify the aforementioned suspension; however, immediately upon the receipt of the report, the suspension shall stand if, in the judgment of the National Commander, it is proper. The National Commander shall direct the National Judge Advocate to prepare charges and specifications to be submitted if such written accusations have not been already filed.

**Section 3(j).** As an integral part of any settlement decision, judgment or sentence, the Court may assess all or part of the costs and expenses incurred by the National Organization or any Court or committee thereof in an amount as certified to by the National Executive Director.

**Section 3(k).** Except as to the portion of a settlement, decision, judgment or sentence dealing with the certified costs and expenses incurred by the National Organization, the National Commander shall, at all times, have the power to executive clemency.

**Section 4.** Charges against the National Commander shall be filed with the National Judge Advocate and the National Adjutant at National Headquarters, whose duty it shall be to issue a confidential notice to all members of the National Executive Committee with the call for a special meeting to consider the merits of such charges. No other matter shall be brought before such meeting. No person who is not a voting member of the National Executive Committee shall be admitted to this meeting unless ordered to appear as a witness. Before a trial may be ordered, two-thirds (2/3) of the entire membership of the National Executive Committee must have voted to order such trial. Upon an affirmative vote being had, the charges shall be referred to a court which shall be composed of voting members of the National Executive Committee. Such court shall consist of seven (7) members designated by a majority of the

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

members present at the said special meeting. An affirmative vote of five (5) members shall be necessary for conviction. The National Judge Advocate shall be the prosecuting Officer.

## ARTICLE XI Licensing

**Section 1.** The badge, button, colors, logo, or other insignia of the Jewish War Veterans of the United States of America, and of all Subsidiary Organizations, shall be manufactured, purchased or sold only by authority of the National Executive Committee. No Subsidiary Organization and no subordinate unit, Echelon, or member of this Organization, or of a Subsidiary Organization, shall hereafter engage, by contract or otherwise, in the manufacture, purchase or sale of such emblems, buttons, logos or other regalia, unless authority for so doing has been obtained from the National Executive Committee of the Jewish War Veterans of the United States of America.

**Section 1(a).** No person shall be entitled to wear the badge or button of the Jewish War Veterans of the United States of America, unless he or she is a member in good standing thereof. Ownership in all badges, buttons, colors and insignia shall remain vested in the Jewish War Veterans of the United States of America, and the right to wear or display such badge, button or insignia shall be but a license only, which shall be automatically revoked when such person ceases to be a member in good standing.

**Section 2.** This Organization shall be known as “Jewish War Veterans of the United States of America, Inc.” (“JWV”), chartered by an act of the Congress of the United States of America.

**Section 3. Terms.** The term “Immediate Past” shall mean the person who held the office immediately before the present office holder. The term “man,” “men,” “Committeeman,” or “Committeemen,” shall mean male or female as the case may be.

**Section 4.** Permission for the use of the name “Jewish War Veterans of the United States of America” or “JWV,” “JWVA,” the JWV emblem or any other JWV logo of identification, shall only be granted by the National Executive Committee of this Organization, to any individual, corporation, other entity, or Subsidiary Organization, Echelon or unit of the Jewish War Veterans of the United States of America, only upon a showing that the same is in the best interests of the Organization.

Such permission shall be required as to:

- a) The publication of any newspaper, magazine, or periodical other than an Echelon informational and report bulletin or release; or
- b) Any commercial a non-organizational venture; or
- c) Usage by any other non-profit organization.

**Section 5.** The membership and status lists of the JWV, and any of its Echelons, Subsidiaries, affiliate and subordinate Organizations, are proprietary and confidential, and are the sole property of JWV, and may not be circulated, delivered or transferred, without the express consent of a committee of the National Commander, National Executive Director and the Chairman of the National Executive Committee. Failure to comply shall be a disciplinary offense under the terms of the Bylaws.

**Section 6.** The granting of such permission of the National Executive Committee shall be but a license only, which may be revoked by the National Executive Committee, or by a Committee consisting of the National Commander, Chairman of the National Executive Committee and the National Executive Director, and all upon notice to the licensee. Upon the revocation, cancellation, or suspension of a

charter issued by this Organization, or upon termination or revocation of a license for the use of a name, emblem, logo or other identification associated with this Organization, the unit, Echelon, Subsidiary Organization or other entity, and all persons associated therewith, shall cease all use of any name, emblem, logo, or other identification associated with this Organization, and cease any indication of an affiliation with this Organization, and immediately take all steps necessary to change any names, emblem or other identification associated with this Organization, including corporate names, so as to comply with these Bylaws.

## ARTICLE XII

### Official Publication and Manual of Ceremonies

**Section 1.** A publication known as “The Jewish Veteran” is hereby designated as the official organ of the Jewish War Veterans of the United States of America. The expense incurred in publishing “The Jewish Veteran” shall be paid out of the National Treasury.

**Section 2.** Notices published in “The Jewish Veteran” shall constitute official notice to all comrades as required by the National Constitution and Bylaws.

**Section 3.** The National Executive Committee shall adopt a “Manual of Ceremonies” which shall contain official regulations, protocols, policies and ceremonies for the proper conduct of the various Echelons of the Organization. Such Manual, or amendments, modifications or additions thereto, when adopted by the National Executive Committee, shall have the same force and effect as a lawful order issued by proper authority, and may be amended at any meeting of the National Executive Committee.

## ARTICLE XIII

### Rules of Incorporation

**Section 1.** No Subsidiary Organization and no subordinate Echelon of the Jewish War Veterans of the United States of America nor any other corporation organized by the Subsidiary Organization or Subordinate echelon shall be incorporated or shall restate or amend its corporate charter under the laws of any State, territory, District, or other jurisdiction, for any purpose whatsoever, including the right to take title to real property, unless those desiring this incorporation shall have:

- a) Written application to the National Organization for permission to so incorporate or to amend its corporate charter;
- b) Submitted, at the same time, a copy of the proposed charter of the proposed corporation and any subsequent amendments thereto;
- c) Secured such permission for the proposed incorporation or amendments from the National Judge Advocate of the Jewish War Veterans of the United States of America.

**Section 2.** The National Executive Committee on the recommendation of the National Judge Advocate may authorize the incorporation of any units or Echelons of the Organization, or any Subsidiary Organization, or any other corporation organized by the Subsidiary Organization or Subordinate Echelon, only when it shall be established, that such incorporation is in the best interests of this Organization, provided that:

- a) The proposed incorporation shall include a provision that the Corporation shall be subordinate to, and under the general supervision and control of, the Jewish War Veterans of the United States of America; and

- b) The Corporation is to be incorporated in accordance with applicable law; and
- c) The Articles of Incorporation shall provide that it shall be governed by the National Constitution and Bylaws, Manual of Ceremonies, Rules, Regulations and Policies of the Jewish War Veterans of the United States of America, as amended from time to time and
- d) Said Articles of Incorporation shall provide that the membership in said Corporation shall consist of all active members of said unit or Echelon as defined in the National Constitution and Bylaws of the Jewish War Veterans of the United States of America and in the Constitution and Bylaws of a Subsidiary Organization, if applicable; and
- e) Said Articles of Incorporation shall provide that said corporation shall have annual meetings with due written notice given to said members; and
- f) Said Articles of Incorporation shall provide that any Agreement to sell real property, before execution, must be approved by a majority vote of the members of said Corporation present and voting at a duly convened meeting with separate written notice, mailed by first class postage prepaid, at least fourteen (14) days prior to the meeting at which the proposal will be considered. The notice shall contain:
  - 1) Time and place of meeting;
  - 2) Summary and/or copy of the Agreement, including all financial terms;
  - 3) The name and identity of proposed purchaser;
  - 4) The notice may contain any other pertinent provisions;
  - 5) Copy of the Notice with a full disclosure of the terms of the sale shall be sent by certified mail to the National Executive Director of this Organization at the same time. Same provision (f) shall apply where the sale is by any other unit, Echelon or unincorporated association or other entities of this Organization and of any Subsidiary Organization holding title to the real property.

**Section 3.** The provisions of this Article of these Bylaws, whether contained in Articles of Incorporation or not, shall be applicable to any proposed sale of real property, by any Corporation or other entity, whether presale of real property by any Corporation or other entity, whether previously established or not, which holds title to real property for the benefit of use of units or Echelons of the Jewish War Veterans of the United States of America, or of any Subsidiary Organization and provided that it shall be subordinate to and under the general supervision and control of, the Jewish War Veterans of the United States of America, and shall be governed by the National Constitution and Bylaws of the Jewish War Veterans of the United States of America. No sale shall be valid unless there shall be prior approval by the National Commander and the National Judge Advocate.

**Section 4.** The failure of any corporation to comply heretofore or hereafter with the requirements of this article shall result in the corporation being declared null and void in accordance with the National Constitution and Bylaws and all property of such corporation, whether it be real, personal or mixed, including all funds and Special or Designated Fund Accounts, and whether on deposit in banks or in the possession of any individual, shall be allocated and all funds are assigned to the Jewish War Veterans Building Fund for the benefit of the Jewish War Veterans, U.S.A. National Memorial, Incorporated.

**Section 5.** The National Judge Advocate may, upon application of a Subordinate unit or Echelon, or Subsidiary Organization, said application to be accompanied by a copy of the proposed charter to the proposed Corporation, grant permission for the use of the name “Jewish War Veterans of the United

States of America,” or some similiar imitation thereof, as part of the name of a proposed Corporation, incorporated in any state, territory, district or other jurisdiction, solely for the purpose of taking title by deed, gift, purchase or lease to property to be used for the recreation, comfort and other purposes of the members of the Jewish War Veterans of the United States of America and any Subsidiary Organization. The National Judge Advocate may also approve charters of proposed corporations to implement the purpose and projects of National Housing Commission, and to meet the requirements of local and federal law upon such terms and conditions as such law may require.

**Section 6.** Notwithstanding the provisions above any Chartered Subsidiary Organization is given consent to grant charters to Subordinate units, but otherwise must comply with the requirements of these Bylaws.

## **ARTICLE XIV All other Legal Entities**

**Section 1.** All other legal entities including but not limited to trusts, partnerships, or any fund or deposit not covered by Article XIII, established by law or usage and created or organized by a Subsidiary Organization or Echelon of the Jewish War Veterans of the United States of America shall as a condition of its existence or continued existence obtain the written consent of the National Organization.

**Section 2.** Consent is hereby given for any Subsidiary Organization or echelon to open bank accounts, money market accounts or other depositories, providing withdrawals require at least two separate authorized signatures.

**Section 3.** The failure of any entity to comply heretofore or hereafter with the requirements of this article shall result in such entity being declared null and void in accordance with the National Constitution and Bylaws and all property of such entity, whether it be real, personal or mixed including all funds and Special or Designated Fund Accounts, and whether on deposit in banks or in the possession of any individual, shall be allocated and all funds are assigned to the Jewish War Veterans Building fund for the benefit of the Jewish War Veterans, U.S.A. National Memorial, Incorporated.

## **ARTICLE XV Rules of Order**

**Section 1.** The order of business at National Conventions, Department Conventions and District or County Council Conventions, and Post Installations shall be as provided for in the Manual of Ceremonies, National Constitution and/or Bylaws.

**Section 2.** The order of business may be suspended at any time, for a definite purpose, by a two-thirds (2/3) vote of the Convention, to be taken without debate.

**Section 3.** Procedure at any meeting of any Echelon of this Organization shall be governed by the rules as laid down in “Robert’s Rules of Order,” unless otherwise provided herein, or in the Bylaws or Rules of the convening Echelon, or in the Manual of Ceremonies.

## **ARTICLE XVI Amendments**

**Section 1.** These Bylaws may be restated, amended, altered or modified in either of the following ways.

*JWV Constitution • By-Laws Restated, Revised & Amended as of August 2011*

- a) By the National Convention, by a majority vote of the members present and voting at a stated meeting thereof, provided that notice of such amendments, restatements, or amended sections have first been submitted in writing, either prior to a National Convention or at a prior session of the same Convention, and copies of the proposed amendments were distributed and made available, and posted at the meeting hall; It shall be the duty of the National Adjutant to furnish such copies; or
- b) By a Constitutional Convention assembled for the purpose of considering proposed amendments, restatements, or amended sections; representation at such Convention shall be limited to those delegates as set forth in Article V of these Bylaws; each Post shall be entitled to the same vote such Post had at the last National Convention immediately preceding such Constitutional Convention. An affirmative vote of a majority of those present and voting shall be necessary for the adoption of any amendment, restatement, or revision.

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)

[Back to Table of Contents](#)