

National Constitution & By-laws

as of August 2023

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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 trends that 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 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

Non-Partisanship

JWV is a nonpartisan organization and shall not engage in or be used for the promotion of political candidates or for partisan politics. The use of JWV's name, uniform, logo, uniform, insignia, title of rank or other indicia of JWV to show support for the purposes described in the prior sentence is forbidden. However, JWV may advocate on behalf of veterans, the military, and such other issues and interests that are approved by JWV National.

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 (NEC);
- c) Departments;
- d) District or County Councils; and
- e) Posts.

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

- a) Subsidiary Organizations;
- b) Posts or other Echelons created outside the United States of America; such other Auxiliary Organizations as may be created by two thirds (2/3) vote of the NEC 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, By-laws, Manual of Ceremonies, Rules, Regulations and Policies of the JWV, as amended from time to time.

ARTICLE IV

Membership

Section 1. Membership in this Organization shall be limited to Active, Associate, Honorary, In-Service, Posthumous, Life, and Distinguished Life, 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 JWV.

The membership and status lists of the JWV, and any of its Auxiliary, 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 Vice Commander, National Executive Director, and the Chairperson of the NEC. Failure to comply shall be a disciplinary offense under the terms of the By-

laws.

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 uniformed services of the United States of America (including the National Guard, Reserves, U.S. Public Health Service (USPHS) and National Oceanic and Atmospheric Administration (NOAA), in any of its wars, campaigns, conflicts, or as may be further set forth in the By-laws; 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.

Acceptance to Active membership shall confer full and equal rights with all other active members of the JWV, without limitation, except as may be provided in the By-laws, and provided that the member 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 they 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, general, or medical from any such service shall be eligible to membership;
- 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 By-laws, provided however, that no person discharged or released under conditions other than honorable, general, or medical from any such service, shall be eligible to membership.

Section 4. Life Membership. 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.

- (a) Active Life Members. All Active Members who become Life Members shall be considered Active Members, for all purposes, without the obligation for payment of dues.
- (b) Associate Life Members. All Associate Members who become Life Members shall be considered Associate Members, for all purposes, without the obligation for payment of dues.

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 NEC, after investigation and report, and upon recommendation of a National Executive Committee person 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 consent of the next of kin of a member of the Uniformed Services of the United States, of the Jewish faith, who died while engaged in military duties on behalf of the Uniformed Services of the United States of America, as set forth for Active Membership make said Member a Posthumous Member.

Section 7. In-Service Membership. Any person, who is a citizen of the United States of America, of the Jewish faith, and who is on active duty in any of the branches or units of the Uniformed Services of the United States of America, shall be accepted to active membership in the JWV, while engaged in that service. 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. A citizen of the United States of America, not eligible for 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 JWV may be conferred only by a National Convention, after investigation and report received from a committee designated by the NEC.

ARTICLE V

Patron

Any supporter of JWV that upholds, reflects, and pursues the values of JWV may become a Patron. A Patron is often a community leader, veteran of other faiths, or family member of a JWV member. Patrons are not members of JWV but are welcome to engage with the local Post and support JWV programs.

ARTICLE VI

National Convention

Section 1. The supreme power of the JWV 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, place and manner (in-person, virtually or a combination of both) as shall have been determined by the NEC; and membership at a National Convention of the JWV shall be restricted to the following:

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

Section 3. Every voting member of the NEC who attends such Convention, shall be entitled to one (1) vote; if the Member of the NEC is also named as a delegate from a Post, the Member may only vote once. No person who is a full-time paid employee of any Echelon of the JWV shall vote at any Convention or meeting of any Echelon.

Section 4. Delegates. Each Post shall be entitled to one (1) Delegate for each ten (10) members, or major fraction thereof. Six (6) or more Delegates shall constitute a 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 at a meeting, and shall forward Delegates' names, certified by the Post Commander and Post Adjutant, to the NEC

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 5. 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 VII National Officers

Section 1. At each National Convention, there shall be elected a National Commander (NC) and a National Vice Commander (NVC), from a different Department. They shall serve a term commencing with the adjournment of the National Convention and ending with the adjournment of the next National Convention. Should the NC become incapacitated and be unable to continue performance of duties, the NVC will assume responsibility until the next National Commander is elected.

Section 2. When a vacancy occurs in the office of NVC, it shall be filled by the Chairperson of the NEC. The Chairperson of the NEC will act as NVC until an election is held at the next National Convention.

Section 3. No person elected at a National Convention shall be eligible to succeed himself or herself.

ARTICLE VIII National Executive Committee

Section 1. Between National Conventions, the JWV shall be governed by the NEC, which shall be composed of the following: (1) NC; (2) NVC; (3) elected NEC representatives as provided in the By-laws; (4) 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; (5) the National Judge Advocate (NJA); (6) the National Adjutant; (7) the National Quartermaster; (8) the National Inspector; (9) the National Editor; and (10) all Past NC's. Each shall have but one (1) vote.

Section 2. A Past National Commander (PNC) shall be the Chairperson, as elected by the NEC to a one-year term, with limitation to two (2) consecutive terms. The term shall be effective at the conclusion of the National Convention. Members of the NEC shall assume their duties immediately upon their installation by the respective Departments. The NEC 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 Chairperson and a Vice Chairperson, who shall serve in such capacity until their successors have been elected. The National Adjutant shall serve as the Secretary of the NEC.

Section 3. No two (2) members of the same Post may serve at the same time as elected National Executive Committeepersons.

Section 4. National Executive Committeepersons 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 the predecessor's office.

Section 5. Vacancies in the office of elected National Executive Committeepersons shall be filled by the Department from which the vacancy occurred. The candidate must be members in good standing.

ARTICLE IX Departments

Section 1. Current and new Departments shall be chartered by the NEC and shall be composed of the Posts within their respective areas, as defined in the By-laws. Any new Department shall have a minimum of two hundred fifty (250) members before being eligible for charter application and approval.

Section 2. Between Conventions, each Department shall be governed by a Council of Administration or Executive Committee, or both (in accordance with the Department Charter, Constitution and/ or By-laws).

ARTICLE X 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 liaisons 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/or By-laws, and Department Constitution and/or By-laws, not inconsistent therewith.

Section 3. Between Conventions, each District or County Council shall be governed by a Council of Administration or Executive Committee.

ARTICLE XI Posts

Section 1. Applications for Post charters, consisting of at least seven (7) eligible members, shall be directed to the National Headquarters, and shall contain the proposed name of the Post and its location, where applicable. 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 NEC meeting for approval or disapproval of such action. The NEC action shall be final. Charters shall be issued and signed by the NC and countersigned by the National Adjutant.

Section 2. 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 Uniformed Services of the United States of America, as defined in this National Constitution and By-laws.

Section 3. 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 4. When a new Post has been approved by a Department, and the NC determines that the new Post has met all requirements for a charter, and there are more than four (4) weeks until the next NEC meeting, the NC may issue a provisional charter to the new Post. A report of such action shall be made to the next NEC meeting, for approval or disapproval of such action pursuant with Section 1 of this Article.

ARTICLE XII

Finances

Section 1. The revenues of the JWV shall be derived from an annual per capita tax and from-other sources.

Section 2. Fiscal Year. The fiscal year of all JWV Echelons shall begin on the first (1st) day of July and shall end on the thirtieth (30th) day of June in each year.

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 NEC, and prorated as follows: prior to January 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 amount of annual dues or fees for each new member, membership reinstatement or other members, shall be transmitted to the National Quartermaster. Per capita tax shall be waived for two (2) years following the member's 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 two (2) fiscal years. The provisions of this Section shall apply to all members of the Uniformed Services eligible for membership.

ARTICLE XIII

Subsidiary and Auxiliary Organizations

Section 1. The programs of Subsidiary and Auxiliary Organizations of JWV shall be coordinated with JWV National and shall be governed by the National Constitution & By-laws.

Section 2. The National Constitution & By-laws of any Subsidiary or Auxiliary Organization, and any amendments thereto, shall be subject to the approval of the NEC of the JWV. They shall be submitted in the first instance to the NJA for approval, prior to consideration by the NEC and any such Constitution, By-law or amendment shall not become valid and effective until the approval of the NJA and of the NEC. The National Constitution & By-laws of any Subsidiary or Auxiliary Organization, and any Amendment thereto shall not be in conflict with parts of the JWV Constitution & By-laws.

Section 3. All Subsidiary Organizations and all Auxiliary Organizations, and all members, units or Echelons of those organizations shall, at all times, be under the general supervision and control of JWV, subject to this National Constitution & By-laws.

- a) A Subsidiary or Auxiliary Organization, and its units or Echelons, may administer its own operations and employ its own staff and provide for its own dues' structures.
- b) A Subsidiary or Auxiliary Organization, and its units and Echelons, may issue its own membership cards.
- c) Except as may presently exist, all and any charters for a Subsidiary or Auxiliary organization, or any of its units or Echelons, shall be separately issued by the National Executive Committee of the JWV. No Subsidiary or Auxiliary 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 or Auxiliary Organization, unit or Echelon.
- d) In addition, to any other mechanism for revocation of a charter issued to a Subsidiary or Auxiliary Organization and its units and Echelons, such a charter may be revoked by a two thirds (2/3) vote of the members present of the NEC of this Organization.

Section 4. Any and all existent Subsidiary or Auxiliary Organizations at the time of the adoption of the Constitution may continue to function as previously approved by JWV.

ARTICLE XIV Amendments

This National Constitution may be amended in either of the following ways:

Section 1. By the National Convention, by a two-thirds (2/3) vote of the members present in-person or virtually and voting at a meeting thereof; provided, however, that such amendments have been approved and are presented by any unit or Echelon and/or the JWV, and/or National Executive Committeeperson, and notice thereof has been given each unit or Echelon by the National Adjutant, in writing, or by electronic communication posted no less than thirty (30) days before the assembling of the National Convention. It shall be the duty of the National Adjutant or the National Executive Director (NED) to give such notice.

Section 2. By a Constitutional Convention, called by the NC and NJA, with notice to Members, assembled for the purpose of considering proposed amendments. 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 amendment.

Section 3. Unless otherwise voted by the National Convention, all ratified amendments to the JWV Constitution shall be effective upon the conclusion of the National Convention.



Jewish War Veterans
of the United States of America

National By-laws

August 2023

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ARTICLE I Membership

Section 1. Defined. A Member shall be either a Post Member or a Member-at-Large. A Post Member is a Member who is in good standing and is assigned to the roll of a specific Post. A Member-at-Large is a Member who is in good standing and is not assigned to a specific Post. A Member shall be considered in good standing so long as the Member is carried on the Membership roll of the Jewish War Veterans of the United States of America (JWV) and is current in the Member's obligations to the JWV.

Section 2. Eligibility for Active Membership.

(a) Service with the Armed Forces of the United States of America by a person of the Jewish faith in any of its wars, campaigns, conflicts, or expeditions, shall mean 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 (NC), by proclamation, upon advice and consent of the Chair of the National Executive Committee (NEC) and the National Executive Director (NED), may declare any other circumstances of arms, and any person participating therein, eligible for Active Membership, subject to other Membership criteria.

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

- (a) Civil War Campaign Medal. For service between April 15, 1861 and April 9, 1865, and for service in Texas up to August 20, 1866.
- (b) 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.
- (c) Spanish Campaign Medal. For service ashore in, or on the high seas en route to:
 - (1) Cuba, between May 11, 1898 and July 17, 1898.
 - (2) Puerto Rico, between July 24, 1898 and August 13, 1898.
 - (3) Philippine Islands, between June 30, 1898 and August 16, 1898.
- (d) Army of Cuban Occupation Medal. For service in Cuba between July 18, 1898 and May 20, 1902.
- (e) Army of Puerto Rico Occupation Medal. For service in Puerto Rico between August 14, 1898 and December 10, 1898.
- (f) Philippine Campaign Medal. For service:
 - (1) Ashore in the Philippine Islands between February 4, 1899 and July 4, 1902.
 - (2) Ashore in the Department of Mindanao, P. I., between February 4, 1899 and December 31, 1904.

(3) 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.

(4) In the following expeditions:

- Against Pala and his followers, Jolo, P.L, April and May, 1905
- Against Dalu Ali and his followers, Mindanao, P. L, October, 1905;
- Against hostile Moos on Mount Bud-Daja, Jolo, P.L, March, 1906;
- Against hostile Moros on Mount Bagsac, Joto, P.L, January to July, 1913;
- In Mindanao and Jolo as members of any authorized expedition against hostile Moros, 1910, 1911, 1912 and 1913.

(5) 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.

(g) China Campaign Medal. For service ashore in China with the Peking relief expedition between June 20, 1900 and May 27, 1901.

(h) Army of Cuban Pacification Medal. For service in Cuba between October 6, 1906 and April 1, 1909.

(i) Mexican Service Medal. For service-

(1) In Mexico, afloat or ashore, as members of the Vera Cruz expedition between April 24, 1914 and November 26, 1914;

(2) In Mexico as members of the punitive or other authorized expedition between March 14, 1916 and February 7, 1917;

(3) 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;

(4) 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.

(5) By those who participated in or who were in close proximity to either of the following named engagements against Mexicans:

- Nor Buena Vista, Mexico, on December 1, 1917;
- In San Bernardino Canyon, Mexico, on December 26, 1917;
- Near La Grula, TX, January 8 and 9, 1918;

- At Pilares, Mexico, on or about March 28, 1918;
 - At Nogales, AZ, on August 27, 1918;
 - Near El Paso, TX, and Juarez, Mexico, June 15-16, 1919
- (j) 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.
- (k) World War I
- (1) On active duty at any time between April 6, 1917 and November 11, 1918.
 - (2) As a member of the American Expeditionary Forces in Siberia or European Russia, after having entered the service subsequent to November 11, 1918.
- (l) 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
- (m) 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
- (n) 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.
- (o) 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:
- (1) Army of Occupation in Italy from May 9, 1945 to September 15, 1947
 - (2) Army of Occupation in Germany (except West Berlin) from May 9, 1945 to May 5, 1956
 - (3) Army of Occupation in Germany (West Berlin) from May 9, 1945 to October 2, 1990
 - (4) Army of Occupation in Austria from May 9, 1945 to July 27, 1956
 - (5) Army of Occupation in Korea from September 3, 1945 to June 29, 1949
 - (6) Army of Occupation in Japan from September 3, 1945 to April 27, 1952
 - (7) Navy Occupation Service in Italy from May 8, 1945 to December 15, 1947

- (8) Navy Occupation Service in Trieste from May 8, 1945 to October 26, 1954
- (9) Navy Occupation Service in Germany (except West Berlin) from May 8, 1945 to May 5, 1955.
- (10) Navy Occupation Service in Austria from May 8, 1945 to October 25, 1955.
- (11) Navy Occupation Service in the Asia Pacific from September 2, 1945 to April 27, 1952.
- (p) 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.
 - (1) Served in Korea from October 1, 1966 to June 30, 1974.
- (q) Vietnam. For active duty during the period January 1, 1959 to May 7, 1975, or in the Indochina Theater irrespective of time of service.
 - (1) Served in Vietnam from November 1, 1955 to April 30, 1975.
 - (2) Served in Laos from April 19, 1961 to October 7, 1962.
 - (3) Served in Cambodia from March 29, 1973 to August 15, 1973.
 - (4) Served in Thailand in direct support of Cambodia operation from March 29, 1973 to August 15, 1973.
 - (5) Served in the evacuation of Cambodia from April 11 to April 13, 1975.
 - (6) Served in the evacuation of Vietnam from April 29 to April 30, 1975.
 - (7) Served in the Thailand Military Operation from May 16, 1962 to August 10, 1962.
- (r) Military Service 1948-to date. Personnel in the armed forces of the United States of America who were awarded the Armed Forces Expeditionary Medal or the Navy and Marine Corps Expeditionary Medal, or who:
 - (1) Served in Berlin airlift from June 26, 1948 to September 30, 1949;
 - (2) Served in Lebanon from July 1, 1958 to November 1, 1958;
 - (3) Served in the Islands of Queomoy and Matsu from August 23, 1958 to June 1, 1963;
 - (4) Served in the Taiwan Straits between August 23, 1958 and January 1, 1959;
 - (5) 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;
 - (6) Served in Cuba from October 24, 1962 to June 1, 1963.
 - (7) Served in the Dominican Republic from April 28, 1965 to September 21, 1966.

- (8) Served in the Mayaguez Operation on May 15, 1975.
- (9) 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;
- (10) Served in Grenada from October 23, 1983 to November 21, 1983;
- (11) Served in Lebanon from June 6, 1983 to December 1, 1987.
- (12) Served in the Cuban Military Operation from January 3, 1961 to October 23, 1962.
- (13) 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.
- (14) Served in Lebanon from August 20, 1982 to December 31, 1983.
- (15) Served in the Libyan Expedition from January 20, 1986 to June 27, 1986.
- (16) Served in the Persian Gulf from February 1, 1987 to July 23, 1987.
- (17) Served in the Persian Gulf - Operation Earnest Will from July 24, 1987 to August 2, 1990.
- (18) Served in Panama - Operation Just Cause from December 20, 1989 to January 31, 1990.
- (19) Served in Somalia - Operation Restore Hope from December 5, 1992 to a date indeterminate.
- (20) Served in Southwest Asia during Operation Desert Shield/Operation Desert Storm from August 2, 1990 to February 28, 1991.
- xxii) Served in support units in Israel, Egypt, Turkey, Syria, and Jordan from January 17, 1991 to a date to be determined.
- xxiii) Served in Bosnia-Herzegovina, Yugoslavia, Croatia, or Hungary from December 1995 to a date to be determined.
- xxiv) Operation Desert Shield, aka Defense of Saudi Arabia, August 2, 1990-January 16, 1991.
- xxv) Operation Desert Storm, aka Defense and Liberation of Kuwait, January 17, 1991-April 11, 1991.
- xxvi) Cease Fire Campaign, August 12, 1991-November 30, 1995.
 - (aa) Operation Provide Comfort, June 1, 1992-November 30, 1995.
 - (bb) Operation Iraqi Freedom, March 19, 2003 - December 15, 2011.
 - (cc) Operation Enduring Freedom Afghanistan Campaign, October 7, 2001 – August 30, 2021.
 - (dd) Global War on Terrorism, September 11, 2001 - Present.

Section 3. Membership-at-Large.

- (a) Persons otherwise eligible for Active Membership may be elected to Active Membership-at-Large and persons otherwise eligible for Associate Membership may be elected to Associate Membership-at-Large upon submission of an application for admission, in writing, on a form furnished by National Headquarters, with certification by the NED of compliance with Membership regulations and with the approval of the NC.
- (b) For the purpose of determining the Membership numbers of a Department, National Convention delegates, the NEC, and the National Policy Committee, all Members-at-Large shall be credited to the Departments wherein they maintain their mailing addresses. Any qualified person within a Department shall be calculated as a Department Member.

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

- a) During the time of any war, campaign or conflict in which the United States of America was an active participant, the person 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 for Associate Membership; or
- b) 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 By-laws, provided however, that no person discharged or released under conditions other than honorable from any such service, shall be eligible for Associate Membership.

Section 5. In-Service Members. Any Member of the JWV who is honorably serving in the Uniformed Services 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 paying the per capita tax to National Headquarters, Departments, District or County Council for such Members, while on Active Duty and for two (2) years after release from Active Duty.

Section 6. Applications.

- (a) Every application for admission to Membership shall be submitted on forms furnished by National Headquarters. No application shall be approved unless it bears the endorsement by an Active Member in good standing who personally examined the applicant's

qualifications for Membership. The application shall be submitted to National Headquarters to be part of the JWV archives and records.

- (b) Each Post shall be the judge of its own Membership, not inconsistent with the provisions contained within this National Constitution and By-laws.
- (c) If an is barred or rejected for membership, the applicant's application fee shall be returned to the applicant. If barred or rejected for membership a second time, the applicant 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.
- (d) Upon application, the applicant shall swear or affirm to support the Constitution of the United States of America and the National Constitution and By-laws of the JWV. The applicant shall receive a Membership button from the Post upon approval of the application.
- (e) A prospective Member, whether In-Service or not, who has properly executed a Membership application, 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 an Active Member.
- (f) Any Member of a defunct Post may, upon application, receive a transfer to any other accepting Post, or become a Member-at-Large.

Section 7. Voluntary Transfer. Any Member in good standing, against whom no charges exist, must, upon the Member's written application, be given a transfer effective upon acceptance to Membership in another Post. Upon presentation of the transfer, the transferor shall be accepted as a Member of the new Post upon acceptance by the Post. Dues up to the time of the acceptance of the transfer shall belong to the Post granting the same. No Member may make a voluntary transfer more than once in any Membership year. Upon transfer, the new Post shall promptly notify the National Director of Membership and the Post to which the Member previously belonged.

Section 8. Patrons. Any supporter of the JWV who upholds, reflects, and pursues the values of JWV may become a Patron. While Patrons are not Members of JWV, they are welcome to engage with their local Post to support JWV programs. Each Post shall be the initial judge of acceptance of its Patrons, subject to limitations under the JWV Constitution and the United States Internal Revenue Code.

Section 9. Membership in more than one post. Members may maintain Membership in more than one Post. Such Members shall designate one of the Posts as their primary Post and shall only be permitted to vote, hold office, serve as a delegate, and be included in the determination of Post strength in the primary Post.

Section 10. Honorary Members.

- (a) An Honorary Member may be elected only by the National Convention, after a favorable recommendation by the NEC. Prior to the consideration by the NEC, the proposed granting of such Honorary Membership shall be referred to a Committee appointed by the NEC, which shall investigate the proposal, report and recommend action to be taken thereon, at the next meeting of the NEC. The proposal for such election shall come before the National Convention for consideration and vote.
- (b) 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 NC or the NEC, pending final action by the Convention. However, suspension shall not preclude an Honorary Member from resigning and the National Convention, or the NEC may then act upon such resignation.
- (c) Honorary Members may be appointed to such committees or may be called upon for such services as the NC may designate.

ARTICLE II

Fiscal Year, Per Capita Tax, Dues and Indebtedness

Section 1. The fiscal year of the JWV shall be July 1 to June 30. Notwithstanding the above, the NEC may change the fiscal year to the calendar year at a future time.

Section 2. Per Capita Tax.

- (a) There is hereby assessed upon each Member in good standing a per capita tax to be paid solely to the National JWV in an amount to be determined by the NEC, payable from the annual dues received by the JWV. The applicable Echelon shall, upon receipt of dues from a Member, forward those dues to the National Headquarters. There shall be no per capita tax assessed upon Life Members, In- Service Members and Honorary Members.
- (b) Each Department shall separately receive a per capita tax of one dollar and fifty cents (\$1.50) and may assess each 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, after written notice of at least thirty (30) days to all 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).
- (c) Each District or County Council within a Department shall separately receive a per capita tax of twenty-five cents (\$0.25) and may assess each 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) per capita tax; 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).

- (d) No per capita tax or dues shall be paid for any Member who has been released from Active Duty with the Uniformed Services of the United States of America, within (2) years of such release. The provisions of this Section shall apply to all Members of the Uniformed Services eligible for Membership.

Section 3. Dues.

- (a) The JWV dues year shall be the calendar year. 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, the Post Quartermaster is authorized to collect the annual dues from such new or delinquent Member and to transmit all such dues and any 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 JWV and all Echelons.
- (b) Notwithstanding the provisions of Section 2(a), the NEC may establish multiyear, part year and discount programs from time to time.
- (c) Each Post shall fix the dues to be charged to its Members. New Members associating themselves with the JWV after July 1st shall pay a full year's dues, applicable to the following calendar year. All such dues must be paid in advance. Completed Membership applications for eligible veterans are to be forwarded to National Headquarters upon receipt.
- (d) A Member may be suspended from Membership if the Member's 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 4. Indebtedness.

- (a) 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.

- (b) 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 payment of such deficiencies.
- (c) 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 satisfaction of any amount due to said Department, and transmit said amount withheld to the Department due said indebtedness.
- (d) National Headquarters, upon notification by a District a 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 satisfaction 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 5. Financial Report: All Echelons of the JWV 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 JWV. All rights shall be promptly restored upon the filing of the report.

Section 6. Rules And Regulations for The National Finance Board. In order for National Headquarters to properly implement National programs, lobby for veterans' issues, actively publicize views of the JWV 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 Members.

Submitting an Annual Financial Report:

Every JWV unit and all Subsidiary Organizations shall file with the National Finance Board an Annual Financial Report for fundraising projects. The report shall contain information concerning all fund-raising activities conducted in the name of any unit of the JWV or any entity associated in any way with a JWV unit or any Subsidiary Organization. Annual Financial Reports and instructions shall be sent from National Headquarters.

All Reports for fundraising and reports of donations made to outside organizations by any Subsidiary Organization shall be sent 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 May 1st.

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

Government Regulations:

All Echelons are required to submit to the Federal Government the appropriate IRS Form 990 (for example, Form 990-N or Form 990-EZ) and submit a copy of that form to National Headquarters with the annual financial statement. The forms may be audited by the IRS. JWV is required by law to notify the IRS annually of the names and addresses of each of its units.

Echelons involved in fundraising that requires reports to be sent to governmental authorities, e.g., Bingo Commission reports, must forward a copy of those reports to National Headquarters at the same time that the originals are submitted to the appropriate authority.

All Posts, Departments, Districts, County Councils, must have a Federal ID (FID) number.

Procedures of The JWV National Finance Board:

In order to preserve the fiscal integrity of the JWV and to provide proper planning and continuity of the JWV programs and operating budget, the following procedures are established:

1. All monies raised through the National Finance Board are to be used exclusively for JWV and its operations and such other vital projects as may be approved by the NEC.
2. Contributions by JWV National Echelons not used for the benefit of nationally recognized Veterans Service Organizations or Departments of Veterans’ Affairs will require payment of matching funds to National. Exceptions to the matching funds requirement may be approved in writing by the NC.
3. In order for an Echelon to maintain its Voting and Membership privileges, a report must be filed with JWV National.

ARTICLE III

National Executive Committee (NEC)

Section 1. The NEC shall meet within the seven (7) day period preceding the scheduled opening date of the National Convention. In addition, thereto, the NEC shall hold a minimum of one more meeting each year. A special meeting may be called upon written (virtual or hard copy) request by twenty-five (25) Voting Members of the NEC, or its Chair or the NC. All NEC meetings may be held in person, virtually or by a combination of both methods.

Section 2. Between meetings of the NEC, the executive power of the JWV shall be vested in the NC.

Section 3. Fifteen (15) voting Members from at least three (3) different Departments shall constitute a quorum for meetings or actions of the NEC.

Section 4. Each Department Convention shall elect an NEC Member as authorized by Article VII of the National Constitution. Each Department shall be entitled to one (1) elected NEC Member if said Department has a Membership in excess of one hundred and fifty (150) Members. Such elected NEC Member shall serve until the adjournment of the next succeeding annual Department Convention. In the event of a vacancy in such office, it shall be filled at 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 an elected NEC Member. For the purpose of this section, service during any portion of an annual term shall constitute service for an annual term. Each Department shall be entitled to elect an additional NEC representative for every two hundred (200) Members above the initial one hundred fifty (150) Members for a maximum of six (6) NEC Members.

Section 5. The NEC may constitute itself as a tribunal of the JWV to air, determine, and adjudicate disputes arising between the various Echelons of the JWV.

Section 6. The NEC shall have full power to authorize the sale by, or purchase of, for the JWV, or any of its Echelons, real property deemed necessary and/or incidental for the corporate purposes of the JWV or any of its Echelons, to direct the execution by the NC, on behalf of the JWV, of any deed or document pursuant to such authority, and affix to any such deed or document the seal of the JWV 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 (NJA) for execution by the NC, or from accepting or conveying any title to real or personal property.

Section 7. The National Headquarters of the JWV shall be located at 1811, R Street, N.W., Washington, D.C., 20009-1659.

Section 8. No Echelon shall be permitted to buy, sell or donate other than to or for, the JWV or to, or for the JWV 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 NC and NJA.

ARTICLE IV

Committees, Boards, Commissions and Echelons

Section 1. National Board of Inquiry.

(a) The Board of Inquiry shall consist of six (6) Members in good standing, each of whom shall be a Member of a different Departments, and a Chairman appointed by the NC. The Chair shall only have a vote in the event of a tie. The Committee Members shall serve a term of three years. At the meeting of the NEC preceding the National Convention and following the election of the Officers of the NEC, two (2) Committee Members shall be elected from the

Voting Membership. In the event of a vacancy, the vacancy shall be filled by a Member in good standing by election at the next NEC meeting for the remainder of the term.

- (b) In accordance with any disciplinary provisions of these By-laws, the Board of Inquiry shall consider all charges and specifications against any Echelon, Member or Subsidiary Organization. The report of the Board of Inquiry shall be sent to the National Adjutant, who shall forward the same to the President of the National Court, if the report concludes that probable cause for action exists. If not, the report shall be filed with the National Adjutant and the conclusion may be appealed by the charging party to the President of the National Court.

Section 2. National Budget Committee.

- (a) The National Budget Committee shall consist of six (6) Members in good standing, each of whom shall be a Member of a different Department, and a Chair, all appointed by the NC. The Chair shall only have a vote in the event of a tie. The Committee Members shall serve a term of one year contemporaneous with the term of the NC. The NED and the Chair of the National Personnel Committee shall be ex-officio Members of the National Budget Committee without a vote.
- (b) The National Budget Committee shall meet at the same time and place as the NEC, and at such other times as a majority of the request or as the Chair shall determine.
- (c) The National Budget Committee shall prepare an annual budget and present it for approval to the NEC.

Section 3. National Convention Committee.

- (a) The National Convention Committee shall consist of six (6) Members in good standing, each of whom shall be a Member of a different Department, a representative from the host Department and a Chair, all appointed by the NC. The Chair shall only have a vote in the event of a tie. The Committee Members shall serve a term of one year contemporaneous with the term of the NC.
- (b) In addition to the regularly appointed Committee, the NC, after the next Convention site has been selected by the NEC, shall appoint an additional Member, from the Department in which the next Convention is to be held, to serve until the conclusion of that Convention only.
- (c) The NED, the Chair of the NEC, the National Budget Committee Chair and the National Personnel Committee Chair or their designees, shall be ex-officio Members of the National Convention Committee, without a vote.
- (d) The National Convention Committee shall, subject to the approval of the NEC, recommend the time and place of the National Convention; the rates and fees to be charged at the National Convention; and the registration fee for Delegates.

The National Convention Committee shall, subject to the approval of the NEC, recommend arrangements and programs for the National Convention. The National Convention Committee may establish subcommittees to carry out its work as it determines to be appropriate.

Section 4. National Advisory Council.

- (a) The National Advisory Council (NAC) shall consist of Members in good standing elected by their Departments or otherwise appointed as prescribed in Section 4(c), the NC and the NVC. The NAC shall select a Chair from its membership. The Chair shall only have a vote in the event of a tie. The NAC Members shall serve a term of one year commencing at the start of the next National Convention and ending at the start of the following National Convention. The Chair will serve a term of three years.
- (b) The NAC shall provide guidance to the JWV, when the NEC and the National Convention are not in session. Only PNCs, PDCs and current DCs are eligible to be elected to the NAC.
- (c) Each Department with two hundred fifty (250) or more Members, as determined by JWV National as of May 15 of each year, shall be entitled elect one Member of the NAC for every two hundred fifty (250) Members in the Department. In addition, there shall be two (2) representatives at-large from the smaller Departments; appointed by the NAC Chair. At-large representatives shall be rotated every year.

Section 5. National Court.

- (a) The National Court shall consist of six (6) Members in good standing, each of whom shall be a Member of a different Departments, and a President appointed by the NC. The President shall only have a vote in the event of a tie. The Court Members shall serve a term of three years. At the meeting of the NEC preceding the National Convention and following the election of the Officers of the NEC, two (2) Court Members shall be elected from the Voting Membership. Members of the National Court will not be required to continue to be Members of the NEC to serve on the Court. In the event of a vacancy, such vacancy shall be filled by ~~with~~ a Member in good standing, by election; at the next NEC meeting for the remainder of the term.
- (b) The National Court shall consider all charges and specifications against any Echelon of the JWV, a person, a Subsidiary Organization, a Member of a Subsidiary Organization, or as may be presented by the National Board of Inquiry.

Section 6. National Finance Board.

- (a) The National Finance Board shall consist of six (6) Members in good standing each of whom shall be a Member of a different Department and a chair, all appointed by the NC. The Chair shall only have a vote in the event of a tie. The Board Members shall each serve a term of two (2) years. The NC shall appoint three (3) Members to the Board annually. In the event of a vacancy, the vacancy shall be filled by a Member in good standing by appointment of the NC for the remainder of the term. All terms shall commence at the beginning of a

National Convention and end at the beginning of the next National Convention. The NC, the National Budget Chair and the NJA shall serve as ex-officio Members of the Board, without a vote.

- (b) The National Finance Board shall supervise all Echelons to ensure their compliance with the Constitution, By-laws, Rules and Regulations of the JWV as they pertain to financial matters.

Section 7. National Housing Commission.

- (a) The National Housing Commission, ~~which~~ shall consist of six (6) ~~m~~ Members in good standing, no more than two of whom shall be Members of the same Department and a Chair appointed by the NC. The Chair shall only have a vote in the event of a tie. The Commission Members shall each serve a term of two (2) years. The NC ~~each year~~ shall appoint three (3) Members to the Commission annually. The NC, the NED, the National Budget Chair and the NJA shall serve as ex-officio Members of the Commission with a vote. In the event of a vacancy, the vacancy shall be filled by a Member in good standing by appointment of the NC for the remainder of the term. All terms shall commence at the beginning of a National Convention and end at the beginning of the next National Convention.
- (b) 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 NEC. The National Housing Commission shall not financially obligate the JWV beyond financial authorization approved by the NEC, or as may be contained in the National Budget, provided, however, that the National Budget Committee shall not change any allocation to the National Housing Commission during the budget year, without prior approval of the NEC.
- (c) The National Housing Commission is empowered to entertain contracts for the construction, ownership, sponsorship, maintenance, or management of housing, nursing home, extended care facilities, or other like projects permitted by Federal, State or Local law or programs. In this regard, all Echelons and/or Corporations or other entities are, at all times, subject and subordinate to the National JWV. Therefore, copies of proposed and actual certificates of incorporation, By-laws, applications, plans, contracts, revisions, or amendments thereto relating in any way to a project, must be submitted in advance to the National Housing Commission for its review, advice and approval. All proposed projects and the actions of the National Housing Commission are to be reported to the NEC. All contracts proposed to be entered into by the National Housing Commission shall be reviewed by the NJA prior to execution. All contracts shall be executed only by the NC. The Commission is authorized to create Corporations to implement and carry out any projects approved by the NEC subject to approval by the NJA.

Section 8. National Personnel Committee.

- (a) The National Personnel Committee shall consist of six (6) Members in good standing, each of whom shall be a Member of a different Department, and a Chair, all appointed by the NC. The Chair shall only have a vote in the event of a tie. The Committee Members shall serve a term of one year contemporaneous with the term of the NC. The Committee Members shall serve a term contemporaneous with the NC. The NED and the Chair of the National Budget Committee shall be ex-officio Members of the National Personnel Committee without a vote.
- (b) The National Personnel Committee shall meet at the same time and place as the NEC, and at such other times as a majority of the Committee requests, or as the Chair shall determine.
- (c) The NED shall appoint or employ such officers and employees; as the NED may deem necessary, for the proper administration of the affairs of the JWV and shall prescribe their duties and emoluments.
- (d) 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.
- (e) Appointment or employment of officers and employees by the NED shall be subject to the prior approval of the NEC. No NED shall be discharged terminated; except after a hearing before a Board of three (3) Members in good standing; specifically appointed for that purpose by the NC. A majority vote of the Board shall be controlling. The NED 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. Failure of the NED to attend or be represented at such hearing shall in no way prevent the hearing from proceeding and a decision being made.

Section 9. National Policy Committee.

- (a) The National Policy Committee shall consist of Members in good standing elected by their Departments as prescribed in Section 9(d). The NC, the NVC, the NED, the Chair of the NEC, the NJA, the National Editor and the Immediate Past NC shall be ex-officio Members of the NPC without a vote. The NAC shall select a Chair from its membership. The Chair shall only have a vote in the event of a tie.
- (b) The National Policy Committee shall have the responsibility to consider and propose policies to the JWV. All proposals of the National Policy Committee shall be referred to the NEC for approval.
- (c) The National Policy Committee shall meet at the same time and place as the NEC, between regular sessions of the NEC and at such other times as a majority of the Committee request or as the Chair shall determine.
- (d) Only Voting Members of the NEC are eligible to be elected to the National Policy Committee. Each Department with five hundred (500) or more Members as determined by JWV National as of May 15 of each year shall be entitled to elect two (2) Members of the National Policy Committee. Each Department with less than five hundred (500) Members as determined by JWV National as of May 15 of each year shall be entitled to elect one (1)

Member of the National Policy Committee. The Committee Members shall serve a term of one year, or until their successors are chosen. The NJA, the NED, and the National Editor shall be ex-officio Members of the National Policy Committee without a vote. No person shall, during any continuous time period, serve more than three (3) consecutive annual elected or appointed terms as a Member of the National Policy Committee.

Section 10. National Marketing Committee. The National Marketing Committee shall consist of at least six (6) Members and a chair, all appointed by the NC. The Chair shall have a vote only in the event of a tie.

Section 11. National Legal Committee. The National Legal Committee shall consist of eight (8) Members in good standing, each of whom shall be a Member of a different Department, six of whom shall be appointed by the NC and two (2) of whom shall be appointed by the NJA. The NJA shall be the Chair of the National Legal Committee. The Committee Members shall each serve a term of two (2) years. The NC shall appoint three (3) Members to the Committee annually.

- (a) The National Legal Committee shall periodically review all claims, lawsuits and other legal matters concerning JWV and its Subsidiary Organizations.
- (b) The National Legal Committee shall review the Constitution, By-laws and other documents governing the JWV to determine whether it is appropriate to modify them and make recommendations to the NEC and the National Convention concerning them.

Section 12. Echelons. The Echelons of the JWV shall consist of its Posts, County Councils, Districts and Departments.

Section 13. Committee, Board and Commission Meetings. All Committee, Board and Commission meetings may be held in person, virtually or by a combination of both methods.

Section 14. All Committee, Board and Commission Members are eligible to succeed themselves when their terms end except as otherwise provided in the Constitution or these By-laws.

**ARTICLE V
National Convention**

Section 1. The election of the National Commander (NC) and National Vice Commander (NVC) shall take place at the National Convention.

Section 2. To be a candidate for NC or NVC, one must be a Member of the JWV in good standing for the current year and for the previous three (3) years prior to the National Convention, wherein the candidate’s name is submitted.

Section 3. To be presented as a candidate for NC or NVC at the National Convention, the proposed candidate must be endorsed by at least three (3) Posts from each of three (3) different Departments and notice thereof given to the National Headquarters at least sixty (60) days prior to the National

Convention.

Section 4. Any Member considering a candidacy for NC or NVC must provide their DD 214 or equivalent to National Headquarters no later than sixty (60) days prior to the National Convention.

Section 5. The NC and NVC shall serve a term commencing with the adjournment of the National Convention and ending with the adjournment of the next National Convention.

Section 6. When a vacancy occurs in the office of NC, it shall be filled by the NVC until an election will be held at the next NEC meeting or within sixty (60) days, whichever occurs first. No person elected at a National Convention shall be eligible for a second, consecutive term.

Section 7. The National Convention, upon the recommendation of the NEC, may award to any person, for special service on behalf of the JWV, 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 NEC must declare the exceptional services to the JWV and/or the nation which, in its judgment, warrant such award.

Section 8. At the National Convention, and in elections in every Echelon of the JWV, a majority vote of the Members eligible to vote shall be necessary in any matter properly presented for vote or for election to any office. If there is no one elected on the first ballot, the name of the Member receiving the least number of votes shall be dropped and a new ballot taken in successive ballots until someone is elected.

Section 9. Every /Delegate to the National Convention or any Member attending any Convention or meeting of any Echelon who is eligible to vote at such Convention or meeting, shall exercise the right of franchise, freely and voluntarily, as the Member’s conscience shall dictate, without being bound by any mandate or Echelon or unit rule.

Section 10. Notice and Attendance. All National Convention meetings may be held in person, virtually or by a combination of both methods.

ARTICLE VI
National Officers

Section 1. The NC shall, as soon after the NC’s election as practicable, appoint the following National Officers: NJA, National Quartermaster, National Inspector, and National Adjutant (who shall also serve as the Secretary of the NEC), all of whom shall have a voice and a vote on the NEC.

Section 2. The NC may appoint such other National Officers as the NC deems necessary and assign to them their duties and titles. The NC may appoint such Committees as the NC deems necessary and may assign such Committees their respective responsibilities.

Section 3. Except as otherwise provided in the National Constitution or By-laws, Officers and Committee Members appointed by the NC shall serve for a term contemporaneous with that of the NC appointing them. The NC may remove at the NC’s discretion any Officer or Committee Member. . The NC shall have the right to make appointments to fill any vacancy that may exist in any appointed Office or Committee , except as otherwise may be provided in the By-laws.

Section 4. The NC shall enforce the National Constitution and By-laws of the JWV and the orders of the National Convention and NEC and must approve all contracts, except those specified in Section 6 of these By-laws, all of which have been reviewed and recommended for approval by the NJA.

The NC may issue such orders as may be necessary in emergency and extreme circumstances.

Section 5. The NC shall consider the requests of any Echelon or any Member which or who becomes involved in a lawsuit while allegedly carrying out the activities or programs of the JWV . JWV’s insurance company shall be notified when a claim is made. In the event the NC determines that the petitioning Echelon or Member is entitled to have the action pursued or to be defended by the JWV , the NC shall have full authority to recommend the same, and the NJA shall be responsible for supervising the same. In the event of a lawsuit against the National JWV, the NC and/or the NJA, shall take immediate steps to provide for the defense of said suit.

Section 6. National Executive Director. The affairs of the JWV shall be administered by the NED. The NED shall be employed by the JWV with the consent of the NEC and shall be directly responsible to the NC and National Personnel Committee Chair for the proper execution of the NED’s duties and responsibilities. The NED shall assist the NC in carrying out the mandates of the National Convention and the NEC and shall coordinate the activities of all paid personnel in the discharge of their duties.

For such purposes the NED is, consistent with National Budget funding availability, empowered to employ and discharge personnel subject to the provisions of the National Constitution and By-laws and Personnel codes or agreements. The NED shall manage the operation of the Veterans Service Officers (VSO) Program. The NED shall coordinate activities of the JWV with other civic, veteran, and patriotic organizations. The NED 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 NEC may vest in or delegate to the NED any further powers necessary to carry out the aforementioned responsibilities, or such other duties as may be assigned to him or her by the NEC. The NED shall make a written report at each NEC meeting, at each annual Convention, and at such other times as in the NED’s judgment shall be deemed appropriate, or as the National Personnel Chair may require. The NED shall have the authority to sign on behalf of the JWV all contracts and or agreements that have a dollar amount of \$25,000 or less, subject to the review and recommendation by the NJA. The NED shall have the authority to sign on behalf of the JWV the specific contract for a National Convention and the NEC Meeting, with approval by the NC and the National Convention Chair, and with the

review and recommendation of the NJA. This contract may have a dollar amount up to but not exceeding \$50,000.

Section 7. No person employed or in a voluntary status on the administrative staff of the JWV, shall be deemed an Officer of the JWV by reason of such employment or voluntary status.

Section 8. National Judge Advocate. The NJA shall advise the National Officers and the NEC on all legal matters, including the construction and interpretation of the National Constitution and By-laws: and all applicable contracts; and shall perform such other duties as are usually incident to the office. The NJA shall be a licensed attorney, admitted to the practice of law, and in good standing. The NJA shall not render opinions to individual Members or Echelons except by and through NEC. Opinions rendered by Judge Advocates of lower Echelons shall be subject to review by the NJA, upon presentation by a Member of the NEC, but only after review and attempted resolution by the Judge Advocates of all lower Echelons. It shall be the duty of the NJA to approve and certify the Constitution and By-laws or any amendments thereto of all Echelons and of any Subsidiary Organization. The decision of the NJA on questions concerning construction and interpretation of the National Constitution and By-laws shall be final, provided, however, that the NJA’s decision may be overruled by the National Convention, or by a majority vote of the Members of the NEC present and voting at any regular or special meeting.

**ARTICLE VII
Departments**

Section 1. Whenever no less than three or more Posts of the JWV 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 one-hundred and fifty (150) 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 prospective Members therein it. When so approved the application may be made in writing by the Commanders of the Posts approving the same and shall be forwarded to the NEC. Upon approval by NEC, a charter shall be issued.

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

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 contiguous 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.

Section 4(c). Each Department shall hold a Convention which may be held in person, virtually, or by a combination of both methods.

Section 5. Any Member of a Department in good standing has a right to vote at the Department Convention .

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 By-laws.

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 By-laws, or the Constitution and By-laws of the Department.

Membership in the Council of Administration or Executive Committee shall be as determined

by the Department Constitution and By-laws, not inconsistent with the National Constitution and By-laws. The Council of Administration or Executive Committee shall meet at least once every three (3) months.\

Section 9. Duties of Department Commander.

(a) It shall be the duty of the Department Commander to preside over all meetings of the Department Convention, 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; and such other Officers as may be determined by the Department Constitution and By-laws.

(b) 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 the Department Commander's discretion. The Department Commander shall be the Trustee of all property of the Department. The Department Commander shall take charge of the installation of the Posts and their Officers and may appoint deputies to act for the Department Commander. 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, the Senior Vice Commander will automatically succeed to the office.

Any other vacancies occurring in elective Department offices shall be filled as provided by the Department Constitution and By-laws, 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 By-laws governing its conduct and Posts within its jurisdiction, provided that such Constitution and By-laws are consistent with the National Constitution and By-laws. Each Department shall take necessary steps to abate any inconsistency with the National Constitution and By-laws, subject to review on appeal to the NJA. All Constitutions and By-laws, and any amendments thereto, shall not become effective until certified by the NJA.

Section 12. Whenever less than three (3) Posts remain in existence in any Department, the NEC may revoke the charter of such Department, and such Department charter, records, and property shall at once become property of the JWV Building Fund for the benefit of JWV National, and turned over to the JWV NC or such other officer as the NC designates. Without the consent of the NEC, no state may withdraw from a multi-state Department if it would result in there being less than three (3) states in the Department.

Section 13. Department Meetings. All Department meetings may be held in person, virtually or by a combination of both methods.

Section 14. Bronze Medal of Merit. The Department Convention, upon recommendation of the Department Council of Administration or Executive Committee, and with the approval of the NEC, may award any person, for special service on behalf of the JWV, 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 JWV and/or to the nation which in its judgement, warrants such award.

ARTICLE VIII

District or County Councils

Section 1. Whenever three (3) or more Posts of the JWV 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 Department JWV.

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 approved, the application must be made in writing by the Commanders of the Posts approving the same and shall be forwarded to the Department Council of Administration or Executive Committee. Upon approval by the Department Council of Administration and/or Executive Committee and the NEC, 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 to 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 and ranked in the following order:

- 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 and District or County Council Constitutions and By-laws. The Officers elected at such Convention shall be installed prior to its adjournment.

The rules of order for the National Convention shall govern the procedure of the District or County Council Convention.

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

- a) National Commander and National Vice Commander;
- b) Department Commander;
- c) Members of Posts located in the District or Council;
- d) The following District or County Council Officers:
 - Commander;
 - Vice-Commanders;
 - Judge Advocate;
 - Chief Aide;
 - Chief of Staff;
 - Adjutant;
 - Quartermaster;
 - Chaplain;
 - Patriotic Instructor;
 - Inspector;
 - Historian;

- Service Officer;
- Surgeon;
- Sergeant-at-Arms or Officer of the Day;
- and such Officers that may be determined by the Department and District and County Council Constitution and By-laws.

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.

Section 6. 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 By-laws, Department Constitution and By-laws, or the Constitution and By-laws 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 By-laws. The District or County Council of Administration or Executive Committee shall meet at least once every three (3) months.

Section 7. 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;
- g) Historian;
- h) Inspector;
- i) Patriotic Instructor;
- j) Sergeant-at-Arms or Officer of the Day;
- k) Surgeon.

Section 8. 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 By-laws, or in the absence of such provisions, by an election held by the District or County Council of Administration or Executive Committee, to be convened not less than thirty (30) days nor more than sixty (60) days after such vacancy occurs. Notice of not less than ten (10) days shall be given for such an 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 By-laws, or in the absence of such provisions, by an election held by the District or County Council of Administration or Executive Committee or at a meeting specially called for that purpose.

Section 9. Each District or County Council shall adopt a Constitution and By-laws governing its conduct and conduct of Posts within its jurisdiction, provided that such Constitution and By-laws are not inconsistent with the National Constitution and By-laws and Department Constitution and By-laws, 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 By-laws subject to review on appeal to the NEC. All Constitution and By-laws, or any amendments thereto, shall not become effective until certified by the NJA.

Section 10. Whenever less than three (3) Posts remain in existence in any District or County Council, the Department Council of Administration or Executive Committee may recommend revocation to the NEC of the charter of such District or County Council. Upon approval of the revocation of the charter by the NEC, the property of the District or County Council, together with its records, shall at once become the property of the respective Department. Without the consent of the NEC, no County may withdraw from a multi-County District if it would result in there being less than three (3) Counties remaining in the District.

Section 11. District and County Council Meetings. All District and County Council meetings may be held in person, virtually or by a combination of both methods.

**ARTICLE IX
Posts**

Section 1. Upon the issuance of a charter to a Post, the NC shall cause said Post to be installed within ninety (90) days in accordance with the regulations of the JWV .

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 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 the Post Commander has been installed, the National Constitution and By-laws, Manual of Ceremonies, and such other property as have been duly provided. The Installing Officer 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 a special meeting of each Post called for that purpose, notice of which shall be given to all Members in good

standing at least twenty-one (21) days prior to the special meeting. If two-thirds (2/3) of the Members participating (virtually, in-person or telephonically) and voting at such meetings shall vote in the affirmative, the Commanders of the Posts shall certify that fact to the Department Commander for the Department's approval. Upon approval by the Department, and then by the NEC, the consolidation shall become effective.

A new charter shall be issued to the consolidated Post. The consolidated Post shall elect new 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;
- l) and such other Officers as may be determined by the Department, District, County Council, and Post Constitution and By-laws.

Section 6. Elections.

(a) The following Officers shall be elected by a majority vote of the Members in good standing:

- 1) Commander;
- 2) Senior Vice-Commander;
- 3) Junior Vice-Commander (one or more);
- 4) Judge Advocate;
- 5) and such other Officers as may be determined by the Post Constitution and By-laws.

(b) Notice of such election shall be given to all Members in good standing, at least twenty-one (21) 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 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 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 NC). An installation ceremony shall be conducted by a Past Post Commander or a past or present Officer of a higher Echelon.

(c) If a Post fails to hold an election of Officers between January 1st and April 30th in any year, the NC 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 NC shall declare the offices of the Post vacant, and the Department Commander, and where there is no Department, the NC shall thereupon proceed to hold such election without delay and/or appoint an acting Commander.

(d) **Posts in Good Standing.** A Post shall be considered “In Good Standing” for the purposes of voting at any and all meetings of the JWV only if the Post has submitted all the following documents at least 8 days prior to such meeting, with copies going to their respective department and to JWV National Headquarters:

- (1) Proof of liability insurance, due at JWV headquarters by November 15;
- (2) Fidelity Bond, due at JWV headquarters by November 15;
- (3) Finance Board Report;
- (4) 990 IRS Receipt; and
- (5) JWV Warrant for the current year.

Section 7. All Officers shall be elected for a term of one (1) year or until a successor has been duly installed, whichever is later. All candidates shall be Members in good standing of the Post for a period of six (6) months preceding their nomination or election. The six-month requirement 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.

Section 8. The Post Commander shall appoint the remaining Post Officers as soon as possible after the Post Commander’s installation. They shall 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 appointed Post Officer at the Post Commander’s discretion.

Section 9. A majority vote shall be necessary for the election to any office in a Post. If no majority vote is achieved on the first ballot, the name of the candidate receiving the least number of votes shall be dropped and a new ballot taken in successive ballots until a majority is reached.

Section 10. In the event of a vacancy in the office of Post Commander, the Post Senior Vice-Commander shall at once succeed to the title and duties of Post Commander. All other

vacancies shall be filled by election, provided due notice has been given to every Member in good standing of the contemplated election. Posts may provide in their By-laws for the removal of elected Officers.

Section 11. Meetings.

(a) Each Post shall hold at least four (4) meetings a year. Special meetings may be convened by order of the Post Commander at any time. Upon petition of seven (7) Members in good standing, the Post Commander or the Post Adjutant shall call a special meeting.

(b) The regular order of business shall be followed at all meetings. At a special meeting, only the topic it was convened for shall be discussed and acted upon.

(c) Not less than six (6) Members in good standing shall constitute a quorum at any meeting of the Post.

(d) 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 Department and NEC.

Section 12. Each Post must adopt a constitution and/or By-laws governing the conduct of the Post, provided that such Constitution and/or By-laws are in concert with the National and Department Constitution and By-laws. All Constitution and/or By-laws, or any amendments thereto, shall not become effective until certified by the NJA.

Section 13. Post Meetings. All Post meetings can be held in person, virtually or combination of both methods.

**ARTICLE X
Surrender of Charter**

In the event of surrender of a charter by any Echelon or such charter being declared no longer valid by the NEC, all property or interest owned by or under the direct or indirect control of such Echelon shall be transferred to the National Adjutant for the benefit of the JWV, including without limitation, any building or the proceeds from the sale thereof, or other assets under the control of such Echelon, whether they be real, personal, intangible or mixed property, including all funds and Special or Designated Fund Accounts on deposit in banks or in the possession of any individual for the benefit of such Echelon. Failure on the part of any individual or Echelon to honor a request for the surrender of such property shall be deemed to be an offense under Article XII, Discipline.

**ARTICLE XI
Subsidiary Organizations**

(a) All Subsidiary Organizations and all Members, units, or Echelons of the JWV, and of all

Auxiliary Organizations, shall, at all times, be under the general supervision and control of the JWV and subject to this National Constitution and By-laws, the Manual of Ceremonies, and all Rules, Regulations and Policies of the JWV.

(b) There shall be associated with, but subordinate to and under the general supervision and control of the JWV the following Subsidiary Organizations:

- 1) An 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 NEC;

(c) Except as they may presently exist, any charters for Auxiliary Organizations or any of their units or Echelons, shall be separately issued by the NEC to the Subsidiary Organization. However, none of its units or Echelons may be deemed to exist or to be affiliated with the JWV unless and until a valid charter by JWV is issued to such Auxiliary Organization, unit or Echelon. A Subsidiary Organization and its units and Echelons may issue their own membership cards. In addition to any other procedure for revocation of a charter issued to an Auxiliary Organization and its units and Echelons, such a charter may be revoked by a two-thirds (2/3) vote of the NEC.

ARTICLE XII Discipline

Section 1. Offenses by Members.

(a) The actions of Members or Members of any Subsidiary Organization that are subject to discipline are:

- 1) Disloyalty to the United States of America;
- 2) Violation of the oath of obligation;
- 3) Making a false statement on an application for Membership;
- 4) The conviction for an offense constituting a felony;
- 5) Violation of any material provision of the Constitution and By-laws of the National JWV or any Echelon;
- 6) Violation or disobedience of any lawful orders issued by proper authority of the JWV;
- 7) Disorderly conduct at any meeting or function of the JWV;
- 8) Conduct prejudicial to good order and discipline;
- 9) Misappropriation or misapplication of funds belonging to the JWV or any of its Echelons;
- 10) Failure to make prompt and proper accounting and returns of any property or funds belonging to the JWV or any of its Echelons; and
- 11) The promotion of partisan politics by any act while at a meeting of any Echelon of

the JWV , or in any other manner using the JWV for partisan political purposes.

(b) Penalties.

The disciplinary actions which may be taken against any Members or Members of Subsidiary Organizations are:

- 1) Expulsion or suspension from the JWV or any Subsidiary Organizations;
- 2) Removal or suspension from elected or appointed office;
- 3) Disqualification from holding office for a specified period;
- 4) Fine;
- 5) Reprimand;
- 6) Deletion from the rolls of the JWV; and/or
- 7) Forfeiture of any or all ranks held in the JWV or any Subsidiary Organizations.

(c) While any charges against a Member or Member of a Subsidiary Organization are pending, no Member or Member of a Subsidiary Organization shall be suspended, except when the NC and NJA determine that an emergency exists.

Section 2. Offenses by Echelons and Subsidiary Organizations.

(a) The actions of Echelons and Subsidiary Organizations that are subject to discipline are:

- 1) Disloyalty to the United States of America;
- 2) Violation of any material provision of the National Constitution and By-laws or other body superior to the Echelon being charged;
- 3) Conduct prejudicial to good order and discipline;
- 4) Violation or disobedience of any lawful orders issued by the NC or other proper authority of the JWV;
- 5) Misappropriation or misapplication of funds or property belonging to the JWV or any of its Echelons;
- 6) Failure to make prompt and proper accounting and returns of any property or funds belonging to JWV or any of its Echelons; and
- 7) The promotion of partisan politics by any act while at a meeting of any Echelon of the JWV , or in any other manner using the JWV for partisan political purposes.

(b) Penalties.

The disciplinary actions which may be taken against any Echelon or Subsidiary Organization are:

- 1) Revocation of its charter;
- 2) Cancellation of its charter;

- 3) Suspension of its charter;
- 4) Fine; and/or
- 5) Reprimand.

(c) While any charges against an Echelon or Subsidiary Organization are pending, no Echelon or Subsidiary Organizations shall be suspended except when the NC and NJA determine that an emergency exists.

Section 3. Procedures.

(a) Charges may be filed by National, any Echelon, any Subsidiary Organization or any Member in good standing.

(b) All accusations shall be made in the form of written charges and specifications, shall be submitted to the National Board of Inquiry and, if prosecution is recommended, be tried by the National Court.

(c) All charges and specifications which are submitted to the National Adjutant shall promptly be forwarded to the National Board of Inquiry and, if applicable, to an Echelon or a Subsidiary Organization or a Member thereof and then to the NED and Secretary or Adjutant of the Subsidiary Organization.

(d) The Chair of the National Board of Inquiry shall determine if the charges and specifications are appropriate for consideration by the National Board of Inquiry. If not, the Chair may refer them back to the proper Echelon or Subsidiary Organization for its consideration and action.

(e) If the charges and specifications are retained for the National Board of Inquiry, it shall be the duty of the Chair to investigate the charges and specifications. The Chair may call meetings of the Board as the Chair deems appropriate.

(f) If the charges and specifications relate to a Member of a Subsidiary Organization, the Chair shall request the Subsidiary Organization to conduct its own investigation and, within fifteen (15) days of such request, the Subsidiary Organization shall report back to the Chair of the National Board of Inquiry.

(g) The Chair shall seek to mediate between the accuser and the accused to resolve the outstanding charges and specifications. If mediation is not successful within thirty (30) days, a report shall be forwarded to the National Adjutant promptly after the conclusion of the investigation with findings and recommended actions to be taken.

(h) If the National Board of Inquiry is convened and there is a finding of probable cause or no probable cause, the decision of the Board shall be sent to the National Adjutant. If there is a finding of probable cause, the National Adjutant shall forward the findings to the President of the National Court to convene a session of the Court. If there is a finding of no probable cause, the charges and specifications shall be dismissed.

(i) 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.

(j) It shall be the duty of the President of the National Court to forward to the accused and to the NED and Secretary or Adjutant of any applicable Subsidiary Organization by registered, express or certified mail, return receipt requested, or other legal process, 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 a person of their own choosing. After due notice of the time and place of the trial, the Court may proceed in all respects as if the accused were present and had pleaded “not guilty.”

(k) All Members of the JWV or of any Subsidiary Organization, when summoned by the National Court or the JWV shall attend as witnesses, in person or virtually.

(l) The testimony of all witnesses shall be taken under oath.

(m) The JWV shall not be liable for, nor required to pay, any costs or expenses of an accused or accuser; nor to provide for, or make available, any transportation or facilities for the accused, counsel, or any witnesses.

(n) If the accused is charged with conviction of an offense constituting a felony under the law of the forum, the record of a conviction by a Court of competent jurisdiction shall be prima facie evidence of the conviction.

(o) Upon receipt at National Headquarters of charges and specifications 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 the JWV , the NC may issue a cease-and-desist order, subject to the approval of the NJA. A copy of such Order shall be sent to the NED or National 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 accused fail to obey said Order within twenty-four (24) hours, the NC shall have the right to issue an order suspending the accused immediately. If such a suspension order is issued, the NC 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 NC, after receipt of the report so determines, the NC may vacate or modify the suspension. However, immediately upon receipt of the report, the suspension shall stand if, in the judgment of the NC, it is proper. The NC shall direct the NJA to prepare charges and specifications to be submitted if they have not yet been filed.

(p) As part of any settlement decision, judgment or sentence, the Court may assess all or part of the costs and expenses incurred by the National JWV or any Court or Committee thereof in an amount as certified to by the NED. If the Court determines that the charges and specifications

against the accused were frivolous, it may assess all or part of the costs and expenses incurred by the accused as appropriate.

Section 4. Charges against the NC. Charges against the NC shall be filed with the NJA and the National Adjutant, whose duty shall be to issue a confidential notice to all Members of the NEC and to call for a special meeting to consider the merits of such charges. No other matter shall be brought before such a meeting. No person who is not a Voting Member of the NEC except the accuser shall be admitted to this meeting unless ordered to appear as a witness. Before a trial may be ordered, two-thirds (2/3) of those Members present must have voted to order such trial. Upon an affirmative vote being had, the charges shall be referred to a special National Court which shall be composed of Voting Members of the NEC. Such court shall consist of seven (7) Members designated by a majority of the Members present at the said special meeting. An affirmative vote of five (5) Members shall be necessary for conviction. The NJA shall be the prosecuting officer.

ARTICLE XIII

Licensing

Section 1. All merchandise including but not limited to badges, colors, emblems, buttons, logos or other regalia or other insignia of the JWV and of all Subsidiary Organizations shall be manufactured, purchased or sold only by the authority of the NEC. No Echelon, Subsidiary Organization, or Member thereof, shall hereafter engage, by contract or otherwise, in the manufacture, purchase or sale of such merchandise unless permission to do so has been obtained from the NEC.

Section 2. Permission for the use of the name “Jewish War Veterans of the United States of America,” “JWV,” “JWVA,” the JWV emblem or any other JWV logo of identification, shall only be granted by the NED upon a showing that the same is in the best interests of the JWV .

Section 3. The Membership and status lists of the JWV, and any of its Echelons and Subsidiary Organizations are proprietary and confidential, and may not be disseminated outside the JWV , without the express written consent of NED and may not be used for any personal or business reason. Failure to comply shall be a disciplinary offense under Article XII of these By-laws.

ARTICLE XIV

Bonding

Section 1. Bonding.

(a) Any person appointed or elected to any office, or any position within any Echelon or Subsidiary Organization , the performance of whose duties shall consist of the collection, 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 the person may be accountable during the person’s term of office. The bond premium shall be paid from funds of the National JWV , Department, District or County Council, Post,

Subsidiary Organization, or affiliate, as the case may be, to which the person 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 JWV. A certificate of the surety company evidencing the issuance of each such bond shall be filed with National Headquarters by the Echelon or Subsidiary Organization 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 NED shall notify the Echelons or Subsidiary Organizations concerned and the National JWV expressly shall not assume any liability as a result of such noncompliance and failure to obtain an appropriate bond.

(b) The National Insurance Committee shall solicit bids for and make available blanket fidelity bonds to cover all persons whose duties and powers involve the collection, disbursement, and authorization of funds. This provision shall apply to the National JWV and its Echelons and Subsidiary Organizations. The bond premium shall be paid by the individual Echelon or Subsidiary Organization to the National JWV. The amount of such premium shall constitute a debt of such Echelon or Subsidiary Organization to the National JWV. Where there are individuals handling funds in excess of the amount of blanket bonds, specific excess coverage shall immediately be obtained by that Echelon or Subsidiary Organization.

(c) JWV shall indemnify the NC, the NVC, the NEC 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 JWV to provide broader indemnification rights than such statute permitted the JWV prior to such amendment. In lieu thereof, the JWV may maintain insurance coverage for such purposes.

Section 2. Indemnification.

(a) The JWV shall, upon resolution of the NEC, indemnify any Member of the NEC, Committee Chair, Committee Member, Member employee or other individual acting within the scope of their duties and in compliance with the policies of the JWV 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 that person's duties and in compliance with the policies of the JWV as a Member of the NEC, Committee Chair, Committee Member, Member, employee or other individual against judgment, fines, penalties, amounts paid in settlements or expenses, including reasonable attorney's fees, actually and reasonably incurred by that person in connection with such action, suit or proceeding, or any appeal therein, to the fullest extent permitted pursuant to applicable statutes, as the same exist or may hereafter be amended, but, in the case of such

amendment, only to the extent that such amendment permits the JWV to provide broader indemnification rights than such statute permitted prior to such amendment.

- (b) In the event that immediate action is required, and the NC finds it in the best interest of the JWV, the NC, subject to the approval of the NJA or the NED, may authorize and expend such funds as may be reasonably required for appropriate defense and action until the next meeting of the NEC.

ARTICLE XV

Official Publication and Manual of Ceremonies

Section 1. The publication known as “The Jewish Veteran” is hereby designated as the official publication of JWV. The expense incurred in publishing “The Jewish Veteran” shall be paid by the National JWV.

Section 2. Notices published in “The Jewish Veteran” or on the official National JWV website shall constitute official notice to all Members as required by the National Constitution and By-laws.

Section 3. The “Manual of Ceremonies,” as adopted by the NEC, contains official regulations, protocols, policies, and ceremonies for the proper conduct of the various Echelons and Members of the JWV. Such Manual shall have the same force and effect as a lawful order and, upon reasonable notice, may be amended at any meeting of the NEC.

ARTICLE XVI

Rules of Incorporation

Section 1. No Echelon or Subsidiary Organization shall incorporate or amend its Articles of Incorporation 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 the Echelon or Subsidiary Organization shall first have:

- a) Made a written application to the JWV for permission to so incorporate or to amend its Articles of Incorporation;
- b) Submitted, at the same time, a copy of the proposed Articles of Incorporation or proposed amendment thereto; and
- c) Obtained approval for the proposed incorporation or amendment from the NJA and by the NEC.

Section 2. The NEC on the recommendation of the NJA may authorize the incorporation of any Echelon or Subsidiary Organization only when it shall be established, that such incorporation is in the best interests of the JWV, provided that:

- a) The proposed Articles of Incorporation shall include a provision that the Corporation shall be subordinate to and under the general supervision and control of the JWV;

- b) The Corporation is to be incorporated in accordance with applicable law.
- c) The Articles of Incorporation shall provide that the Corporation shall be governed by the National Constitution and By-laws and policies of the JWV;
- d) The Articles of Incorporation shall provide that Membership in said Corporation shall consist of all Members of said Echelon or Subsidiary Organization as defined in the National Constitution and By-laws;

The Articles of Incorporation shall provide that said Corporation shall have annual meetings with written notice given to its Members; and

- e) The Articles of Incorporation shall provide that any Agreement to sell real property must be approved by a majority vote of the Members of said Corporation properly participating and voting at a duly convened meeting with separate written notice at least fourteen (14) days prior to the meeting at which the proposal will be considered, and must be approved by the NEC. The notice shall contain:
 - 1) Time and place of meeting;
 - 2) Summary and/or copy of the Sale Agreement, including all financial terms;
 - 3) The name and identity of proposed purchaser; and
 - 4) Any other pertinent provisions.

ARTICLE XVII

Rules of Order

Section 1. The order of business at all JWV installations shall be as provided in the Manual of Ceremonies.

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 participants in the meeting, to be taken without debate.

Section 3. The procedures at any meeting of any Echelon shall be governed by the most recent edition of Robert's Rules of Order unless superseded by a majority vote.

ARTICLE XVIII

Amendments

These By-laws may be amended in either of the following ways:

- a) By the National Convention, by a majority vote of the members participating and voting, provided, however, that notice of a proposed amendment has been given to each Echelon by the National Adjutant in writing or by electronic communication prior to the session of the National Convention at which the amendment is to be considered; or
- b) By a Constitutional Convention. 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. The majority vote

of those participating and voting shall be necessary for the adoption of any amendment.

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