

## **BYLAWS**

**As Amended July 23, 2023**

### **ARTICLE I - MEMBERS**

#### **Sec. 101 - Eligibility.**

An individual is eligible for membership in the corporation only if the individual is serving or has served honorably as a member of the Armed Forces of the United States:

- (1) in a foreign war, insurrection, or expedition, which service has been recognized as campaign medal service and is governed by the authorization of the award of a campaign badge by the Government of the United States; or
- (2) on the Korean peninsula or in its territorial waters for not less than 30 consecutive days, or a total of 60 days, after June 30, 1949; or
- (3) while a member of the Armed Forces serving in an area which entitled the individual to receive special pay for duty subject to hostile fire or imminent danger.

Refer to Section 101 of the Manual of Procedure.

#### **Sec. 102 - Applications-Affiliation of New Members.**

Every application for membership shall comply with the rules and regulations as prescribed in Section 102 of the Manual of Procedure.

Except as otherwise provided herein, with respect to Members-at-Large, each eligible member shall be a member of a Post. Membership in more than one Post at one time is prohibited. Any person who is or becomes a member of more than one Post shall elect to remain in the Post of their choice and surrender membership in any other Post. In the event no election is made, the Commander-in-Chief or designee shall assign the member to a Post.

Any membership application erroneously accepted by a Post shall be a nullity and no person shall obtain any right or privilege of membership by reason of erroneous acceptance of an application or admission to membership.

##### **Members-at-Large.**

###### **A. National Member-at-Large.**

1. An individual who is eligible for membership who chooses not to join a Post and Department may become a "National Member-at-Large", for up to two (2) years.
2. To become a National Member-at-Large, the individual must submit the following to the Adjutant General's office:
  - (a) Completed membership application; and
  - (b) Proof of eligibility; and
  - (c) Payment of annual membership dues.
3. Annual dues required for National Membership-at-Large shall be forty-five dollars \$45.00, unless a different amount is established by the National Council of Administration.
4. Annual dues received by the Quartermaster General under this section shall be distributed as follows:
  - (a) National shall retain fifty percent (50%) of the annual membership dues received; and
  - (b) The Quartermaster General shall deliver the remaining fifty percent (50%) to the appropriate Department, as directed by the National Membership Department.

5. Upon the two (2)-year anniversary of becoming a National Member-at-Large; or, upon upgrading to Life Membership; the Adjutant General shall transfer the Member to the Department in which their home address of record is located.

**B. Department Member-at-Large**

1. An individual who is eligible for membership and chooses not to join a Post but wishes to join a Department (as permitted by these Bylaws), may become a "Department Member-at-Large" on an annual basis.

2. To become a Department Member-at-Large, the individual must submit the following to the State Adjutant for the identified Department:

- (a) Completed membership application; and
- (b) Proof of eligibility; and
- (c) Payment of annual membership dues.

3. Annual dues required for Department Membership-at-Large shall be forty-five dollars \$45.00, \$26.00 of which shall be National Organization dues which shall be transmitted to the Quartermaster General monthly on a consolidated report and \$19.00 of which shall be Department dues, provided the Department Council of Administration may establish some other amount as Department dues.

**Sec. 103 - Election.**

Applicants shall be elected, notified and obligated as prescribed in Section 103 of the Manual of Procedure.

**Sec. 104 - Member Dues.**

National, Department and Posts may establish annual dues in the manner prescribed in these Bylaws. In the event a member surrenders their membership or their membership is terminated in accordance with the National Bylaws, there shall be no refund of annual dues.

**Sec. 105 - Members in Good Standing.**

A member whose current dues are paid through their anniversary date is in good standing and, unless suspended or terminated, is entitled to all membership rights in accordance with the National Bylaws.

A member whose dues are unpaid after their anniversary date ceases to be a member in good standing and loses all rights of membership in the Veterans of Foreign Wars.

**Sec. 106 - Former Members.**

A member whose dues are unpaid ceases to be a member in good standing and loses all rights of membership in the Veterans of Foreign Wars.

A former member may be restored to membership as prescribed in Section 106 of the Manual of Procedure.

**Sec. 107 - Transfers.**

A member may transfer from one Post to another Post as prescribed in Section 107 of the Manual of Procedure.

In the event that a transfer to another Post or Member-at-Large has been effected and it is subsequently determined that the conditions of the Member Declaration have not been satisfied, then the Department Commander, with respect to transfers within the Department, or the Commander-in-Chief, with respect to transfers between Departments, may revoke, suspend or cancel such transfer.

### **Sec. 108 - Challenging Members Eligibility.**

A member's eligibility may be challenged as prescribed in Section 108 of the Manual of Procedure.

The Commander-in-Chief, in the performance of duty, shall enforce the provisions of the National Bylaws regarding eligibility to membership and, on determining a member to be ineligible, shall issue an order removing the member from the membership rolls.

### **Sec. 109 - Right of Appeal.**

Except with respect to those matters for which other provisions for appeal are made in Article IX, the member, Post, District or Department aggrieved by any acts or decisions may appeal the rights afforded by these Bylaws to the next higher authority as prescribed in Section 109 of the Manual of Procedure.

The determination of the Department Commander shall have full force and effect unless and until reversed by competent authority. The member aggrieved by the acts or decisions of a Department Commander, the Department Council of Administration or the Department Convention shall have the right to appeal to the Commander-in-Chief. The decision of the Commander-in-Chief shall have full force and effect unless and until reversed by the National Council of Administration. The member aggrieved by the acts or decisions of the Commander-in-Chief may make a final appeal to the National Council of Administration.

### **Sec. 110 - Rights of Members.**

No member (person listed on the membership rolls of this organization) shall be deprived of membership or suspended from membership, except for nonpayment of dues, and no elected officer may be relieved of office, except for nonpayment of dues or expiration of term of office (unless said office has been declared vacant in accordance with Sections 220, 420, 520 or 620 of these Bylaws), unless the member shall have first been sentenced in accordance with the provisions of Article IX of these Bylaws or removed from the membership rolls as prescribed in Section 108.

### **Sec. 111 - Life Members.**

- (a) **Life Members:** Any person who is a member in good standing of the Veterans of Foreign Wars of the United States may become a life member by payment of the applicable life membership fee to the Post Quartermaster. Any person otherwise eligible for membership, but not previously a member, may become a life member upon election to membership in accordance with Section 103, payment of any admission fee in accordance with Section 104 and submission of a life membership application and payment of the applicable life membership fee to the Post Quartermaster. A former member otherwise eligible for reinstatement to membership may become a life member upon reinstatement to membership in accordance with Section 106, payment of such reinstating fee as may be assessed by the Post and submission of a life membership application and the payment of

the applicable life membership fee to the Post Quartermaster. With respect to Members-at-Large, the application and fee shall be submitted in the manner prescribed in the Manual of Procedure.

- (b) **Life Membership Fees:** Plan E Life Membership fees shall be charged in accordance with the following Plan E fee schedule effective January 1, 2007:

<u>Attained Age</u>	<u>Plan E Life Member Fee</u>
Through 30	\$425
31-40	\$410
41-50	\$375
51-60	\$335
61-70	\$290
71-80	\$225
81 & over	\$170

The applicable fee from the effective life membership fee schedule will be determined using the applicant's attained age as of December 31st of the current calendar year in which the application is submitted, regardless of actual date of birth.

A life member shall not be subject to further membership dues levies or life membership fees of any kind and are entitled to all membership rights, unless suspended or terminated in accordance with the National Bylaws. An individual who is found to be ineligible for membership shall forfeit such life membership and will be entitled to a proportionate refund of life membership fees paid. An individual who is discharged from the organization by reason of disciplinary action *or is eligible but wishes to voluntarily resign their membership* shall forfeit their life membership and will not be entitled to any refund of fees paid.

- (c) **Life Membership Committee:** The Life Membership Committee shall consist of the Commander-in-Chief, the Senior Vice Commander-in-Chief, the Junior Vice Commander-in-Chief, the Adjutant General and the Quartermaster General. Such committee shall also be known as the Board of Trustees of the Life Membership Fund. The Quartermaster General shall be treasurer of the Life Membership Committee and shall have custody of the Life Membership Fund. The Life Membership Committee shall administer the Life Membership Fund, investing and reinvesting funds, to the best interest of the Veterans of Foreign Wars of the United States.

- (d) **Annual Payment:** An amount, as determined by the Life Membership Committee after consultation with professionals licensed in actuarial science, shall be paid in September of the current year for the following calendar year to Posts, Departments and National Headquarters on all life members of each respective Plan recorded as of August 31 of the then current calendar year and, in addition, the same amount shall be paid in January of the following year for persons who have become life members during the period September 1 to December 31, provided, that payments to the Post to which the member belongs, Department and National Headquarters shall never total less than:

Plan A, B & C	\$10.50
Plan D	\$16.50
Plan E	\$27.00

In the event that professional actuaries advise that Plan assets are insufficient to support the payout specified above for any such Plan, the Life Membership Committee, with the concurrence of the National Council of

Administration, may authorize a lesser payout with respect to such Plan, consistent with the actuaries' recommendations.

Death of a life member following issuance of the checks paying the member's annual payment for the next calendar year to Post, Department and National Headquarters, shall not be a cause for a refund of such payment for that calendar year.

(End of Article I)