

ARTICLE VII - MISCELLANEOUS PROVISIONS

Sec. 701 - Ritual, Distribution.

The National Council of Administration may adopt, amend and promulgate a Ritual for governmental and ceremonial purposes. The Ritual or amendments adopted by the National Council of Administration may be amended or deleted by a majority vote of the National Convention. In order to preserve the integrity and solemnity of the Ritual, written copies shall be made available only to members in good standing.

The Ritual may be purchased from the Emblem and Supply Department.

Sec. 702 - Politics.

No officer or member of the Veterans of Foreign Wars of the United States shall in any manner use the Veterans of Foreign Wars for partisan politics and no discussion of partisan questions shall be permitted at any meetings nor shall any nominations, recommendations or endorsements for political office be made, provided this shall not apply to discussion of policies of any organization that seeks to alter our present form of government by force, violence or other unlawful means.

Participation in activities supporting or opposing legislation or administration of laws for veteran's welfare or relating to other matters pertaining to the purposes of the organization shall be permitted. Such participation shall be consistent with the legislative and welfare programs and policies approved by the National Convention.

No Post, County Council, District or Department shall participate in a labor dispute, either on behalf of labor or management. No member of the Veterans of Foreign Wars of the United States shall wear the VFW uniform or VFW cap in any plant or picket line or meeting of employees where a labor dispute arises.

Nothing contained in this Section shall prevent the organization of a lawful political action committee to further the purposes of the VFW as set forth in Section 230102 of the Congressional Charter, nor prevent any discussion of the activities of such a committee.

Sec. 703 - Bonds.

Each officer accountable for funds or property pursuant to any provision of these Bylaws shall be bonded with an indemnity company as surety in a sum at least equal to the amount of the liquid assets for which, so far as can be anticipated, they may be accountable. The bond premium shall be paid from the funds of the Veterans of Foreign Wars of the United States, Department, District, County Council or Post, as the case may be, to which each officer is accountable.

The bonds of such accountable officers, in amount and as to surety, shall be approved by their respective units and held by their respective Commanders. The Commander of each unit shall be responsible for the proper and adequate bonding of all accountable officers in their unit.

Sec. 704 - Relief Fund.

A relief fund shall be established and maintained by the Posts. In this fund shall be credited the net proceeds of the distribution of Buddy Poppies and such other monies as may be solicited or donated for veterans relief purposes. Expenditures from the relief fund shall be as prescribed in Section 704 of the Manual of Procedure.

Sec. 705 - Official Publication.

An official publication will be issued by the Veterans of Foreign Wars of the United States. Orders and official notices published in the official publication shall be deemed to be sufficient notice to all members.

Sec. 706 - National Home Funds.

The solicitation of funds outside the membership of the Veterans of Foreign Wars of the United States and its Auxiliaries, where the proceeds or part of the proceeds so solicited and so collected are advertised for the VFW National Home, shall be subject to the rules and regulations as prescribed in the Manual of Procedure.

Sec. 707

Sec. 708 - Incorporation of Units and Other Activities.

Posts, Districts, and Departments of the Veterans of Foreign Wars of the United States shall be incorporated within the state where they are located as prescribed in the Manual of Procedure.

No unit chartered by the Veterans of Foreign Wars of the United States, and no activities, clubrooms, holding companies or units sponsored or conducted or operated by, for or on behalf of any such chartered unit, shall separately from the Post, incorporate under the laws of the state in which it is located for any purposes whatsoever unless the Articles of Incorporation of such chartered unit and any incorporated activities, clubrooms, holding

companies or units sponsored, conducted or operated by, for or in its behalf shall include those provisions specified in the Manual of Procedure. Chartered units failing to comply with the provisions of this Section or failing to cause compliance by activities, clubrooms, holding companies or units sponsored, conducted or operated by, for or on behalf of such chartered unit shall be subject to suspension or revocation of charter.

Should any state incorporation law prohibit provisions specified in the Manual of Procedure for Articles of Incorporation, it shall be permissible to change the wording of such provision sufficiently so that the Certificate of Incorporation will conform to the state laws and at the same time protect the interests of the Veterans of Foreign Wars of the United States.

The name "Veterans of Foreign Wars of the United States" or some colorable imitation thereof by any corporation shall be by license only, which may be revoked for cause.

Sec. 709 - Control of Units.

Veterans of Foreign Wars of the United States shall not be responsible for the negligent or wrongful acts or omissions nor the contractual obligations or debts of any Post, County Council, District or Department nor for the negligent or wrongful acts or omissions or contractual obligations or debts of any activity, clubroom, holding company or unit sponsored, conducted or operated by, for or on behalf of any Post, County Council, District or Department. Any activity, clubroom, holding company or unit sponsored, conducted or operated by, for or on behalf of a Post, County Council, District or Department shall be at all times under the direct control of such Post, County Council, District or Department and all funds derived there from shall be at all times under the direct control of such Post, County Council, District or Department.

Any Post, County Council, District or Department owning and/or operating, directly or by reason of a holding company or other entity substantially controlled by the Post, County Council, District or Department or its members, a canteen, clubroom or other facility available to members or guests must maintain general liability insurance, including, if necessary or appropriate, liquor liability insurance. Such insurance must be of a type and amount sufficient to protect the Post, County Council, District or Department and must name, as additional insureds, the Veterans of Foreign Wars of the United States and the Department in which such Post, County Council, District or Department is located.

All money, property or assets of any kind or nature, as well as all books and records, owned, held or used by any activity, clubroom, holding company or unit sponsored, conducted or operated by, for or on behalf of a Post, County Council, District or Department shall be the property of such Post, County Council, District or Department and must be placed in the care and custody of the respective Quartermaster. Such money, property, assets, books and records shall be subject to the same rules and under the same procedure as any other Post, County Council, District or Department money, property, assets, books and records.

No Post, County Council, District or Department and no activity, clubroom or holding company or unit sponsored, conducted or operated by, for or on behalf of any Post, County Council, District or Department may own any property jointly or in common with any individual, firm, partnership, association, corporation or other business or charitable entity, except that property may be held jointly or in common by a Post or unit of a congressionally chartered veterans organization, provided the arrangement allows for the prominent display of the names, trademarks, or service marks of the Veterans of Foreign Wars of the United States and is not contrary to any provision of law or these Bylaws.

No Post, County Council, District or Department or activity, clubroom, holding company or unit sponsored, conducted or operated by, for or in its behalf, may participate in any arrangement whereby its funds are expended on property held by another entity for the joint use of such Post, County Council, District or Department and other individuals, firms,

partnerships, associations, corporations or other business or charitable entities, including veterans organizations, except that such arrangement may be made with a Post or unit of a congressional chartered veterans organization, provided the arrangement allows for the prominent display of the names, trademarks, or service marks of the Veterans of Foreign Wars of the United States nor is contrary to any provision of law or these Bylaws.

Title to all real property of unincorporated Posts, County Councils and Districts shall be taken in the name of the regularly elected Trustees of said units, and their successors in office, to be held, used and enjoyed in trust for its members. When the laws of the respective states shall require the delivery of a bill of sale to establish ownership of property, such bills of sale shall also be made to the Trustees of said units, and their successors in office, in trust for the members thereof.

In addition to other legal requirements under existing local laws or Department Bylaws, no Post, County Council, District, or any holding company or corporation subordinate thereto, shall purchase, sell or otherwise transfer title or any interest in any real estate unless written notice of such proposal has first been given to each member of said unit ten (10) days prior to such regular or special meeting at which the proposal is to be considered, and then only by two-thirds (2/3) vote of approval of those members present and voting at such regular or special meeting. In addition, at least thirty (30) days prior to such meeting, notice shall be provided to the Department Commander who shall review any sale, purchase, transfer or encumbrance to determine whether such transaction serves the purposes of the Veterans of Foreign Wars of the United States as prescribed in the Congressional Charter. Failure to comply with these provisions shall nullify said transaction.

When properly approved by the members of the Post, the Commander and Quartermaster shall be authorized to sign such legal documents required to sell or purchase real property.

Sec. 710 - Inspection.

The Commander-in-Chief or any Department Commander may require, within their respective jurisdiction, the inspection of any Department, District, County Council or Post, or any holding company or corporation subordinate thereto, whenever the Commander-in-Chief or Department Commander may believe the best interests of the Organization will be served to ensure compliance with the National Charter, Bylaws, Manual of Procedure, lawful orders of the National Convention, the National Council of Administration and the Commander-in-Chief and the laws and usages of the Organization. For this purpose the Commander-in-Chief or Department Commander may detail any member within their respective jurisdiction whose duties shall be prescribed by the appointing power. All books, papers, accounts, records and proceedings pertaining to the Veterans of Foreign Wars of the United States shall be subject to inspection at all times.

Sec. 711 - Buddy Poppy.

The manufacture and/or sale of the trademarked "Buddy Poppy" shall be in accordance with the rules and regulations as prescribed in the Manual of Procedure.

A grant in the amount of one and one-half cents of each poppy sold shall be payable to the VFW National Home; any remaining net proceeds from the sales of Buddy Poppies after the costs of producing and distributing the poppies and payment of the grant to the National Home has been deducted shall be allocated to the National Veterans Service Budget.

Sec. 712 - National Honor Guard.

A National Honor Guard, Veterans of Foreign Wars of the United States, may be organized and function as prescribed in the Manual of Procedure.

It shall be governed by and under the control of the National Convention, National Council of Administration, and the Commander-in-Chief.

Sec. 713 - Language Prescribed.

All Posts of the Veterans of Foreign Wars of the United States now in existence, or hereafter organized, shall conduct their meetings in no other language than the English language.

Sec. 714 - Control of Mailing Lists.

The names and addresses of the members of the Veterans of Foreign Wars of the United States shall be considered confidential and shall not be made available for commercial or political use.

Nothing in this section shall be construed as prohibiting the VFW from soliciting or authorizing solicitation of its membership to benefit the purposes of the organization.

Sec. 715 - Rebate on Sales.

Ten percent (10%) of the net profits of supplies sold by the Quartermaster General, within a Department, shall be paid to such Department within thirty (30) days following the termination of each fiscal period.

Sec. 716 - Title of Department Officers.

In those Departments which are located within states of the United States, the officers and committee members of such Departments shall have their office or title designated as State rather than Department.

Sec. 717

Sec. 718

Sec. 719 - Past Officers.

A Past Officer is one who has been elected and installed, appointed or succeeds to a vacancy in a Post, District, Department or National Organization office, respectively, and (1) has served to the end of term; (2) died before the expiration of term; (3) ceased to hold office by reason of a consolidation of units; or (4) resigned to enter active military service or, while in active military service, resigns office due to receipt of permanent change of station orders, provided, however, if such person is determined to be ineligible or if such person's membership is terminated under Article IX, they shall not be a Past Officer.

For purposes of Sections 404, and 504, the term "Past Commander" includes only those persons whose service as a Commander was in that respective District or Department or in one which was consolidated or merged into it.

Sec. 720 - Definitions.

"Unit" as used in Section 709 of these Bylaws refers to an entity or group other than the sponsoring Post, District or Department. In all other instances, the term "unit" or "subordinate

unit" refers only to a duly chartered Post, District or Department and does not, under any circumstances, refer to any activity, clubroom or holding company sponsored by any Post, District or Department.

"This organization" or "National organization," as used in these Bylaws, refers to the Veterans of Foreign Wars of the United States, the body corporate created by Act of Congress, 36 U.S.C. 111 et seq.

"He, His, Him" as used in these Bylaws, Manual of Procedure, and Ritual shall include both male and female persons.

"Resign, Resignation" means deliberately giving up an office or membership, e.g., quitting. Resignation from an office in this organization or any unit shall become effective immediately upon the communication to resign in writing or orally to the respective Commander, or at a regular or special meeting of the chartered unit. Any elected officer who resigns their position will not be allowed to hold that same office in the same administrative year in which the officer resigned.

(End of Article VII)