

ARTICLE XI - AUXILIARY

Sec. 1101 - Organization, Disbandment, and Transition of Auxiliaries.

- (a) **Formation.** Auxiliaries shall be hereafter formed and approved in accordance with the following provisions. Auxiliaries approved and chartered prior to the adoption of these provisions need not be reapproved.
- (1) **By Departments.** No auxiliary to a Department of the Veterans of Foreign Wars of the United States shall be formed unless approved by two-thirds vote of the delegates assembled at an annual Department Convention. Each Department of the Auxiliary shall be identical in geographical limits with the respective Department of the Veterans of Foreign Wars of the United States and shall be known and identified by the same name as the Department whose name it bears.
 - (2) **By Districts.** No auxiliary to a District of the Veterans of Foreign Wars of the United States shall be formed unless approved at a regular or special meeting by two-thirds vote of the delegates assembled in such District. Notice of the proposed formation of an auxiliary to the District shall be given all Posts in the District in writing at least twenty (20) days prior to any meeting during which a vote to determine the formation of an auxiliary to the District will be made. Each District of the Auxiliary shall be identical in geographical limits with the respective District of the Veterans of Foreign Wars of the United States and shall be known and identified by the same number as the District whose number it bears.
 - (3) **By County Councils.** No auxiliary to a County Council of the Veterans of Foreign Wars of the United States shall be formed unless approved at a regular or special meeting by two-thirds vote of the delegates assembled in such County Council. Notice of the proposed formation of an auxiliary to the County Council shall be given all Posts of the County Council in writing at least twenty (20) days prior to any meeting during which a vote to determine the formation of an auxiliary to the County Council will be made. Each County Council of the Auxiliary shall be identical in geographical limits with the respective County Council of the Veterans of Foreign Wars of the United States and shall be known and identified by the same name as the County Council whose name it bears.
 - (4) **By Posts.** No auxiliary to a Post of the Veterans of Foreign Wars of the United States shall be formed unless approved by a two-thirds vote of the Post membership present and voting at a regular or special meeting, due notice of the proposed formation of an auxiliary having been given the entire membership in writing at least twenty (20) days prior to a regular meeting, or special meeting called for the aforementioned purpose. Each Auxiliary shall be assigned the name and number of the Post with which it is affiliated.
- (b) **Governance.**
- (1) **Department Auxiliaries.** Department Auxiliaries shall be subject to the jurisdiction of the Convention and Council of Administration of the respective Department of the Veterans of Foreign Wars of the United States.
Department Auxiliaries shall be governed by the Bylaws, Ritual, and Rules and Regulations of the Veterans of Foreign Wars of the United States Auxiliary and the Department Auxiliary and lawful orders issued by their respective officers, provided they do not conflict with the Congressional Charter, Bylaws or Manual of Procedure of the Veterans of Foreign Wars of the United States and Bylaws of the Department whose name it bears or lawful orders issued by the Commander-in-Chief, the National Council of Administration or the Department Council of Administration.

- (2) **District, County Council and Post Auxiliaries.** The Auxiliary to a District, County Council or Post shall be subject to the jurisdiction of the respective District, County Council or Posts of the Veterans of Foreign Wars of the United States whose name or number it bears.

Such auxiliary shall be governed by the Bylaws, Ritual and Rules and Regulations of the Veterans of Foreign Wars of the United States Auxiliary and the Department Auxiliary and lawful orders issued by their respective officers provided they do not conflict with the Congressional Charter, Bylaws or Manual of Procedure of the Veterans of Foreign Wars of the United States, Department Bylaws or the Bylaws of the District, County Council or Post whose name and number it bears, or lawful orders issued by the Commander-in-Chief, the National Council of Administration, or the Department Council of Administration.

(c) **Suspension and Discontinuance.**

- (1) **National.** The Commander-in-Chief may suspend the Charter of the Veterans of Foreign Wars of the United States Auxiliary if its conduct, or that of its officers or Council of Administration, is determined to be detrimental to the interests of the Veterans of Foreign Wars of the United States.

The Charter of the Veterans of Foreign Wars of the United States Auxiliary may not be suspended by the Commander-in-Chief for a period longer than thirty (30) days without the consent of the National Council of Administration of the Veterans of Foreign Wars of the United States. Such consent shall be given only if a majority of the members of the Council determines that it is in the best interest of the Veterans of Foreign Wars of the United States to suspend the Charter for a longer period of time.

While the Charter of the Veterans of Foreign Wars of the United States Auxiliary is suspended, its officers shall have no authority and shall not issue any orders other than those necessary to keep a National Headquarters office in operation.

- (2) **Departments.** The Commander-in-Chief may direct the suspension of the charter of any Department Auxiliary upon the recommendation of the National President of the Auxiliary or the Commander of such Department when it is shown to the satisfaction of the Commander-in-Chief that the conduct of such Department Auxiliary, or its officers or Council of Administration, is detrimental to the interests of the Veterans of Foreign Wars of the United States. A Department Auxiliary charter may not be suspended by the Commander-in-Chief for a period longer than thirty (30) days without the consent of the National Council of Administration of the Veterans of Foreign Wars of the United States. Such consent shall be given only if a majority of the members of the Council determines it is in the best interest of the Veterans of Foreign Wars of the United States to suspend the charter for a longer period of time.
- (3) **Districts, County Councils and Posts.** The Commander-in-Chief may direct the suspension of the charter of any District, County Council or Post auxiliary for a definite or indefinite period of time and may order the National President to order the cancellation of the charter of any District, County Council or Post auxiliary if the conduct of such auxiliary or its officers is determined to be detrimental to the best interest of the Veterans of Foreign Wars of the United States.

(d) **Cancellation.**

- (1) **By Departments.** A Department may, by a vote of eighty percent of the delegates assembled at an annual Department Convention, following written notice mailed to each Post in the Department at least twenty (20) days before such Convention, vote to request cancellation of the charter of its Auxiliary. The notice must state the contemplated action and the reason therefor. If the Department votes to request cancellation of the charter of its Auxiliary, the Department Commander

shall certify that action in writing and forward such certification to the Commander-in-Chief. If determined it is in the best interest of the Veterans of Foreign Wars of the United States to do so, the Commander-in-Chief shall direct the National President to cancel the charter of the Department Auxiliary.

(2) **By Districts or County Councils.** A District or County Council may, by a vote of eighty percent of the delegates assembled at a regular or special meeting following written notice to each Post in the District or County Council at least twenty (20) days before such meeting, vote to request cancellation of the charter of its Auxiliary. The notice must state the contemplated action and the reason therefor. If the District or County Council votes to request cancellation of the charter of its Auxiliary, it shall certify the action in writing and forward same to the Department Commander who shall forward it to the Commander-in-Chief with a recommendation. After review and if the Commander-in-Chief determines it to be in the best interest of the Veterans of Foreign Wars of the United States to do so, the Commander-in-Chief shall direct the National President to cancel the charter of the District or County Council Auxiliary.

(3) **By Posts.** A Post may, by vote of eighty percent of its members present and voting at a meeting following written notice mailed to each member of the Post in good standing at least twenty (20) days before said meeting, vote to request cancellation of the charter of its Auxiliary. The notice must state the contemplated action and the reason therefor. If the Post votes to request cancellation of the charter of its Auxiliary, it shall certify the action in writing and forward same to the Department Commander who shall forward it to the Commander-in-Chief with a recommendation. After review and if the Commander-in-Chief determines it to be in the best interest of the Veterans of Foreign Wars of the United States to do so, the Commander-in-Chief shall direct the National President to cancel the charter of the Post Auxiliary.

(e) **Disposition of Property.**

(1) **National.** In the event of the surrender, cancellation or forfeiture of the Charter of the Veterans of Foreign Wars of the United States Auxiliary, its records, monies and all other property shall immediately become the property of the Veterans of Foreign Wars of the United States.

(2) **Department, District, County Council and Post Auxiliaries.** In the event of the surrender, cancellation or forfeiture of the charter of the Auxiliary to a Post, County Council, District or Department, all monies, official records and all other property shall immediately be surrendered to such officer or officers as may be provided by the Bylaws and Rules and Regulations of the Veterans of Foreign Wars of the United States Auxiliary for disposition in accordance with those Bylaws and Rules and Regulations. Notice of such contemplated action shall be given to the Post, County Council, District and Department Commander thirty (30) days prior to the surrender or cancellation of an Auxiliary charter.

(f) **Reports.**

(1) **National.** The National President of the Auxiliary shall, within thirty (30) days after induction into office, submit an itemized report of the financial and membership status of the Auxiliary to the Commander-in-Chief for information and for submission to the National Council of Administration.

The National Treasurer of the Auxiliary shall prepare a quarterly report for the National President and the National Council of Administration of the Auxiliary, and submit copies thereof to the Department Presidents of the Auxiliary and to the Commander-in-Chief of the Veterans of Foreign Wars. The National Treasurer of the Auxiliary also shall prepare for the National President, before each National Convention, a list showing the Auxiliaries in good standing and the number of delegates to which each is entitled.

No less than ten (10) days prior to the meeting of the National Council of Administration of the Auxiliary at which the annual budget is adopted, the National Treasurer shall submit a proposed budget to the National President, and each member of the National Council of Administration of the Auxiliary. Immediately following the adoption of the annual budget by the National Council of Administration of the Auxiliary, the National Treasurer shall submit a copy of the approved budget to the Commander-in-Chief.

- (2) **Department.** The Department President of the respective Department Auxiliary shall, within thirty (30) days after induction into office, submit to the Department Commander the last quarterly audit, membership status report, and such additional reports as may be required by the liaison committee of the Department Auxiliary for information and for submission by the Department Commander to the Department Council of Administration.
- (3) **Districts, County Councils, Posts.** The President of the Auxiliary to a District, County Council or Post shall, within thirty (30) days after induction into office, submit to the Commander of the respective District, County Council or Post the last quarterly audit, membership status report and such additional reports as may be required by the liaison committee of the auxiliary. Such reports will be acknowledged by each respective Commander during the next regular meeting and may be read to the members assembled.
- (g) **Liaison.** There is established a committee composed of the Senior Vice Commander-in-Chief, Junior Vice Commander-in-Chief and the Adjutant General who shall meet with a corresponding committee composed of the Senior Vice President, Junior Vice President and the National Secretary of the Auxiliary. This combined committee shall meet each year, at the call of the Commander-in-Chief, to consider all matters affecting the welfare of the Veterans of Foreign Wars of the United States and the Veterans of Foreign Wars of the United States Auxiliary. The purpose of the committee shall be to coordinate the activities of the Veterans of Foreign Wars of the United States and the activities of the Veterans of Foreign Wars of the United States Auxiliary, and to ensure full compliance with the Congressional Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States, and the mandates of the National Convention and National Council of Administration of the Veterans of Foreign Wars of the United States.

Sec. 1102 - Eligibility. (See Section 1102 of the Bylaws)

Sec. 1103 - Ritual, Bylaws and Regulations. (See Section 1103 of the Bylaws)

Sec. 1104 - Incorporation.

National. The Articles of Incorporation of the Veterans of Foreign Wars of the United States Auxiliary, should it incorporate, and any amendments thereto, must include the following provisions:

- (1) The active and voting membership of this corporation shall, at all times, consist of and be confined to the active membership in good standing of the Veterans of Foreign Wars of the United States Auxiliary.
- (2) This incorporated organization shall be and remain under the jurisdiction of the National Convention, Commander-in-Chief and National Council of Administration of the Veterans of Foreign Wars of the United States and subject to its Charter, Bylaws and Manual of Procedure.

- (3) In the event of a dissolution of this corporation, or the simultaneous dissolution of this corporation and the forfeiture of the Charter issued to it by the Veterans of Foreign Wars of the United States, title to all of the assets shall pass to the Veterans of Foreign Wars of the United States to be disposed of according to its Bylaws. At no time shall the assets of the corporation be distributed among the individual members thereof.
- (4) The Articles shall, in addition, contain a provision specifically excluding from the powers of the corporation the power to own or hold real property.

Department, Districts, County Councils, Posts. The Articles of Incorporation of any Department, District, County Council or Post Auxiliary, should it incorporate, and any amendments thereto, must include the following provisions:

- (1) The active and voting membership of this corporation shall, at all times, consist of and be confined to the active membership in good standing of the (Department of_____, Veterans of Foreign Wars of the United States Auxiliary) or (Post_____, Veterans of Foreign Wars of the United States Auxiliary).
- (2) This incorporated organization shall be and at all times remain under the jurisdiction of the National Convention, National President and National Council of Administration of the Veterans of Foreign Wars of the United States Auxiliary, the Commander-in-Chief of the Veterans of Foreign Wars of the United States and the (Department of_____, Veterans of Foreign Wars of the United States) or (Post No._____, Veterans of Foreign Wars of the United States) and subject to the Bylaws and Rules and Regulations of the Veterans of Foreign Wars of the United States Auxiliary and the Charter, Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States.
- (3) In the event of a dissolution of this corporation, all the assets shall be the property of (Department of_____) or (the Post_____) Auxiliary, and in the event of any dissolution of their corporation and the forfeiture of the charter issued by the Veterans of Foreign Wars of the United States Auxiliary entitled to all assets of this corporation shall pass through the Veterans of Foreign Wars of the United States Auxiliary or the Department to be disposed of in accordance with the Bylaws, rules and regulations of the Veterans of Foreign Wars of the United States Auxiliary, and at no time shall the assets of the corporation be distributed among the individual members thereof.
- (4) The Articles shall, in addition, contain a provision specifically excluding from the powers of the corporation the power to own or hold real property.

(End of Article XI)