

**MILITARY ORDER OF THE PURPLE HEART AUXILIARY**

**OF THE**

**UNITED STATES OF AMERICA, INC.**

**Constitution, Bylaws, Procedures Manual**

**(August 2022)**



**PART I  
CONSTITUTION**

**PART II  
BYLAWS**

**PART III  
RITUAL AND SPECIAL CEREMONIES**

**PART IV  
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The Military Order of the Purple Heart Auxiliary, does not discriminate in membership on the basis of age, race, creed, religion, gender, or national origin.

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## INCORPORATION

This organization is incorporated pursuant to the provisions of Title 29 of Chapter 6 of the District of Columbia Code (1951) as of the 21st day of May, 1956 and was known in law as: "Ladies' Auxiliary, Inc., of the Military Order of the Purple Heart, Inc." Renamed by a vote of the convention body in August 2017, the organization is hereafter referred to as "Military Order of the Purple Heart Auxiliary of the U.S.A., Inc."

Note: Throughout this book which contains the Constitution, Bylaws, Procedures Manual of the aforementioned Corporation, it shall be referred to as "Auxiliary" except where the full title is necessary for clarity.

## RECOGNITION

The Military Order of the Purple Heart of the U.S.A., Inc., recognizes a "Military Order of the Purple Heart Auxiliary of the U.S.A., Inc.

The Military Order of the Purple Heart Auxiliary of the U.S.A., Inc. is subject to the terms and conditions as set forth in the Congressional Charter of the Military Order of the Purple Heart of the U.S.A., Inc. (Public Law 85-761 – 8/26/1958) and subject to the various restrictions and limitations as set forth in the Auxiliary Constitution, Bylaws, Procedures Manual as adopted at their 2017 National Convention and subject to limitations as might from time to time be imposed by our National Organization, shall act as limitations to the various powers and authorities of the Auxiliary, and in no case shall be interpreted as broadening or increasing the authority or power of such Auxiliary beyond the specific limitations as set forth in P.L. 85-761 of the Congress of the United States of America or M.O.P.H. Resolutions, Constitution, Bylaws, Procedures Manual.



## PART I - CONSTITUTION

### ARTICLE I - NAME

This Organization shall be known as hereafter referred to as "Military Order of the Purple Heart Auxiliary of the U.S.A., Inc.," hereafter referred to as "MILITARY ORDER OF THE PURPLE HEART AUXILIARY."

### ARTICLE II -OBJECTS

The objects of this organization are patriotic, fraternal, historical, and educational; to preserve and strengthen friendship among its members; to perpetuate the memory of our Purple Heart dead; to maintain true allegiance to the Government of the United States and fidelity to its laws. Further, it shall be the responsibility of each Member, Unit and Department of the Auxiliary to assist Chapters and Departments of the Military Order of the Purple Heart in emphasizing those principles of historical significance -- AMERICANISM and LOYALTY -- which are the cherished inheritance of every American citizen.

### ARTICLE III – PREAMBLE

#### *PREAMBLE*

*We, the parents, grandparents, spouses, widows, widowers, siblings, children, and grandchildren of combat veterans of wars of the United States, who for their valiant service have been awarded the "PURPLE HEART" (founded by General George Washington in 1782) in order to perpetuate principles of national patriotism and justice, do here ordain and establish the "MILITARY ORDER OF THE PURPLE HEART AUXILIARY OF THE UNITED STATES OF AMERICA, INCORPORATED."*

*We pledge ourselves to sponsor those principles of liberty, justice and general welfare that have made the United States the great nation that it is today. We further pledge ourselves to assist the MILITARY ORDER OF THE PURPLE HEART in carrying out its patriotic, fraternal, educational and historical programs.*

A National Organization embracing all members, Units and Departments, of the Auxiliary to be known as National Military Order of the Purple Heart Auxiliary of the United States of America, Inc. and to be under the jurisdiction of the National Commander and the National Executive Committee of the Parent Organization.

## ARTICLE IV - ORGANIZATIONS

The several constituted bodies of this organization shall be as follows:

Subordinate organizations to be known as (name) Unit No., Military Order of the Purple Heart Auxiliary of the U.S.A., Inc. Each Unit is to take the name and number of the Chapter to which it is an Auxiliary and is to be under the jurisdiction of that Chapter.

Department organizations to be known as Department of (State), Military Order of the Purple Heart Auxiliary of the U.S.A., Inc. Each such Department is to be under the jurisdiction of the Department of the Military Order of the Purple Heart to which it is an Auxiliary.

## ARTICLE V - MEMBERSHIP

Membership in this Auxiliary shall be limited to parents, grandparents, spouses, widows, widowers, siblings, children, and grandchildren of persons who have been awarded the Purple Heart by the Armed Services of the United States and to those who served in the Armed Forces and have received the Purple Heart decoration in their own name. Those who have received the Purple Heart are eligible for the parent organization, if they so wish.

Associate membership in the Auxiliary is granted on the basis of a spouse, parent, grandparent, child, grandchild, or sibling of a member in the Auxiliary.

All membership shall be governed by the provisions Article II (Membership) of the National Auxiliary Bylaws.

## ARTICLE VI - AMENDMENTS

These Bylaws may be amended in the form of a Resolution at any National Convention by a two-thirds (2/3) vote of the members in good standing in attendance, provided the proposed amendment shall have been submitted to the National Secretary by May 31<sup>st</sup>; and provided further, no proposed amendment shall be submitted unless said proposed amendment shall have been first submitted by a Department Convention, the National Executive Committee or by a Unit where there is no Department.

Nothing in the preceding paragraph shall prevent the National Auxiliary from adopting and making effective immediately amendments made necessary by changes adopted by the Parent Organization, upon formal notice thereof from the National Commander, attested to by the National Adjutant, Military Order of the Purple Heart of the U.S.A., Inc.

## PAST NATIONAL PRESIDENTS

1933-35 Mable Patton† .....	CA	1978-79 Ester Boyer† .....	MN
1935-36 Mary Nachtman† .....	WI	1979-80 Beth Kubly† .....	FL
1936-37 Ruby White†		1980-81 Anola Hacker† .....	WI
1937-38 Edith Hanson†		1981-82 Leona Townsend† .....	CO
1938-39 Lucille Fuhry† .....	MI	1982-83 Eleanor Duches† .....	NY
1939-40 Ethel Giannini† .....	CA	1983-84 Stella Krewson† .....	FL
1940-41 Irene Buck Burscht† .....	MN	1984-85 Kay Masi† .....	CA
1941-42 Olive Bradfield† .....	IL	1985-86 Sharon Carlton† .....	MN
1942-43 Edna Morrell† .....	PA	1986-87 Delora Compton† .....	OR
1943-44 Gladys Hapscht .....	MN	1987-88 Irene H. Chastain† .....	GA
1944-45 Edyth Mattocks† .....	AZ	1988-89 Juanita Colliert† .....	CA
1945-46 Loretta Coltrin† .....	CA	1989-90 Margaret Brown† .....	TN
1946-47 Ethel Kneller†		1990-91 Mildred Brink† .....	CA
1947-48 Jewell Mueller† .....	IL	1991-92 Patricia Sharpe .....	NY
1948-49 Beatrice Donovan† .....	MD	1992-93 Noreen Barnard† .....	MI
1949-50 Meta Ihbet† .....	WI	1993-94 Beverly Thompson† .....	WI
1950-51 Beatrice Parmenter† .....	CA	1994-95 Lucille Kinney .....	NY
1951-52 Mae O'Brien Young† .....	IL	1995-96 Elaine Mons .....	IL
1952-53 Bessie Hawkins† .....	OR	1996-97 Margaret Kurtzman† .....	MI
1953-54 Helen Paradowski† .....	WI	1997-98 Margaret Stanulis† .....	AR
1954-55 Marie Maquire† .....	NJ	1998-99 Sheila Mitchell .....	FL
1955-56 Rose Ann Risley† .....	MO	1999-00 Wilma Cornel† .....	OH
1956-57 Teresa M. Coughiint† .....	IL	2000-01 Shirley VanBuren† .....	MI
1957-58 Regina S. McComb† .....	NJ	2001-02 Louise Brown† .....	FL
1958-59 Helen Schwend† .....	WI	2002-03 Bonnie Dumler .....	NE
1959-60 Eva Gottfried† .....	WI	2003-04 Joan Walsh .....	OH
1960-61 Marie Jakoubek† .....	NY	2004-05 Carol Lance .....	LA
1961-62 Madeline Hickey† .....	MI	2005-06 Judith Spaulding .....	KY
1962-63 Ellen Hawkins† .....	OR	2006-07 Nancy Lee Birschbach .....	WI
1963-64 Lucille Eaton† .....	MI	2007-08 Harriet Hems† .....	NJ
1964-65 Ruth Sinkovits† .....	WI	2008-09 Jane Stoel .....	WI
1965-66 Sophia Kelderhouse† .....	IL	2009-10 Gwendolyn Gilliard .....	LA
1966-67 Ann S. Pelicant† .....	CA	2010-11 Karen Haltiner .....	OR
1967-68 Lauretta Noble† .....	IL	2011-12 Barb Cherone .....	WI
1968-69 Madeline Friedley† .....	MI	2012-13 Resigned	
1969-70 Viola Carlson† .....	OR	2013-14 Barbara Cannode* .....	OH
1970-71 Jean Thiede† .....	MI	2014-15 Jan Knapp .....	MI
1971-72 Ruby Holloway† .....	MN	2015-16 Eileen Oltmann .....	LA
1972-73 Nancy Klare† .....	MA	2016-17 Terri Shattuck .....	MI
1973-74 Emma LaVigne† .....	MI	2017-18 Gloria Sanchez .....	FL
1974-75 Julianna Johnston† .....	NE	2018 19 Diane Petrini .....	CA
1975-76 Shirley Angelotti† .....	IL	2019-20 Cheryl Perez .....	CA
1977-78 Georgia Dounias† .....	IL	2020-21 Amanda Flener .....	GA
1976-77 Helen Pierce .....	OH	2021-22 Colleen Orfanello .....	LA

† Deceased

\*Nat'l President 6/10/13– 8/9/14

## PART II - BYLAWS

### ARTICLE I - NATIONAL ORGANIZATION

The Military Order of the Purple Heart Auxiliary of the United States of America, Inc. shall consist of all members, Units and Departments, of the Auxiliary.

#### SECTION 1 - REGIONS

- A. A Region is a geographical grouping of states or territories for the purpose of membership expansion.
  - 1. Region I: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia.
  - 2. Region II: Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, West Virginia, and Wisconsin.
  - 3. Region III: Alaska, Idaho, Montana, Oregon, North Dakota, South Dakota, Washington, and Wyoming
  - 4. Region IV: Alabama, Florida, Georgia, Mississippi, North Carolina, Puerto Rico, South Carolina, and Tennessee.
  - 5. Region V: Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, and Texas.  
Region VI: Arizona, California, Guam, Hawaii, Nevada, and Utah.
- B. Each Region President shall hold a Region Conference during their term if notified by the Region Commander and at a time and place selected by the Region Commander. Each Unit and Department in the Region and all National Officers shall be given official notice of the Conference at the earliest possible date. The Region Conference is to be a school of instruction.

#### SECTION 2 – DEPARTMENTS

- A. Departments may be organized where there are two (2) or more active Units, with a minimum combined total membership of 60 members, in any state, territory, or foreign country.
- B. All Units within such state, territory, or country shall be subordinate to the Department.
- C. A Department that is defined as “active” is one that has submitted a current Installation Report, Financial Report and proof of annual accepted IRS Form 990 filing.

#### SECTION 3 – UNITS

- A. A Unit may be formed by the authority of the National President on the application of not less than ten (10) members who are not Junior members or Auxiliary Associate\* members. (\*see Article XVIII)
- B. A Unit that is defined as “active” is one that has submitted a current Installation Report, Financial Report, proof of annual accepted IRS Form 990 filing and Life Member Verification Form.
- C. No Unit shall be recognized unless operating under a valid Charter.

#### SECTION 4 – CHARTER APPLICATION

- A. Applications for a Unit or Department Charter shall be submitted to National Headquarters on a form to be furnished by the National Secretary.

- B. The Charter members listed on the Charter application and Charter document shall be members, not including Social (Auxiliary Associate) members.
- C. Unit Charter applications:
  - 1. Must be endorsed by the Chapter Commander, Department President, and National President.
    - a. In the absence of a Department President, the Region President can endorse the Charter.
    - b. In the absence of both a Department and Region President, the National Senior Vice President may endorse the Charter.
  - 2. The Unit shall be assigned the name and number of the Chapter to which attached, and shall be under the jurisdiction of that Chapter.
- D. Department Charter applications must:
  - 1. Contain the name of the proposed Department Auxiliary, and the name and location of Units petitioning for the Charter.
    - a. Be endorsed by the Region President and the Department Commander, the latter representing the Department Executive Committee of the Parent Organization.
    - b. In the absence of a Region President, the National Senior Vice President will endorse the Charter.

#### SECTION 5 – CHARTER REPLACEMENT

- A. Units or Departments may replace Charters lost through time.
  - 1. The new Charter will be signed by the current MOPHA National President.
  - 2. The new Charter will be noted as a Replacement Charter.

#### SECTION 6 – INSTITUTION

- A. Upon issuance of a Unit Charter, the National President will authorize the Department President, or another qualified Auxiliary member, or the Chapter Commander, to institute the Unit in accordance with the Ritual of the Auxiliary.
- B. In such case where there is no Department, or in forming a new Department, the Region President has the responsibility to appoint the Instituting Officer.
- C. In such case where there is no Region President, the National President will appoint the Instituting Officer.

#### SECTION 7 – INSTALLING OFFICER

- A. The Installing Officer may, or may not, be the same individual as the Instituting Officer. The Installing Officer will:
  - 1. Install in accordance with the Bylaws and Ritual of the Auxiliary and shall instruct the new Officers in their duties.
  - 2. Deliver to the Unit/Department President installed, copies of the MOPHA Constitution and Bylaws.
  - 3. Make a written report\* to National Headquarters.
    - a. Provide the name, number, location of the Unit, and the number of members obligated at the time of the Institution.

- b. Provide the names and addresses of each Officer elected or appointed to serve until the next regular election and installation. (\*The signed Installation Report fulfills this requirement except of number of members obligated.)

#### **SECTION 8 – SURRENDER OF CHARTER**

No Charter shall be surrendered by any Unit as long as ten (10) active senior members in good standing thereof request its continuance. The exception to this rule is if the parent Chapter has surrendered or lost its Charter. In such a case, the status of the Unit shall be determined by the National Commander in consultation with the National President.

#### **SECTION 9 – TRANSFERS**

- A. Any member may request transfer to another Unit, or to an at-large status, by submitting a request on the appropriate form to the National Membership Officer.
- B. The National Membership Officer, in turn, will initiate the transfer by notifying the gaining and losing Units of such action.
- C. The gaining Unit will be allowed up to 90 days to approve/disapprove such transfer before the transfer is final.
- D. No active member may belong to more than one Unit at a time and may not request to be a National Member-at-Large in a state that has a Department Auxiliary.

#### **SECTION 10 – DISPOSITION OF MEMBERS**

- A. Any member of a defunct Unit may be transferred to another Unit nearest to their residence or may choose to become a member-at-large. The National Secretary will provide the member with a list of the locations of Units in the area of their residence.

#### **SECTION 11 – REVIVAL**

- A. Subject to the approval of the National President, a Unit/Department which was previously disbanded may be reinstated provided:
  - 1. The Department making application for reinstatement follows the National Bylaws as to the number of members and Units.
  - 2. The Chapter/Department to which it was an Auxiliary is still in existence and approves the reorganization.
- B. The new Charter is issued bearing the names of former and new members petitioning thereon.

#### **SECTION 12 – BYLAWS**

- A. Departments and Units may adopt Bylaws that do not conflict with the Constitution and Bylaws of the National Auxiliary and/or the National Military Order of the Purple Heart of the U.S.A., Inc.
- B. Unit and Department Bylaws must be sent to the National Parliamentarian for review to ensure compliance with National Bylaws.
  - 1. The National Parliamentarian will notify the National President of any conflicts.
  - 2. The National Parliamentarian will notify the Unit/Department with instruction for correcting any conflict or compliance issues.

## ARTICLE II - MEMBERSHIP

### SECTION 1 – APPLICATION

- A. Every application for Auxiliary membership shall be made in writing on the appropriate form provided by National Headquarters.
- B. Completed applications must be submitted to the National Membership Officer and include documents that establish relationship to the Purple Heart recipient.
- C. The sponsor may sign for a junior applicant where they are unable due to age.

### SECTION 2 – ELIGIBILITY

- A. Membership is granted to parents, grandparents, spouses, widows, widowers, siblings, children, and grandchildren of persons who have been awarded the Purple Heart.
- B. Common law spouses are not eligible.
- C. Direct lineal descendants are eligible from birth through age thirteen (13) as Junior Life Members and at age fourteen (14) will be converted to Life Members.
- D. Veterans and active duty who have been awarded the Purple Heart in their own name.
- E. No Auxiliary member in good standing shall lose the right to remain in a Unit because of separation through divorce from the Purple Heart recipient upon whom the original eligibility was based.

### SECTION 3 – MEMBERSHIP AT LARGE

- A. An applicant residing in a state where no Department or Unit exists may become a National Member-at-Large or may join a Unit in another state/territory if accepted by the members of that Unit.
  - 1. A Member-at-Large has no vote on Unit, Department, or National level, and cannot hold an elective or appointed office at any level.

### SECTION 4 – DUES

- A. The dues for membership will be established by the Parent Organization at a National Convention.
- B. Life Membership dues shall be invested to perpetuate the Auxiliary.
  - 1. Any interest, dividends, or capital gains earned can be used for the Life Membership rebates upon approval of National Convention Body.
  - 2. Withdrawal of the Life Membership principal is prohibited.

### SECTION 5 – MEMBERSHIP CODE of CONDUCT

- A. Members will follow all Bylaws, Rules and Regulations of the Military Order of the Purple Heart Auxiliary
- B. An Auxiliary member will never commit or allow injustices or wrong to any member, Patriot of the Order, or their family if it is in their power to prevent it.
- C. Auxiliary members will endeavor at all times to aid members and families of the Auxiliary and the Military Order of the Purple Heart as much as is in their power to do so.
- D. Auxiliary members will uphold and maintain the Constitution of the United States of America and honor the Flag of our Country.

## SECTION 6 – RESIGNATION

- A. To protect the rights of members, an Auxiliary member no longer desiring to be considered a member of the Military Order of Purple Heart Auxiliary must submit a signed statement of resignation of membership.
  - 1. Such signed statement must be mailed or e-mailed to the National Secretary.
  - 2. The effective date of the resignation is the postmark date on the envelope of the resignation letter or the date e-mail was sent.
  - 3. A member may resign from the Auxiliary at a Convention by submitting a written notice to the President presiding at the Convention. The date and time of receipt by the presiding President is the effective date of the resignation.
- B. A member who resigns shall no longer have rights, privileges, or consequences of membership in the Military Order of Purple Heart Auxiliary.
- C. To regain membership, the applicant must re-apply and provide documentation as indicated in (Article 2, Section 1). A member who has been expelled may only regain membership after providing the appropriate application, documents, and explanation for reinstatement. The National President and National Secretary will review and poll the National Executive Committee to accept or reject.



## ARTICLE III - UNITS

### SECTION 1 – ELIGIBILITY

- A. All members shall be eligible for any office in the Unit except:
  - 1. Auxiliary Associate Members may not hold an elected office but may hold an appointed Unit office except for Unit Secretary.
  - 2. Junior Life Members (ages 14-17), may not hold an elected office, but may hold any appointed Unit office except for Unit Secretary.

### SECTION 2 – OFFICERS

- A. The elective Officers of each Unit shall be a President, Senior Vice President, Junior Vice President, Treasurer, Sergeant-at-Arms, Parliamentarian, and three (3) Trustees.
- B. The President shall appoint a Secretary, Chaplain, Americanism Officer, Historian, Marshal, Musician, and Committee Chairs.

### Section 3 – COMMITTEES

The President may appoint committees as deemed necessary for specific functions.

### Section 4 – ELECTIONS

- A. Election of the Unit Officers shall be held in April of each year.
- B. Those accepting a nomination for an elected office must be present.
- C. Installation of newly elected and appointed Officers shall be no later than April 30th.
- D. Due notice of such election should be communicated to members no later than two weeks before the meeting.
- E. Both elected and appointed Officers may succeed themselves if properly elected or appointed.

### Section 5 – TERM OF OFFICE

- A. Elected and appointed Officers serve for a one\* year term.  
(\*Trustees are elected to serve a 3-year term)
- B. Appointed Officers serve at the pleasure of the President.
  - 1. Appointed Unit Officers' positions terminate at the end of the Presidents' term of office or upon the resignation/removal/vacancy of the President.
  - 2. Appointed Officers can be re-appointed by the new President to consecutive terms without limits.
- C. Units can establish term limits of elected Officers by a majority vote of Unit members present at a meeting.
  - 1. Term limits set by a Unit can be changed by a vote of members present at a regular meeting.

### Section 6 – VOTING

- A. When there are two (2) or more candidates for any Unit office and a written ballot is required, a majority of all votes cast is necessary for election.
  - 1. When a secret or written ballot is necessary, the Presiding Officer is entitled to a ballot.
- B. Where there are three or more candidates, the name receiving the least votes shall be dropped and the balloting continued until there is an election.

## Section 7 – VACANCIES

- A. All vacancies in an elective office shall be filled by election at the next regular Unit meeting following such vacancy.
- B. In the event of a vacancy in the office of Unit President, the Senior Vice President shall at once assume the title and duties of President, and the Junior Vice President shall become the Senior Vice President.
  - 1. The Unit will, at the next regular meeting, elect a Junior Vice President and shall likewise elect other Officers to fill any elective office(s) that are vacant.

## Section 8 – ABSENT UNIT ELECTED OFFICER

- A. A Unit may, by a majority vote at a regular meeting, vacate the Chair of any Officer who is absent from three (3) consecutive meetings provided:
  - 1. Notice of intended action is sent to the Officer concerned prior to the proposed meeting.
  - 2. Notice of the intended action is communicated to the Unit members at least 15 days before such action is voted on.

## Section 9 – BANK ACCOUNTS

The only authorized Bank Account(s) are those opened by the Unit and maintained by the Unit Treasurer.

## ARTICLE IV - DUTIES OF UNIT OFFICERS

### Section 1 – PRESIDENT

- A. Shall preside at all meetings of the Unit.
- B. Enforce strict observance and usage of the MOPHA Constitution and Bylaws and all orders from proper authority.
- C. Approve all warrants drawn by the Secretary for disbursements approved at regular or special meetings of the Unit.
- D. Countersign all checks drawn by the Treasurer.
- E. Appoint Committee's not otherwise provided for and perform such other duties as the Bylaws and Ritual of the Auxiliary may require.
- F. Is expected to represent the Unit at the Department Convention and at meetings of the Department Executive Committee held during the term of office.
- G. Immediately after entering the office appoint:
  - 1. A Secretary, Chaplain, Americanism Officer, Historian, Marshal, and Musician.
  - 2. Committee Chairs and any Committees not otherwise provided for.
  - 3. The President may remove these Officers and Committee members when necessary.

### Section 2 – SENIOR VICE PRESIDENT

- A. Shall preside at meetings in the absence of the President.
- B. Shall assist the President in preserving order.
- C. Shall perform such other duties as the Bylaws and Ritual of the Auxiliary may require.
- D. Shall serve as the Membership Chair to assist in membership recruitment.

### Section 3 – JUNIOR VICE PRESIDENT

- A. The Junior Vice President shall preside in the absence of the President or Senior Vice President.
- B. Shall perform such other duties as the Bylaws and Ritual of the Auxiliary may require.
- C. The Junior Vice President will be Ways and Means Chairman unless the President decides otherwise.

### Section 4 – SECRETARY

- A. The Secretary shall keep all books and files in proper order.
- B. Shall maintain the Constitution and updated versions of the Bylaws, Procedures Manual, and Standing Rules of the Unit if they exist.
- C. Shall take and transcribe the minutes of each Unit meeting, read at the next meeting, note any corrections made and approved and submit as the official transcript.
- D. Maintain an "Official Communications" file of orders, circulars, bulletins issued by the National, Department, or Unit President, and letters and bulletins from other National or Department Officers.
- E. Shall attend to all matters of correspondence under the direction of the President and keep a copy of all official letters sent from their office.
- F. Draw all warrants on the Unit Treasurer for approval by the President for appropriation of monies by motions made and passed at a Unit meeting, or for items that have been approved in the budget.

- G. Upon Installation of Officers, submit the completed Unit Installation Report Form supplied by National HQ to the Department Secretary (where there is a Department), National Secretary, and Region President (where there is a Region President). The above Installation form may be typed and emailed to the National Secretary.
- H. Shall transfer, without delay, to their successor all records, papers, and other property belonging to the Unit in possession or under their control.

#### **Section 5 – TREASURER**

- A. The Treasurer shall pay out money only on warrants properly drawn by the Unit Secretary and approved by the President.
- B. Maintain a file of all warrants drawn.
- C. Shall hold all funds, securities, warrants, and other Unit property relative to the office.
- D. Prepare and sign checks issued by the Unit. Checks will be co-signed by the Unit President or Senior Vice President.
- E. File proof of annual accepted IRS 990 Form, submit copies to the National Treasurer, National Secretary, Department's appropriate Officer(s), and retain copy for Unit's records.
- F. Perform such duties as the office or the Bylaws of the Auxiliary may require.
- G. Prepare the Annual Financial Report on the form provided by National Headquarters, submit copies to the National Treasurer, National Secretary and retain a copy for the Unit records.
- H. Allow the Unit's financial records open for inspection by Unit Trustees.
- I. Deliver to their successor all monies, securities, books, warrants, or other Unit property in their possession or under his/her control.

#### **Section 6 – PARLIAMENTARIAN**

- A. The Parliamentarian should know and understand the Constitution and Bylaws, Procedures Manual, Standing Rules of the National Auxiliary, and the Standing Rules of the Unit to provide an opinion concerning them when asked to do so by the President or Unit.
- B. Where these are not found to adequately cover questions submitted, the Department Parliamentarian may be consulted. Where there is no Department, questions may be referred to the National Parliamentarian.
- C. Interpretation or resolve of issues regarding the National Auxiliary Constitution and Bylaws, and Procedures Manual must go through the Chain of Command.

#### **Section 7 – SERGEANT-AT-ARMS**

- A. The Sergeant-at-Arms shall see that the meeting room is in order before meetings and take a post at the inside door of the meeting room.
- B. Perform such other duties as directed by the President.
- C. Be responsible for the Bible and colors of the Auxiliary.

#### **Section 8 – TRUSTEES**

- A. Unit or Department Trustees shall audit the books of the Unit Secretary and Treasurer annually prior to the annual election of Officers or more when necessary.
- B. Trustees will ensure that the Treasurer provides an annual finance report to the Department Secretary and Treasurer, and to the National Secretary and Treasurer.

- C. The Senior Trustee (one (1) year Trustee) having already served two (2) years, is the Chair of the Auditing Committee and reports to the Unit.

### Section 9 – CHAPLAIN

- A. The Chaplain is responsible for offering the opening and closing prayers at Unit meetings.
- B. Shall assist in Memorial or Burial Services for deceased Unit members.
- C. Is responsible to maintain and provide a list of deceased members to:
  - 1. Department Chaplain at least thirty (30) days prior to an annual Convention.
  - 2. National Chaplain as required prior to the National Convention.
- D. Work with the Unit Secretary to notify Unit members, Department and National Secretaries, and the National Membership Officer immediately of the death of a Unit member.

### Section 10 – APPOINTED POSITIONS

#### AMERICANISM OFFICER

- A. The Americanism Officer shall:
  - 1. Lead the members in the Pledge of Allegiance to the Flag.
  - 2. Be prepared at all times to present patriotic or historical material as part of the program for Unit meetings.
  - 3. Perform such other duties as the President may direct.

#### HISTORIAN

- A. The Historian shall:
  - 1. Enter into a permanent history book a record of events and activities of the Unit, including names of Officers.
  - 2. Establish and maintain a scrapbook, if desired, for the preservation of clippings, programs and other material which will complete the Unit's historical record.
  - 3. Make an Annual Report to the Department and National Historians on form provided by National Headquarters.
    - a. This report shall follow outlines suggested by Department or National Historian and be on forms furnished for that purpose.

#### MUSICIAN

- A. The Musician shall assist the President in carrying on the work of the Unit by furnishing appropriate music during meetings or special ceremonies, as the President may request, or the Ritual may require.

#### MARSHAL

- A. The Marshal shall assist the Sergeant-at-Arms
- B. Shall perform such other duties as the Ritual may require or the President may direct.

### Section 11 – RESIDENCE

All Units elected and appointed Officers shall reside within the geographical boundaries of the Region as defined by the National Bylaws and/or within reasonable commuting distance of the Unit.

## ARTICLE V - MEETINGS OF UNITS

### Section 1 – REGULAR MEETINGS

- A. Unit meetings shall be held monthly when possible.
- B. Digital meetings are allowed except during meetings for elections.
- C. Four (4) members constitute a quorum for Unit meetings.

### Section 2 – SPECIAL MEETINGS

- A. Meetings may be convened by order of the Unit President or upon call in writing by at least eight (8) active members.
- B. Digital meetings are allowed.
- C. The Unit Secretary shall notify Unit members of the business to be transacted at the Special Meeting.
  - 1. No business other than that stated in the notice may be considered.

## ARTICLE VI - DEPARTMENTS

### Section 1 – GOVERNING BODY

- A. Each Department Auxiliary shall be governed by a Department Convention which shall be subordinate to the National Convention.
- B. There shall be an annual Department Convention held between April 1<sup>st</sup> and May 30<sup>th</sup> of each year. Elections will be at the Convention with members present.
  - 1. In the event a MOPH convention is held after May 31<sup>st</sup>, the National Secretary is authorized to make an exception for receipt of the Installation Report.
- C. The Department Convention shall consist of:
  - 1. Department President and all other elective Officers of the Department with a voice and a vote.
  - 2. Appointed Department Officers with a voice but no vote.
  - 3. Unit Presidents throughout its jurisdiction with a voice and a vote.
    - a. In the absence of the Department President, the Senior Vice President or Junior Vice President may represent the Unit.
    - b. Unit will elect a Delegate and Alternate(s) - President may cast (one) 1 Charter vote.
    - c. In the absence of the President, the Senior Vice President or Junior Vice President may cast the Unit Charter vote.
- D. Auxiliary members who are Past National Presidents and past Department Presidents with a voice and a vote.
- E. No member, regardless of number of positions held, can vote in more than one capacity.

### Section 2 – ELIGIBILITY

- A. All members shall be eligible for any office in the Department except:
  - 1. Auxiliary Associate Members may not hold Department elected office but may hold any appointed Department office except for Department Secretary.
  - 2. Junior Lifetime Members (ages 14 – 17) may not hold any office, appointed or elected, at the Department level.

### Section 3 – OFFICERS

- A. The elective Officers of Department shall be a President, Senior Vice President, Junior Vice President, Treasurer, Sergeant-at-Arms, Parliamentarian, and three (3) Trustees.
- B. The President shall appoint a Secretary, Chaplain, Americanism Officer, Historian, Marshal, Musician, and Committee Chairs.
- C. The Department President shall serve as the member of the National Executive Committee (NEC). In the Presidents absence, the Senior Vice President or Junior Vice President, in order of their office, shall serve on the NEC.

### Section 4 – ELECTION OF OFFICERS

- A. The President, Senior Vice President, Junior Vice President, Treasurer, Parliamentarian, Sergeant-at-Arms, and one Trustee will be elected at the annual Department Convention.

- B. In the event of a contested Department election result based on allegations of an unfair, tainted, or illegal election by the outgoing Officers, the Region President shall appoint a temporary Department President and Treasurer.
  - 1. These two temporary Officers will assume immediate control of all books, records, and monies of the Department pending a hearing panel appointed by the Region President.
  - 2. A minimum of three (3) members must submit written documentation setting forth the alleged claims of an illegal, tainted, or invalid election process and provide supporting proof.
    - a. The written documentation must be signed by the member alleging an improper election.
    - b. The Department Secretary is responsible to send the written documentation to the Region President within ten (10) calendar days of the disputed election results.
  - 3. The Region President will immediately appoint a hearing panel of three (3) members to conduct a hearing. The panel will consist of any combination of past Region Presidents or Past Department Presidents.
    - a. The Region President will appoint the Chair of the panel.
    - b. The hearing will be no later than ten (10) calendar days from the panel appointment. The Region President will designate the date, city/town, and location of the hearing.
    - c. The panel will evaluate the evidence and testimony from all the involved parties concerning the allegations of an illegal, invalid, or tainted election process.
    - d. The panel will report its findings and recommendations within ten (10) calendar days to the Region President and provide a copy to the National Secretary.
    - e. Upon receiving the results of the hearing, the Region President will:
      - 1. Affirm or reject (cannot modify) the hearing panel's findings and decision.
      - 2. Either call for a new election or uphold the disputed election.
      - 3. If the Region President accepts the hearing panel's recommendation that there were no improprieties, then said acceptance shall be sent to the National President to certify the election.
    - f. Upon certification by the National President the newly elected Officers will be sworn in and assume command.
      - 1. The temporary appointees will turn over all books, records, and monies of the Department to the newly certified and properly elected Department Officers.
      - 2. In the event the panel finds an illegal or tainted election, the Region President will immediately call for a new election to be conducted within twenty (20) calendar days of receipt of the hearing panel's recommendation(s).
  - 4. All appeals will be to the National President within five (5) calendar days of the notification of the panel's decision. The National President's decision is final and definitive.

#### Section 5 – TERM OF OFFICE

- A. Officers elected and installed shall enter upon their respective duties immediately after the adjournment for the meeting at which they were chosen and shall hold office until successors are duly installed.
- B. Both elected and appointed Officers may succeed themselves if elected or appointed properly.



- C. Appointed Officers serve a one-year term at the pleasure of the President. Appointed Officer positions terminate at the end of the President’s term of office, or upon the resignation/removal/vacancy of the President.
- D. Appointed Officers may be re-appointed by the new President.
- E. Departments may establish term limits of elected Officers by a majority vote of the votes cast at a Department meeting. Term limits should be in writing as a Standing Rule and approved by the National Parliamentarian.
  - 1. Term limits become effective upon submission of the next Installation Report sent to the National Secretary.
  - 2. A two-thirds (2/3) vote of the votes cast at a subsequent Department Convention is required to change or remove the term limits previously established and approved.

**Section 6 – VACANCIES**

- A. In the event of a vacancy in the office of Department President, the Senior Vice President shall at once succeed to the title and duties of President and the Junior Vice President shall succeed to the title and duties of the Senior Vice President.
- B. The Department Executive Committee will vote to elect a Junior Vice President.
- C. The Department Executive Committee shall vote to fill any elective office(s) that are vacant.
- D. Elections may be at a meeting, by mail or digital voting
- E. All candidates may provide information about themselves to be included with the mailing or digital voting.

**Section 7 – REMOVAL**

- A. Any Department Officer who missed two meetings of the constituent body may have the office declared vacant by a vote of the Department Executive Committee.
  - 1. The Officer may be retained if a legitimate excuse is provided for each absence.
  - 2. When so removed, the Officer shall have the privilege of an appeal to the Region President. The appeal must be taken within sixty (60) calendar days of the date of the order declaring such office vacant.

**Section 8 – BANK ACCOUNTS**

- A. The only authorized Bank Account(s) are those opened by the Department and maintained by the Department Treasurer.

**Section 9 – DEPARTMENT EXECUTIVE COMMITTEE (DEC)**

The Department Executive Committee shall consist of:

- A. The President, Senior Vice President, and Junior Vice President with voice and a vote.
- B. All elected Officers of the Department with a voice and a vote.
- C. Past National Presidents and Past Department Presidents who are members of the Department with a voice and a vote.
- D. Appointed Officers of the Department with a voice but no vote.
- E. Unit Presidents, or in their absence, one of the Vice Presidents in order of precedence of their office, with a voice and a vote.

## Section 10 – DUTIES & FUNCTIONS OF DEPARTMENT EXECUTIVE COMMITTEE

- A. The Department Executive Committee (DEC) shall meet immediately preceding the Department Convention.
- B. The DEC shall meet at least once during the interval between Department Conventions at:
  - 1. The call of the Department President.
  - 2. The written request of five (5) of the Department Executive Committee members.
  - 3. Digital meetings are allowed between Conventions. If done electronically, the Department will be responsible for any costs.
- C. In the interval between Department Conventions, the Department Executive Committee shall be vested with full administrative powers of the Department. All actions of the Department Executive Committee shall be subject to approval by the subsequent Department Convention.
- D. The Department Executive Committee shall authorize all expenditures, see that the accounts of the Treasurer and Secretary are audited, and be responsible for verifying the authorization of income-producing ventures.
- E. Contracts and ventures extending beyond the limitations of Department Conventions can only be approved by the Department Convention by a two-thirds vote of the votes cast.
- F. The Department Secretary shall be responsible for a complete report of the Minutes of all DEC meetings.
- G. The Department Executive Committee may be polled by the Department Secretary, through email or postal mail, to vote on any matter which in the opinion of the Department President requires action.

## Section 11 – VOTING

- A. At Department Conventions and Department Executive Committee meetings, voting shall be as follows:
  - 1. Each member of the Department Convention present at a meeting of the Convention shall be entitled to one (1) vote. Members who hold, or have held multiple offices, are entitled to only one (1) vote. All appointed Officers shall be without a vote.
  - 2. The vote of Unit Presidents, or in their absence, the Senior Vice President or Junior Vice President shall be recorded as the Unit Charter Vote.
  - 3. A Unit may elect a Delegate and Alternate Delegates to carry the vote of the Unit. If no Delegate or Alternate is present at a Department Convention, no votes are counted for members of the Unit.
  - 4. Voting at meetings of the Department Executive Committee shall be done per Article VI, Section 6.
  - 5. Members that hold positions at both Department and Unit level with entitlement to vote in either position have only one (1) vote. A Unit President, or in their absence, the Senior Vice President or Junior Vice President may vote the Charter vote or choose to be the Unit Delegate.
  - 6. One-third of the voting membership of the DEC shall constitute a quorum.
- B. Voting by proxy will not be allowed.

## ARTICLE VII - DUTIES OF DEPARTMENT OFFICERS

### Section 1 – PRESIDENT

- A. Preside at all meetings of the Department Convention and Department Executive Committee.
- B. Enforce strict observance of the rules and usage of the National and Department Organizations.
- C. See that all orders from National Auxiliary Headquarters are properly publicized and observed.
- D. Inspect all Units in the Department and supervise the activities of Officers and Chairs.
  - 1. INSPECTION by the Department President shall be at least once during their term of all Units under their jurisdiction.
  - 2. A report of each inspection shall be sent promptly to the National Inspector, a duplicate shall be retained for Department files, and a duplicate shall be left with the Unit. These reports shall be on forms furnished by National Auxiliary Headquarters.
  - 3. When unable to inspect personally, the Department President shall appoint another Department Officer or a Past Department President as Deputy Inspector, providing such appointee IS NOT A MEMBER of the Unit to be inspected.
  - 4. Official notice of a visit of inspection shall be given the Unit President at least one (1) week prior to such visit.
- E. Approve all warrants drawn by the Department Secretary before same are paid.
- F. Countersign all checks drawn by the Department Treasurer.
- G. Ensure that the Trustees arrange and conduct an audit of the Treasurer's financial records.
  - 1. This shall be done before the Department Executive Committee meeting preceding the Department Convention.
  - 2. The Audit Committee will report their findings to the Department Executive Committee and the Department Convention.
- H. Appoint the following:
  - 1. Secretary, Chaplain, Americanism Officer, Historian, Marshal, and Musician.
  - 2. Committee Chairs, Viola, Community Activities, Community Hospitals, and Publicity.
- I. Serve as the member of the National Executive Committee with a voice and a vote.
- J. At the end of their term, submit a Department President report to the National Secretary.

### Section 2 – SENIOR VICE PRESIDENT

- A. Shall preside at meetings in the absence of the President.
- B. Shall assist the President in preserving order.
- C. Shall perform such other duties as the Bylaws and Ritual of the Auxiliary may require.
- D. Shall serve as the Membership Chair to assist in membership recruitment.
- E. May serve in the absence of the Department President as a member of the National Executive Committee.

### Section 3 – JUNIOR VICE PRESIDENT

- A. Shall preside in the absence of the President or Senior Vice President.
- B. Shall perform such other duties as the Bylaws and Ritual of the Auxiliary may require.
- C. Serve as Ways and Means Chair unless the President decides otherwise.
- D. May serve in the absence of the Department President and Senior Vice President as a member of the National Executive Committee.

#### Section 4 – SECRETARY

- A. Keep correct records of:
  - 1. Minutes of each Department Convention and Department Executive Committee meeting.
  - 2. Orders, reports, letters, memorandums and correspondence received.
  - 3. Warrants and receipts drawn on the Treasurer.
  - 4. Monies due and receivable from all sources.
- B. Shall conduct the correspondence and issue all orders under the direction of the President.
- C. Draw all warrants on the Department Treasurer.
- D. Retain receipts from the Treasurer for all monies received from all sources.
- E. Prepare, for each annual spring Convention, a list of all Units and Delegates to which each Unit is entitled and submit a completed Installation Report to the National Secretary.
- F. Transfer, without delay, to their successor all records, papers, and other property belonging to the Department in their possession or under their control.

#### Section 5 – TREASURER

- A. Shall pay out money only on warrants properly drawn by the Department Secretary and approved by the President.
- B. Shall hold all funds, securities, warrants and other Department property relative to the office.
- C. Prepare and sign checks issued by the Department.
  - 1. Checks will be co-signed by the Department President or Senior Vice President.
- D. Prepare a complete Annual Financial report on the form provided by National Headquarters covering the period from July 1 to June 30.
- E. Allow the Department financial records open for inspection by the Department Trustees.
- F. Provide a Financial Report to the Department President and members in attendance at the Department Convention.
  - 1. Submit copies to the National Treasurer, National Secretary, and retain a copy for the Department records.
- G. File annual IRS 990 Form and submit to the National Treasurer, copy to the National Secretary, and retain a copy for Department records.
- H. Deliver to their successor all monies, securities, books, warrants, or other Department property in their possession or under their control.

#### Section 6 – PARLIAMENTARIAN

- A. The Parliamentarian should know and understand the Constitution and Bylaws, Procedures Manual, and Standing Rules of the National Auxiliary, and the Bylaws of the Department, so an opinion may be given when asked to do so by the President.
- B. Where these are not found to adequately cover questions submitted, the National Parliamentarian may be consulted.
- C. Interpretation or resolve of issues regarding the National Auxiliary Constitution and Bylaws, and Procedures Manual must go through the Chain of Command.

#### Section 7 – SERGEANT-AT-ARMS

- A. The Sergeant-at-Arms shall see that the meeting room is in order before meetings and take a post at the inside door of the meeting room.

- B. Perform such other duties as directed by the President.
- C. Be responsible for the Bible and colors of the Auxiliary.
- D. The Patriotic Instructor and Marshal will assist the Sergeant-at-Arms as needed with assigned duties.

#### Section 8 – CHAPLAIN

- A. The Chaplain is responsible for offering the opening and closing prayers at Department meetings.
- B. Shall assist in Memorial or Burial Services for deceased Department members.
- C. The Chaplain is responsible to maintain and provide a list of deceased members to:
  1. Department Secretary at least 30 days prior to an annual Convention.
  2. National Chaplain as required prior to the National Convention
- D. The National Chaplain, the Department Secretary, National Membership Officer and the National Secretary shall be notified in a timely manner.

#### Section 9 – TRUSTEES

- A. Trustees will ensure that the Treasurer provides an annual finance report to the National Treasurer and copy to the Department Secretary.
- B. The Senior Trustee (one (1) year Trustee) having already served two (2) years, is the Chairman of the Auditing Committee and reports to the Department.

#### Section 10 – APPOINTED POSITIONS

##### AMERICANISM OFFICER

- A. The Americanism Officer shall:
  1. Lead the members in the Pledge of Allegiance to the Flag.
  2. Be prepared at all times to present patriotic or historical material as part of the program for Unit meetings.
  3. Assist the Sergeant-at-Arms when needed.

##### HISTORIAN

- A. The Historian shall enter into a permanent history book a record of events and activities of the Department, including names of Officers.
- B. If desired, a scrapbook shall be established and maintained for the preservation of clippings, programs and other material which will complete the Unit's historical record.
- C. An annual report shall be provided to the Department and National Historians at on the form provided by National Headquarters.
- D. This report shall follow outlines suggested by Department or National Historian and be on forms furnished for that purpose.

##### MUSICIAN

- A. The Musician shall assist the President in carrying on the work of the Department by furnishing appropriate music during meetings or special ceremonies, as the President may request, or the Ritual may require.

##### MARSHAL

- A. The Marshal shall assist the Sergeant-at-Arms.
- B. Shall perform such other duties as the Ritual may require or the President may direct.

## Section 11 – RESIDENCE

- A. All Department elected and appointed Officers shall reside within the geographic boundaries of the Region, or within reasonable commuting distance of the Department.

## ARTICLE VIII - DELEGATES TO CONVENTIONS

### Section 1 – DEPARTMENT

- A. Delegates to the Department Convention shall be elected at a Unit meeting at least thirty (30) calendar days prior to the Department Convention.
- B. Delegates may be elected for each ten (10) members, or major fraction thereof, as recorded by the National Membership Officer.

### Section 2 – NATIONAL CONVENTION

- A. Delegates to the National Convention shall be elected at a Unit meeting at least thirty (30) calendar days prior to the National Convention.
- B. Delegates may be elected for each ten (10) members, or major fraction thereof, as recorded by the National Membership Officer on June 30th.

### Section 3 – VOTING

- A. Delegates may be voted for in the same manner as elections. The allotted number receiving the highest number of votes shall be declared Delegates.

### Section 4 – DELEGATE LISTS

- A. Immediately after the election of Delegates, the Unit Secretary shall forward the list of names to the Department Secretary and National Secretary when a Unit is represented at a National Convention.
- B. Such lists shall be used by the Credentials Committee in determining duly accredited Delegates to Department and National Conventions.

### Section 5 – CONVENTION PREREQUISITE

- A. Units with fewer than the minimum requirement of ten (10) members shall not be entitled to any Delegates at either the Department or National Conventions.
- B. Units must have submitted reports of the Unit's elected and appointed Officers in the form of an Installation Report for any Delegates to be entitled to Charter and Delegate votes at both Department and National Conventions.
- C. Departments must have submitted reports of the Department's elected and appointed Officers in the form of an Installation Report to be entitled to a Charter vote at National Conventions.
- D. These prerequisites must be met:
  - 1. By the start of a Department Convention for participation at the Department Convention.
  - 2. By May 31st for participation at the National Convention.
    - a. An exception may be made if the Unit or Department has extenuating circumstances and requests their installation report be accepted.
    - b. The Credentials Committee will review the request and make a recommendation to the Convention body whether to allow the exception.
    - c. The Convention body will vote by a division of the assembly.

## ARTICLE IX - NATIONAL CONVENTION

### Section 1 – SUPREME AUXILIARY BODY

- A. The supreme power of the Military Order of the Purple Heart Auxiliary shall be vested in an annual National Convention.

### Section 2 – COMPOSITION OF THE NATIONAL CONVENTION

- A. The elective National Officers, National Secretary, National Membership Officer, VAVS National Representative, and all Past National Presidents with a voice and a vote.
- B. All other appointed National Officers with a voice and no vote.
- C. All Department Presidents with a voice and a vote. In the absence of the President, the Senior Vice-President or Junior Vice-President may represent the Department.
- D. All Unit Presidents with a voice and a vote. In the absence of the President, the Senior Vice-President or Junior Vice-President may represent the Unit.
- E. Delegates elected by the Units:
  1. One for each ten (10) members, or major fraction thereof.
  2. Based on the number of Unit members as recorded by the National Membership Officer as of June 30th.

### Section 3 – CONVENTION QUORUM

- A. The quorum of a National Auxiliary Convention shall be one-half (1/2) plus one (1) of qualified voting members registered with the Auxiliary Credentials Committee. This number may increase from day to day as additional members are registered but does not decrease.

### Section 4 – MEETINGS

- A. The National Convention of the Auxiliary shall be held annually at the time and place of the National Convention of the Military Order of the Purple Heart of the U.S.A. Inc.
- B. In the event a National Convention cannot be held because of a government edict (e.g. a time of war or any other emergency), a USPS or digital vote for the election of Officers is to be held not later than October 31.
  1. The National Secretary shall notify the membership and allow a thirty (30) day period for candidates to declare candidacy for an office.
  2. Fifteen (15) calendar days shall be allowed for the return of votes before the vote count.
  3. The final date of returning the vote shall be designated in the letter explaining the reason for the vote.
- C. A professional parliamentarian may be used at the National Convention if deemed necessary by the National President with written reason and approved by the National Finance Committee.

### Section 5 – ORDER OF BUSINESS

- A. The Order of Business at the National Convention, unless otherwise voted by a majority of the votes cast by the Convention body, shall be as follows:
  - Opening of the National Convention in due form
  - Call to Order by Convention Chair
  - Opening Prayer
  - Presentation of Colors



- Pledge to the Flag
- National Anthem
- Escort and Introduction of Presiding President
- Roll Call
- Introduction of Guest – Reading of Greetings
- Act on Minutes of Last Convention
- Minutes of Executive Committee Meeting
- Committee Appointments
- Report of Rules Committee
- Officers’ Reports
- Committee Reports
- Unfinished Business
- Nominations
- New Business
- Final Report Credentials Committee
- Nominations & Election of Officers
- Installation of Officers
- Courtesy Resolutions
- Closing Prayer
- Retiring of Colors
- Adjournment

1. The foregoing Order of Business is offered subject to changes which may be necessary. Memorial Services, Receptions, Teas, etc., must be included where convenient.
2. The entire Convention is called a “Session” although it may consist of a series of meetings. The “Session” opens when the Convention is called to order and closes when the Convention is declared adjourned.

## Section 6 – RULES OF THE NATIONAL CONVENTION

- A. Rules of the National Convention, unless otherwise voted by the Convention assembled, shall be as follows: The Constitution and Bylaws of the Military Order of the Purple Heart Auxiliary and Robert’s Rules of Order, Newly Revised.
- B. Convention Sessions will be recorded by a certified professional recorder for transcribing. A record will be available to all members in accordance with the requirement of our Parent Organization.
- C. Only duly accredited and registered members of the National Convention that belong to an active Unit shall participate directly, or indirectly, in discussions or voice vote (hand or standing vote may be permitted) on any subject before the Convention.
- D. The Chair may grant the floor to any visitor:
  1. With the consent of a majority of the Convention.
  2. This privilege shall not be extended for business or point of order.
- E. A member desiring to make a motion or address the Convention will rise, be recognized before addressing the Presiding Officer as “Madam/Mr. President,” state their name, Unit number, and office clearly into the microphone before proceeding.

- F. At the discretion of the Presiding Officer, discussions shall be limited to three minutes each speaker. A member may be permitted to speak only once on any subject, except by the consent of two thirds (2/3) vote of the votes cast by the Convention's Delegates.
- G. Committee Chairs may speak as frequently as may be necessary about the report of their Committee.
- H. Voting shall be:
  - 1. By voice for business matters.
  - 2. By ballot for Election of Officers unless there is only one candidate.
  - 3. By roll call for decision of question.
- I. Units shall not be entitled to any Delegate votes that have:
  - 1. Fewer than the minimum requirement of ten (10) senior members.
  - 2. Not submitted an Installation Report.
- J. Departments that have not submitted Installation Reports by May 31st shall not be entitled to any votes.
- K. Voting by ballot will be as follows:
  - 1. Each Unit or Department is entitled to cast one (1) "Charter vote" providing the President thereof, or one of the Vice Presidents, is voting in the capacity of President.
  - 2. Each elective National Officer, National Secretary, National Membership Officer, VAVS National Representative is entitled to cast one (1) vote.
  - 3. Delegates elected by Units will vote their Unit strength as reported by the Credentials Committee appointed by the National President.
- L. Recommendations for consideration and action of the Convention shall be in the form of Resolutions as advanced by Units, Departments, or official committees.
  - 1. All Resolutions offered on the floor of the Convention, or otherwise after reading by the Secretary, shall be referred by the Chair to the proper Committee for consideration and report, with or without recommendation.
  - 2. The Resolutions must be signed and dated.
  - 3. The Resolutions must be received by the National Secretary at least thirty (30) calendar days prior to the Convention.
- M. Nomination for National Officers shall be from the floor:
  - 1. Nominating speeches are limited to one (1) for each candidate, not to exceed three (3) minutes.
  - 2. After allowing ample time for additional nominations, if there is but one (1) candidate for office:
    - a. The Chair may declare the nominations closed, or if after all offices have been covered, entertain a motion that nominations be closed.
      - i. The latter is preferred motion for following Parliamentary rules.
- N. If there is no election on the first vote, the name of the person receiving the lowest number of votes may be dropped, and so on in successive votes, until an election is made.
- O. Voting by proxy shall not be permitted.
- P. Every Officer, Delegate and Alternate should feel obligated to attend all business sessions of the Convention so they may give a complete report to their Unit.
- Q. All members should willingly accept any assignment given them by the President.
- R. Loyalty should be shown to ALL Officers and courtesy should be shown to ALL members.

- S. The discussion of personal grievances, local conditions, or circumstances pertaining to one (1) individual only, with respect to any personal interest, shall not be in order before the Convention but may be discussed before the Grievance Committee of the Convention (Article XV, Section 10).

## ARTICLE X - NATIONAL OFFICERS

### Section 1 – ELIGIBILITY FOR OFFICE

- A. Any active member shall be eligible to hold National Office except:
  - 1. Junior Life Members may not hold any office, appointed or elected, at the National level.
  - 2. Auxiliary Associate Members may hold any appointed National office, except for National Secretary, National Membership Officer, and National Inspector.
- B. A member who wants to be nominated at a National Convention, and will not be present at the Convention, shall submit a written statement to the National Secretary by May 31st of the candidate's willingness to accept such office. A two-thirds (2/3) vote of qualified members present shall be required to admit the name to nomination.

### Section 2 – OFFICERS

- A. The National Officers of the Military Order of the Purple Heart Auxiliary shall be the National President, Senior Vice-President, Junior Vice-President, Region Presidents, National Secretary, Treasurer, Membership Officer, Chaplain, Parliamentarian, four (4) members of the National Finance Committee, Sergeant-at-Arms, Americanism Officer, Historian, Marshal, National Inspector, Community Hospital Chair, Community Service Chair, Public Relations Chair, VAVS Representative, VAVS Deputy Representative, Viola Chair, Musician, and Webmaster.

### Section 3 – ELECTION and APPOINTMENT of OFFICERS

- A. The President, Senior Vice-President, Junior Vice-President, Treasurer, Parliamentarian, Sergeant-at-Arms, and at least one National Finance Committee member, shall be elected annually at the National Convention.
- B. Region Presidents shall be elected annually at the National Convention.
  - 1. Each Region President Candidate(s) is nominated and elected by each Region itself.
  - 2. The Region President must be a resident of the Region that elects them.
  - 3. Election will be by ballot during the general election.
- C. The newly elected National President:
  - 1. Shall appoint a National Secretary, Membership Officer, Chaplain, Marshal, Americanism Officer, Inspector, Historian, Musician, Community Hospital Chair, Community Service Chair, Public Relations Chair, VAVS National Representative, Viola Chair, and Webmaster.

### Section 4 – TERM OF OFFICE

- A. The National Officers shall enter upon the duties of their respective offices immediately after the adjournment of the meeting or Convention at which they were elected or appointed. Said Officers shall hold office until the next annual Convention or until a successor is duly elected or appointed and installed.
- B. No National President, National Senior Vice-President, or National Junior Vice President shall succeed themselves by election to a second full term.
  - 1. If the National President is permanently unable to finish the term of office, the Senior Vice President will accede to the office and may stand for election to be National President provided the unfinished term of the predecessor is 183 calendar days or less.

2. If the National Junior Vice-President accedes to the office of National Senior Vice-President, they may stand for election to be National Senior Vice-President, provided the unfinished term of the predecessor is 183 calendar days or less.
- C. All National Auxiliary Officers shall be elected or appointed to serve one (1) term with the exception of the National Finance Committee:
  1. National Finance Committee members shall serve on a rotational basis with only one (1) member being elected annually for a term of four (4) years.
    - a. The Chair of the National Finance Committee shall be chosen by a majority vote of those members of the Committee eligible to vote.

## Section 5 – VACANCIES

- A. In the event of a vacancy in the office of the National President, the National Senior Vice-President shall at once succeed to the title and duties of the position.
- B. In the event of a vacancy in the office of the National Senior Vice-President, the National Junior Vice-President shall at once succeed to the office of the National Senior Vice-President.
- C. In the event of a vacancy in the office of the National Junior Vice-President, the National Executive Committee (NEC) shall elect an Officer to fill the position until the next Convention from one of the current Region Presidents.
- D. Vacancies occurring in the elective offices of the National Auxiliary shall be filled by the NEC in the following manner:
  1. The National President shall duly notify all the NEC members of the office vacancy.
  2. Within thirty (30) days after the notification of the vacancy, the National Secretary shall notify NEC with the names of candidates for the office.
  3. The NEC members will vote to fill the vacancy by digital voting.
    - a. The National Secretary will email a ballot to each NEC member using an online program that assures anonymous voting.
    - b. The National Secretary will keep a list of NEC members who do not have email and will mail them a paper ballot.
  4. The electronic vote reports and any mailed ballots shall be overseen by the National Secretary and verified by Tellers appointed by the National President.
  5. The member receiving the highest number of votes shall be declared duly elected to the office.
  6. The National Secretary shall notify the NEC of the results.
- E. In the event of a vacancy in the office of a Region President, Departments and Units in the Region concerned shall receive official notice from the National President and asked to submit nominations to fill the vacancy.

## Section 6 – VOTING

- A. At regular meetings of the National Executive Committee, the rules shall be as follows:
  1. Each elected member of the National Executive Committee shall have one (1) vote.
  2. Fifteen (15) committee members shall constitute a quorum.
  3. No proxy votes may be counted.
- B. At special meetings held between conventions of the NEC, the rules shall be as follows:
  1. NEC members will vote by digital voting.

- a. The National Secretary will email a ballot to each NEC member using an online program that assures anonymous voting.
- 2. The electronic vote reports shall be overseen by the National Secretary and verified by Tellers appointed by the National President.
- 3. Only NEC members without email shall receive a mail ballot from the National Secretary with instructions and deadline for voting.
- C. At National Conventions, the rules shall be as follows:
  - 1. Each member of the National Convention present at a meeting of the Convention shall be entitled to one vote.
  - 2. The vote of Unit/Department Presidents or Vice-Presidents shall be recorded as the Charter vote.
  - 3. One (1), or more, Delegate(s) will vote the Unit strength.
  - 4. No proxy votes may be counted.
- D. Prior to Election of Officers, the Chair shall request a final report of the Credentials Committee.
- E. The Credentials Committee shall serve as Judge and Tellers.
  - 1. The appointment shall not deprive them of the right to be nominated or elected to any office.
  - 2. The Credentials Committee will serve as the Judge and Tellers except:
    - a. If one of the credentials committee is nominated for an elective office
    - b. A conflict is determined by the convention body.
  - 3. The National President may be obligated to appoint separate Judge and Tellers.
- F. The Secretary shall:
  - 1. Call the roll of individual members entitled to a personal vote by virtue of their office, each of whom shall respond, if present, by stating their voting position.
  - 2. Call the roll of Units and state the number of Delegate votes allowable to each in turn.
- G. The Delegate Chair, or a member, is entitled to vote as a Delegate provided:
  - 1. A current Unit Installation Report has been received by the National Secretary by May 31st.
  - 2. Delegate/Alternate responds by saying "Here".
  - 3. If only one (1) Delegate is present, they may cast the full delegate strength of their Unit.
  - 4. No proxy votes shall be allowed.
- H. If no response when the individual or Unit name is called, the name shall be stricken from the voting list.
- I. Voting Strength of the Convention is the number of votes tabulated after the rolls have been called.
  - 1. One half (1/2) of that number, plus one (1), constitutes a majority.
- J. When a written ballot is necessary, the Judge and Tellers tabulate the votes, report the result to the Chair, and the Chair announces the result to the assembly.
  - 1. Any member who believes an error has been made may ask for a recount or may request that the vote be taken again.
  - 2. All ballots shall be held by the National Secretary for thirty (30) days following the election and then destroyed.
- K. When there is but one candidate for an office, the vote may be by voice.
- L. When there are more than two (2) candidates for an office, a written ballot is required.
- M. A majority of all votes cast, unless otherwise designated, is necessary for election.

- N. If there is no election on the first two ballots, the candidate with the least votes is dropped, and so on in successive votes, until election is made.
- O. When votes are evenly distributed between two (2) candidates, neither having a majority, and the tie persists through several ballots, balloting continues until the tie is broken.
- P. When a secret or written ballot is being taken, the Chair or presiding Officer is entitled to a ballot.
- Q. When an official report on the voting for any office has been given by the Judge, stated by the Chair, and accepted by the Assembly, the vote shall stand as declared, and the ballots shall be held by the National Secretary for thirty (30) days and then destroyed.
- R. Any reimbursable Officer at a National meeting that chooses to vote the Charter or delegate vote of their Unit in lieu of their vote as a National Officer will relinquish their reimbursement.
- S. Only qualified members of the National Convention Body, as outlined Article IX, Section 6 (C) are entitled to propose or second motions, take part in debate on the floor, or vote.

## ARTICLE XI - DUTIES of NATIONAL OFFICERS

### Section 1 – NATIONAL PRESIDENT

- A. As the executive head of the MOPHA, shall have full power to enforce the Constitution and Bylaws, and Procedure Manual of the Auxiliary.
- B. Shall carry out the orders and directives of the National Convention, National Executive Committee, and the National Auxiliary by issuing such orders as may be necessary.
- C. Preside at the National Convention and National Executive Committee (NEC) meetings.
  - 1. Decide all questions of law usage, subject to an appeal to the National Convention or the NEC bodies, respectively.
- D. Authorize by signature or digital signature:
  - 1. Warrants that are properly drawn by the National Secretary.
  - 2. Countersign all checks drawn by the National Treasurer.
  - 3. Official papers.
  - 4. Contracts properly authorized and approved by the National Convention and/or National Executive Committee provided:
    - a. The contracts are within the authorization prescribed in these Articles.
    - b. The contracts are within the mandates specifically granted to it by the National Convention.
- E. Will appoint upon entering office: A National Secretary, Membership Officer, all other National Officers and Committees not otherwise provided.
- F. Devote major time to the coordination of all the activities of the National Officers, Departments, and Units.
- G. Be an ex-officio member of each committee.
- H. Serve as an active member of the National Finance Committee with voice and vote.

### Section 2 – NATIONAL SENIOR VICE PRESIDENT

- A. Shall assist the National President in the discharge of their duties.
- B. In the absence of the National President, shall preside at National Auxiliary meetings.
- C. In the event of a vacancy in the office of National President due to death or other reasons, the Senior Vice President shall at once assume the title and duties of National President.
  - 1. The Senior Vice President is obliged to be familiar with the duties of the National President's office and be ready to assume, if necessary.
- D. Shall serve as a member of National Executive Committee with a voice and a vote.
- E. Shall serve as a member of the National Finance Committee with voice but no vote.
- F. Shall be the National Membership Chair.
- G. Shall perform other duties at the direction of the President.

### Section 3 – NATIONAL JUNIOR VICE PRESIDENT

- A. Assist the National President and National Senior Vice President in the discharge of their duties.
  - 1. In the absence of both, shall preside at National Auxiliary meetings.
- B. In the event of a vacancy in the office of National Senior Vice President due to death or other reasons, the Junior Vice President shall at once assume the duties of the Senior Vice President.



1. The Junior Vice President is obliged to be familiar with the duties of the Senior Vice President's office and be ready to assume, if necessary.
- C. In the event of a vacancy in the office of the National Junior Vice President:
  1. Notice of the vacancy shall be sent by the National President to each member of the National Executive Committee.
  2. The notice shall list the names of Region Presidents, all of whom shall be ex-officio candidates, to fill the vacancy until the next National Convention. Article X, Section 5, C.
- D. Supervise the activities of the Region Presidents.
- E. Shall be the National Ways and Means Chair unless the National President chooses to assign other duties.
  1. As Chair, prepare a Ways and Means report of an itemized list of all donated items and all monies received to be reported at the National Convention.
  2. National Ways and Means Funds shall be kept separate from Operating Funds.
    - a. Funds shall have a separate budget line item.
    - b. Funds are comprised of monies raised directly by MOPHA.
    - c. Disbursement of funds shall be determined by the National Convention Body.
- F. Be a member of the National Executive Committee with a voice and vote.
- G. Be a member of the National Finance Committee with a voice but no vote.

#### Section 4 – REGION PRESIDENTS

- A. Regional Presidents shall:
  1. Be an active member of a Unit within that Region.
  2. Be under the direction of the National Junior Vice President.
  3. Assist the National Junior Vice President who serves as the National Ways and Means Chairman.
  4. Have jurisdiction over Units and Departments in their respective Region.
  5. Be elected each year at the National Convention by members within their Regions.
  6. Strive to increase membership in their Region by organizing new Units and Departments.
  7. Personally endorse Charter applications for new Departments in their Region.
  8. In the absence of a Region President, the National Senior Vice President will endorse the Charter.
  9. Work in close cooperation with the National Membership Chairman.
  10. Upon notification by the Region Commander, each Region President shall hold a Region Conference during their term which:
    11. Is to be held at a time and place selected by the Region Commander of the Region.
    12. Official notice of conference shall be given to each Unit and Department in the Region and all National Officers at the earliest possible date.
    13. A School of Instruction shall be held at Conference.
    14. Submit an Annual Report covering their activities as a National Officer including an itemized list of all donated items and monies received per item for Ways and Means.
    15. Where there is no Department, the Region President will annually inspect all Units in their region on the form provided by MOPHA National Headquarters and submit the reports to the National Inspector.

16. In event of a vacancy in the office of National Junior Vice President, the Region Presidents are ex-officio candidates to fill the vacancy until the next National Convention.
17. Be a member of the National Executive Committee with a voice and a vote.

## Section 5 – NATIONAL SECRETARY

- A. Keep correct records of the proceedings of the National Convention, the National Finance Committee, and the National Executive Committee.
- B. Publish the minutes of the National Convention and make them a matter of record.
- C. Prepare briefs of the meetings of the National Finance Committee held immediately before the National Convention which shall be available for such Committee meetings held immediately after the National Convention.
- D. Conduct the necessary correspondence for the National Auxiliary.
- E. Be custodian of the Official National Auxiliary Seal and the property of Units and Departments held in escrow by the National Auxiliary.
- F. Keep a master of the MOPHA Constitution and Bylaws and Procedure Manual.
- G. Receive all money due and payable to the National Auxiliary, except membership dues.
  1. Secretary must keep accurate financial records of all monies turned over to the National Treasurer.
- H. May be bonded, if desired, at the expense of the National Auxiliary.
- I. Prepare, approve, and authorize by signature, or digital signature, all warrants drawn upon the National Treasurer for payment of bills.
  1. The warrants shall be substantiated by bills or other proper authority.
- J. Be the ex-officio Secretary to the National Finance Committee serving with voice but no vote.
  1. Prepare and distribute the minutes to National Finance Committee members.
- K. Be a member of the National Executive Committee with voice and vote.
- L. Prepare and keep the proper books, papers, and files required by MOPHA including:
  1. Files of correspondence.
  2. Copies of General or Special Orders issued by the National President.
  3. Copies of Installation Reports received from Units and Departments.
- M. Present their books for examination or audit at the request of the National President or National Executive Committee.
- N. Deliver to their successor, without delay, all books, papers, records, property, and equipment belonging to the National Auxiliary.
- O. Receive compensation for services as determined by the National Executive Committee.
- P. Submit a complete report as of June 30th each year to the Military Order of the Purple Heart Inc. at the annual National Convention, to include by way of enumeration and not limited to:
  1. Detailed list of Departments and Units showing number added, reinstated, reorganized, and Charter(s) forfeited.
  2. Total membership, showing increase or decrease.
- Q. Upon request, submit to the MOPH National Adjutant, a complete list of elected and appointed MOPHA Officers after the close of the NEC meeting following the National Convention in a timely manner.
- R. Be in charge of the Supply Department, purchase and sale of pins, emblems, and other items under the direction of the National Executive Committee.

- S. Serve as the MOPHA National Representative on the National Convention Planning Committee and:
  - 1. Provide information and support to the MOPHA Host Department Auxiliary.
  - 2. Provide punctual reports on the planning progression and decisions to the National President and National Executive Committee.
- T. Submit to the Convention a list showing the Units and Departments who have submitted Installation Reports as of May 31st to determine the number of Delegates for each Unit and Department.

## Section 6 – NATIONAL TREASURER

- A. The National Treasurer is responsible to the Finance Committee through the Chairman.
- B. Take charge of the funds, securities, warrants, and other property relative to their office and belonging to the MOPHA.
- C. Be a member of the National Finance Committee with voice but no vote.
- D. Be a member of the National Executive Committee with a voice and a vote.
- E. Keep a correct account of all monies due and receivable from any source.
  - 1. All monies received by the National Membership Officer will be forwarded to the National Treasurer for deposit, or if coordinated with the National Treasurer, the National Membership Officer may make deposits.
  - 2. Funds received for membership replacement cards or bank fees will be deposited into the general funds account.
  - 3. All Life Membership dues will be:
    - a. Deposited into a Life Membership “interest/dividend bearing” account (see Article II, Section 4 B and Article XI, Section 6 E (2)) from which only the annual interest/dividends earned may be used for life membership rebates.
    - b. Invested in only interest/dividend bearing accounts to perpetuate the Auxiliary.
      - i. Such funds may not be co-mingled with any other accounts of the Auxiliary.
      - ii. Interest/dividends earned may be used for Life Membership rebates.
  - 4. Withdrawal of principal is prohibited.
- F. Disburse money properly payable by the National Auxiliary.
  - 1. The disbursement request shall be on a warrant (accompanied by substantiating bills or other proper authority), drawn and authorized by the National Secretary’s signature or electronic signature.
  - 2. Signed by the National President.
  - 3. No payment shall be issued for any expenditure that will exceed the budgeted amount approved by the National Finance and Executive Committees.
- G. Will compile and maintain a complete, and accurate, list of all disbursement contacts to include the name of the financial institution with the account and routing numbers for processing digital payments.
  - 1. Payments may be made by direct deposit to the payee’s bank account.
  - 2. Direct deposit to the payee’s bank account is the suggested method but is not mandatory.
- H. Keep books, warrants, vouchers, and records according to the methods authorized by the National Finance Committee.
- I. Keep a record of all liabilities of the National Auxiliary.

- J. Ensure all accounts are reconciled monthly and provide the monthly bank statements of the General Fund and Life Membership Accounts to the National Finance Committee.
- K. Provide monthly printouts of all income, expenditures, and the updated budget report of both the General Fund and Life Membership Accounts to the National Finance Committee.
- L. Provide monthly reports of all investments of the Life Membership Account to the National Finance Committee.
- M. Prepare and publish semiannually, a complete financial report with a detailed account of all cash receipts and disbursements and send to each National Finance Committee member and the National Secretary.
- N. Hold their books open for examination at any time by the National Executive Committee.
- O. May be bonded through the MOPHA in an amount approved by the National Executive Committee and paid with Auxiliary funds.
- P. Is responsible for submitting necessary reports directly to the IRS as prescribed by law.
- Q. Submit a complete financial report as of June 30th each year to the National Adjutant no later than July 31st.
- R. Receive compensation for services as determined by the National Executive Committee.
- S. Deliver to their successor, all monies and other property of MOPHA in their possession or under their control.
- T. MOPHA financial records will be audited annually by an independent Certified Public Accountant (CPA). Upon completion of audit, the Treasurer shall direct auditing CPA to file appropriate Form 990 with the IRS by November 15th.

## Section 7 – NATIONAL PARLIAMENTARIAN

- A. The National Parliamentarian shall:
  - 1. Give the National President, Departments and Units such assistance as needed.
  - 2. Thoroughly understand the Constitution and Bylaws, and MOPHA Procedure Manual.
  - 3. Be familiar with the rules of the Parent Organization.
- B. Keep a master of MOPHA Constitution and Bylaws and Procedure Manual.
- C. The Parliamentary Authority of MOPHA shall be “Robert’s Rules of Order, Newly Revised” in all matters not covered by the Constitution and Bylaws, and MOPHA Procedure Manual.
- D. All meetings of MOPHA shall be governed by “Roberts Rules of Order, Newly Revised” unless otherwise stated in the Constitution and Bylaws, and MOPHA Procedure Manual.
- E. All responses to questions must be referred through the National Secretary for conference with the National President for a final decision.
- F. MOPHA Constitution and Bylaws interpretation and resolution of issues:
  - 1. Must go through the Chain of Command.
  - 2. When referred to the National President, opinion, after consultation with the National Parliamentarian and National Secretary is final.
    - a. This opinion can only be changed by a resolution presented to and adopted by a National Convention.
- G. No Unit member or individual shall at any time appeal to its Chapter or the Parent Organization for interpretation of resolve of issues.
- H. Be a member of the National Executive Committee with voice and vote.

## Section 8 – NATIONAL MEMBERSHIP OFFICER

- A. The National Membership Officer shall:
1. Be in charge of all membership, receive all applications and dues for membership, and issue membership cards.
  2. Remit to the National Treasurer a report of members paid and dues received. A copy of this report shall also be sent to the National Secretary, Finance Chair, and National Senior Vice President.
  3. Prepare a voting list of all Units stating Delegate strength of each Unit for use by the National Secretary at the National Convention.
  4. Provide emailed Life Membership rosters by request.
  5. Upon request, provide mailing addresses for the Purple Heart Magazine.
  6. Provide an annual report for the National President and Parent Organization.
  7. May be bonded through the MOPHA in an amount approved by the National Executive Committee and paid with Auxiliary funds.
  8. Receive compensation for services as determined by the National Executive Committee.
  9. Deliver to their successor all monies and other property of National Auxiliary in their possession or under their control.
  10. Be a member of the National Executive Committee with voice and vote.

## Section 9 – NATIONAL INSPECTOR

- A. The National Inspector shall:
1. Ensure that Department Presidents conduct an annual inspection of the Units within their Department. Region Presidents are responsible to conduct inspections of Units within their region where no Department exists.
    - a. At the request of the National President, conduct an inspection of any Department whenever the best interest of the Auxiliary requires it. The National Inspector will report the result to the National President.
  2. Review that Units and Department meetings are conducted properly.
  3. Review that books and records are kept correctly.
  4. Offer tactful suggestions or constructive criticism when appropriate.
  5. Present a report to the National Convention.
  6. It is recommended that the National President appoint the National Senior Vice President to fulfill the duties of National Inspector.

## Section 10 – NATIONAL CHAPLAIN

- A. The National Chaplain shall:
1. Offer the opening and closing prayers at National Auxiliary meetings using the one suggested in the Ritual or another that is appropriate.
  2. Assist in the Annual Memorial Services.
  3. Keep a record of deceased members.
    - a. Enter their names, Unit #, and State in the National Memory Book.
    - b. Include their names in the Annual Report to the National Convention.
  4. Perform such duties as may be required by the Ritual, National President, or National Convention.

5. Keep the National Secretary and National Membership Officer updated on deceased members.
6. Notify the National Executive Committee members of prayer requests, death notices, and illness of members and/or their immediate family members.
7. Be a member of the National Executive Committee with voice.

#### **Section 11 – NATIONAL AMERICANISM OFFICER**

- A. The National Americanism Officer shall:
  1. Be in charge of the American Flag at National Conventions and meetings.
  2. Advance and retire the Flag during opening and closing ceremonies.
  3. See that members of the National Convention properly salute the Flag.
  4. Lead the assembly in the Pledge of Allegiance to the Flag.
  5. Americanism activities include, but are not limited to, Flag presentations, special patriotic programs, holiday observance, etc.
  6. Assist and encourage Units and Departments in their observance of significant historical anniversaries, patriotic holidays, Flag presentations etc.
  7. Perform such other duties as the Ritual or National President may require.

#### **Section 12 – NATIONAL SERGEANT-AT-ARMS**

- A. The National Sergeant-At-Arms shall:
  1. Be in charge of National Auxiliary property.
  2. See that the meeting room is in order before the meeting opens.
  3. Welcome members, assist late-comers in finding seats, and announce visitors.
  4. See that the Flag and Banner are returned to the Parent Organization at conclusion of meeting.
  5. Perform such other duties significant to the office and as the Ritual and National President may require.

#### **Section 13 – NATIONAL HISTORIAN**

- A. The National Historian shall:
  1. Compile a history of the National Auxiliary for their term, summarizing the data from Unit History Reports, the National President's monthly letter, and General Orders, and enter the same in the National History Book.
  2. May suggest outlines for the guidance of Unit and Department Historians.
  3. Perform such other duties as the office or the National President may require.

#### **Section 14 – NATIONAL MUSICIAN**

- A. The National Musician shall assist the National President and perform such other duties as may be appropriate to the office. A competent and interested National Musician contributes much toward the morale and harmony of a National Convention or meeting.

#### **Section 15 – NATIONAL MARSHAL**

- A. The National Marshal shall:
  1. Assist the National Sergeant-at-Arms.
  2. Carry the National Banner when Colors are advanced and retired at National meetings.

3. Escort distinguished guests and visitors.
4. Perform such other duties required by the Ritual or the National President.

#### Section 16 – NATIONAL VA VOLUNTEER SERVICE REPRESENTATIVE

- A. Is appointed by the National President and shall be responsible for all aspects, programs, and protocols of the MOPHA VAVS Program.
- B. With the National Presidents approval, the VAVS Representative may appoint up to two (2) National VAVS Deputy Representatives.
  1. One of these Deputies may serve as the National Certifying Official.
- C. Certifies appointments (based upon recommendations from the Unit and Department Presidents) of local Representatives and Deputies to the Veterans Administration Medical Centers (VAMC) and State Veteran Homes.
- D. Shall update MOPHA VAVS Handbook as needed.
- E. Submit an annual report to the National Convention by May 31st.
- F. Provide VAVS training at National Convention.
- G. The National VAVS National Representative, or Deputy Representative, is required to attend the annual Department of VA National Advisory Committee (NAC) meeting serving as the voting member representing MOPHA.
- H. Review quarterly local VAVS Committee Meeting minutes.
- I. When local MOPHA Representatives, or Deputy Representatives, fail to attend three consecutive quarterly VAVS Committee meetings, as required by the DVA directive, the National VAVS Representative will remove these individuals. Notification may be in a written letter and/or digital communication to the VAMC VAVS Chief, Unit/Department President, and the individual.
- J. Review all Annual Joint Review (AJR) reports, add comments, and return to the MOPHA Representative.
- K. Be a member of the National Executive Committee with voice and vote.

#### Section 17 – NATIONAL PUBLIC RELATIONS CHAIR

- A. Develop and promote good publicity and public relations for the Auxiliary.
- B. Assist Units and Departments in developing local public relations initiatives.
- C. Work with Purple Heart magazine editor for timely submission of National Officer's articles by notifying Officers of article submission issues and deadlines.
- D. Provide possible topics for articles and editing of articles if requested.
- E. Work in conjunction with Purple Heart magazine editor for timely submission of National Officers articles.
- F. Perform other such duties incident to the office and such other duties as the National President may direct.
- G. Submit an annual report for the National Convention by May 31st.
- H. Is a non-voting member of the MOPH Publications Committee and will participate in the following two (2) yearly meetings:
  1. Mid-year meeting when notified by MOPH
  2. MOPH Publication Committee meeting at the National Convention

## Section 18 – NATIONAL WEBMASTER

- A. The MOPHA webmaster shall:
  - 1. Act as the channel of communication to MOPH Headquarters for website issues, form changes, or other website changes or corrections.
    - a. The MOPHA webmaster does not have access to change or correct issues.

## Section 19 – DEPARTMENT PRESIDENTS' NATIONAL DUTIES

- A. Each Department President, upon installation to that office, becomes a member of the National Executive Committee representing their Department on that Committee.
- B. If the President is unable to attend the National Convention, the Senior Vice or Junior Vice President may represent the Department at National meetings.



## ARTICLE XII - NATIONAL COMMITTEES

### Section 1 – NATIONAL EXECUTIVE COMMITTEE

- A. The National Executive Committee shall consist of all National Elected Officers, the National Secretary, the National Membership Officer, the National VAVS Representative, all Past National Presidents, and all current Department Auxiliary Presidents, or in their absence, the Senior Vice President or Junior Vice President of the respective Department.
- B. Holds office for one year or until a successor is chosen and duly installed.

### Section 2 – DUTIES OF NATIONAL EXECUTIVE COMMITTEE

- A. Meet in the convention city immediately preceding the National Convention.
- B. Meet in the convention city within 24 hours following the adjournment of the National Convention.
- C. May meet during interval between National Conventions:
  - 1. At the discretion of the National President.
  - 2. At the written request of a majority of the NEC.
  - 3. Digital meetings are allowed between Conventions.
- D. Fifteen (15) committee members shall constitute a quorum.
  - 1. No proxy voting shall be allowed.
  - 2. Each member of the National Executive Committee shall have a voice and a vote.
- E. Represent the National Auxiliary in the interval between National Conventions.
  - 1. All actions of the NEC shall be subject to approval by the next National Convention.
- F. The National Executive Committee (NEC) shall:
  - 1. Run meetings in accordance with Roberts Rules of Order, Newly Revised.
  - 2. Be recorded and transcribed by a Professional Recorder.
  - 3. Have the proceedings' minutes presented by the National Secretary to the National Convention, absent members, Department and Unit Presidents for consideration and action.
  - 4. Have exclusive power to approve the actions of the National Finance Committee within thirty (30) calendar days after the close of each National Convention to:
    - a. Fix monthly stipend amounts of Secretary, Treasurer & Membership Officer.
    - b. Approve all budgets of the National Auxiliary.
  - 5. Vote on recommendations made by Committees.
- G. Be polled by the National Secretary through a digital vote on any matter.
  - 1. The requirements for polling NEC are:
    - a. When an action is required. This will be determined by the National President.
    - b. Upon the request of a majority of the NEC members.
    - c. Upon the request of any Chair of a standing committee which shall be made through the National President.
    - d. To have a vote of the NEC between in-person meetings, NEC members shall have an e-mail address.
      - i. Voting on issues other than at NEC or National Convention meetings will be done by the National Secretary using digital votes.
      - ii. Members will provide the National Secretary an e-mail address for NEC digital votes.

- iii. The National President, other MOPHA Officers, or members shall not spam an NEC member's designated voting e-mail address.
  - iv. A NEC member who blocks receipt of digital votes from the National President will not have a vote.
- 2. Tellers will:
  - a. Be appointed by the National President.
  - b. Be members of the Auxiliary.
- 3. After the tellers have reviewed the digital vote reports and certified the election, the National Secretary will send the results to every member of the NEC
  - a. The names of the Tellers will be provided in the communication.
  - b. The digital vote reports showing that each NEC member's vote was recorded will be made available, by request.
- 4. If any of the provisions of Article XII, Section 2 G (2 & 3) are not followed, the vote may be found invalid and redone.
- H. Make disposition of all properties of Units and Departments if:
  - 1. Returned to or taken over by the National Secretary from Units or Departments which have:
    - a. Surrendered or forfeited their Charter(s).
    - b. Been declared defunct.
  - 2. These actions thereon shall be final.

### Section 3 – NATIONAL FINANCE COMMITTEE

- A. The National Finance Committee shall consist of nine (9) members of the Military Order of the Purple Heart Auxiliary in good standing.
- B. Voting members shall be the current National President and the four (4) elected members of the National Finance Committee.
  - 1. Members of the Committee shall serve on a rotational basis with only one (1) member elected annually for a term of four (4) years.
  - 2. If a vacancy occurs in one of the elected members positions, such vacancy will be filled by a vote of the National Executive Committee. (Article XII, Section G (1-4). The vote shall not be earlier than thirty (30) calendar days after the National Secretary sends out an announcement of the vacancy.
- C. The four (4) other members, each with a voice and no vote, shall be the National Secretary, National Senior Vice President, National Junior Vice President, and National Treasurer.
- D. The Chair of the National Finance Committee shall be chosen by a majority vote of those members of the committee eligible to vote.
- E. The National Secretary will be the ex-officio Secretary.
- F. The Committee shall meet as needed but not less than two (2) times each year-once before and once after each National Convention.
  - 1. Digital meetings are allowed between Conventions.

### Section 4 – DUTIES of NATIONAL FINANCE COMMITTEE

- A. Be responsible for the preparation and review of an annual budget of the National Auxiliary to the National Executive Committee for approval at the National Convention.

1. The National Finance Committee shall have the power, subject to the approval of the National Executive Committee, to allocate for budgetary purposes all funds received from any source within the limitation prescribed in these Articles.
  2. It shall have the authority to approve expenditures beyond budgetary limits by the ten (10%) percent of the individual item. Requests for the expenditures in excess of this allowance must be submitted to the National Executive Committee for approval.
- B. Exercise unquestioned fiscal responsibility.
1. Any person(s) approving warrants and/or checks in an amount exceeding the approved or amended budget line items shall be personally liable for this overdraft.
  2. The National President, National Secretary, and National Treasurer shall each be jointly and severally liable for such repayment.
- C. It shall supervise and control all expenditures and the handling of the National Auxiliary's two bank accounts:
1. The General Fund Account
  2. The Life Membership Fund Account
  3. Checks must be signed by two of the approved designated signatures on the accounts, which include National President, National Senior Vice President, and the National Treasurer.
- D. Will act as custodian of the Life Member Fund.
- E. Ensure that all requested financial documents are annually prepared and presented to:
1. The Parent Organization.
  2. The Military Order of the Purple Heart Service Foundation (MOPHSF) if funds were received from MOPHSF as a grant of restricted or unrestricted funds.

## Section 5 – DISBURSEMENTS

- A. Disbursements from the Treasury of the National Auxiliary shall:
1. Be only on behalf of the objects of the National Auxiliary Organization, or its incidental expenses.
  2. Be made only at the direction of the National Convention, National Executive Committee, National President, or National Treasurer.
- B. No Officer or Committee shall contract any bills without having submitted an estimate and obtained approval and authority from the National Executive Committee, National Convention, National President, National Treasurer, and National Finance Committee.
1. Bills incurred in the interests of the National Organization shall be allowed where same have resulted from lawful orders of the National President and are approved by the National Finance Committee.
- C. Military Order of the Purple Heart Service Foundation (MOPHSF) Grant:
1. In the beginning of each calendar year, the Military Order of the Purple Heart Service Foundation (MOPHSF) will send a letter to the MOPHA National President announcing the percentage amount of grant proposal from last year's budget for the following year.
  2. The National President will distribute the letter to the National Senior Vice-President, who will prepare the budget and present it to the National Finance Committee for approval, prior to its being presented to the MOPHSF Grant Request Committee.

3. Upon approval of the National Finance Committee, the National Senior Vice-President will present the budget to the MOPHSF Grant Request for funding approval.
  4. The final approved budget, based upon the grant from the MOPHSF, will be presented to the MOPHA National Executive Committee at the National Convention for their approval. The Budget shall then be presented to the National Convention body for final approval.
- D. An Officer or Chair who exceeds a budgeted allowance, without proper authorization, shall be personally liable for the amount exceeding the budgeted figure.

#### **Section 6 – NATIONAL BYLAWS COMMITTEE**

- A. This will be a Standing Committee of no less than three (3) members.
  1. The National President will appoint the Chair.
  2. Members should have knowledge of, and be able to interpret, the Bylaws.
  3. The Parliamentarian will serve as an ex-officio member.
- B. If a member is absent from the Bylaws Committee during the National Convention, the National President may replace them with another member who meets the qualifications.

#### **Section 7 – DUTIES OF THE NATIONAL BYLAWS COMMITTEE**

- A. Review the Bylaws amendments submitted for consideration to the National Convention.
  1. Make recommendations to the Convention body as to the validity, practicality, and need for the amendment. If the Committee's recommendation is to reject the amendment, a full explanation will be made as to the reason for the rejection; no modifications or changes to the original wording of the submitted amendment(s) will be allowed to be made in the Bylaws Committee meeting. Correcting spelling errors and minor grammar usage is allowed.
  2. Assist the Departments in writing and submitting a proposed Bylaw amendment.
- B. Committee should review bylaws annually between National Conventions with at least one physical or digital meeting to make any necessary recommendations for amendments.

## ARTICLE XIII - DUES

### Section 1 – NATIONAL DUES

- A. Life Membership fee is to be uniform and standardized.
- B. Payment is by check payable to National MOPHA and sent to the National Membership Officer.
  - 1. It is vital that the name, address, zip code, date of birth, and Unit number are legible.
- C. Life Membership dues will be established by the National Convention.
  - 1. Auxiliary Associate Member and Member-at-Large dues will be the same as the Life Membership dues.
- D. Withdrawal from the Life Membership Fund principal is prohibited.

### Section 2 – LIFE MEMBERSHIP REBATES

- A. The National Auxiliary may retain one-half (50%) of the annual interest/dividend earned from the Life Membership Account which can be used for general expenses.
- B. Departments and Units will be rebated annually provided:
  - 1. All eligible Life Members on record as of June 30th have been verified by October 1<sup>st</sup>.
  - 2. Installation Reports, Financial Reports, and proof of annual accepted IRS 990 filing is received by the appropriate National Officer(s) in a timely manner.
  - 3. The per capita payment will be 20% to Departments and 30% to Units.
  - 4. No rebates will be paid on Junior Members, Auxiliary Associate Life Members, Department or National Members-at-Large.
- C. Should the decision be made to increase such rebates in any given year:
  - 1. The additional increase must come from the National Auxiliary's fifty (50%) percent share, or the General Fund.
  - 2. May not come from the principal of the Life Membership Account.
- D. National shall retain all membership dues by Life Members-at-Large.

## ARTICLE XIV - UNIFORMS AND SUPPLIES

### Section 1 – SUPPLY DEPARTMENT

- A. The Supply Department shall be the direct responsibility of the National Secretary.
- B. The National Secretary shall determine the nature and selling price of such materials.
- C. The funds of the Supply Department shall be included in the General Fund.
- D. The National Secretary shall maintain a complete and accurate inventory of all items and materials.
- E. The National Secretary shall report on the operation of the Supply Department to the National Convention.
- F. All flag sets, pins, or other supplies or equipment bearing the Auxiliary insignia must be ordered from the National Secretary.
- G. Payment must be included with order, payable to MOPHA.
- H. Refund claims or adjustments must be filed within thirty (30) days of delivery date.

### Section 2 – CAPS

- A. Unit caps shall be purple with white piping and lettering.
  - 1. Unit number embroidered in front, Unit name under Auxiliary emblem on the left side.
  - 2. City and State if desired on right side.
- B. Department caps shall be purple with white top, purple band, white lettering and binding, with emblem. Lettering is optional.
- C. National caps shall be all white with purple lettering. Purple binding, with emblem. Lettering is optional.
- D. No insignia, other than that of the Auxiliary or the military insignia of the Auxiliary member's branch of military service, may be placed on the official Auxiliary Unit, Department, or National cap.
- E. Every National and Department Officer (upon termination of such office) shall immediately discontinue wearing the cap of such office with the following exceptions:
  - 1. The year's during which such office was held is on such cap.
  - 2. Past National Presidents, who are permanent members of the National Executive Committee, may wear their "Past President" cap at any time.
- F. Caps are to be ordered directly from the supplier.

### Section 3 – MOPHA BANNER

- A. The MOPHA banner adopted August 15, 2020 by the 2020 Virtual National Convention shall be the official banner design for the entire Auxiliary.
  - 1. MOPHA banner replaces the LAMOPH banner design adopted by the 1938 National Auxiliary.
- B. The background color for banners shall be:
  - 1. Unit banners – purple.
  - 2. Department banners – chosen by the state Parent Organization.
  - 3. National banners – white.

#### Section 4 – UNIFORMS

- A. Each Unit may adopt its own uniform pattern; however, the dress shall be purple with white. Trim is optional.
- B. The Official Veterans Administration Voluntary Service uniform must meet the approval of the Veterans' Administration Medical Center.

#### Section 5 – MOPHA EMBLEM

- A. Auxiliary members use of the MOPHA emblem:
  - 1. Official Membership Emblem
    - a. Shall be the only insignia allowed for pins, banners, stationary, and supplies as available from the National Supply Department.
  - 2. Use of Purple Heart Award
    - a. At no time shall a member of the Auxiliary wear an emblem or insignia bearing a replica or facsimile of the Purple Heart Medal, or the words 'Combat Wounded Veteran', unless they are a recipient of the award.
    - b. A MOPHA member, who unknowingly does so, should be privately informed of proper protocol. Criticizing or admonishing in public (group setting, meeting, or other assembly), is prohibited.

#### Section 6 – VIOLAS

- A. The Viola, the official flower of the MOPH and Auxiliary, must be purchased through the Viola Program. The use of any other flower is prohibited.
- B. Viola fundraising events shall be in accordance with MOPH fundraising protocol.
- C. Viola sales are restricted only for use as a Welfare Fund as defined below.

A welfare fund for the assistance of needy members or veterans and their dependents may be established by Units and Departments, and donations to such funds shall be used exclusively for that purpose. Donations to needy members from the fund shall be regarded as strictly confidential. Any monies received from Viola sales are restricted only for use in this fund.

### ARTICLE XV - TO PRESERVE THE INTEGRITY OF THE AUXILIARY

#### Section 1– INCORPORATION

- A. No subordinate Unit or Department of the Auxiliary shall incorporate under the laws of their State for any purpose, whatsoever, without first obtaining permission by submitting an application through the National Secretary to the National Executive Committee.

#### Section 2 – ELECTED OFFICERS

- A. No person shall hold more than one (1) elective office in:
  - 1. The National Auxiliary,
  - 2. A Department,
  - 3. Any Unit.
- B. No National elected Officer shall hold a Department elected office.

- C. Election as a member of one of the National Committees is not to be considered an elective office as referred to above.
- D. A member who is a salaried employee or the spouse of a salaried employee of the National or Department organization shall not:
  - 1. Hold a National or Department Elective office.
  - 2. Be an elected or appointed voting member of a National Committee.

### Section 3 – WELFARE FUNDS

- A. A welfare fund for the assistance of needy members or veterans and their dependents may be established by Units and Departments. Donations of such funds shall be used exclusively for that purpose.
- B. Donations to needy members from the fund shall be regarded as confidential. Names of recipients will be left off the warrants audited by Units & Departments.
- C. The Welfare fund may have separate rules than the fund established from the sale of Violas. Viola sales are restricted as defined in Article XIV, Section 6.
- D. No funds may be given directly to a Veteran or individual. Funds must be paid directly to the Vendor with appropriate receipts.

### Section 4 – BOND

- A. Each Officer accountable for funds of the Auxiliary may be bonded in a sum at least equal to the amount of funds and value of property for which they are accountable.
- B. The fee for the bond shall be paid from the funds of National, Department, or Unit as the case may be, to which each Officer is accountable.

### Section 5 – POLITICS

- A. National, Regional, Department or Unit Officers shall not contribute to, otherwise support, or assist any political party or candidate for public office as a representative of the Military Order of the Purple Heart Auxiliary.
- B. No discussion of partisan questions shall be allowed at any meeting of the Auxiliary.
- C. No nominations, recommendations, or endorsements for political office shall be made by a member as a representative of the Auxiliary. No lobbying as a representative of the Auxiliary will be done before the U.S. Congress without the approval or recommendation of the National President after consultation and written approval of the National Commander.

### Section 6 – INELIGIBILITY

In the event a Patriot member of MOPH is found ineligible (does not have a Purple Heart medal), the following may apply:

- A. The National President will request written confirmation from the National Adjutant.
- B. The National President will provide such confirmation to the National Secretary and Membership Officer.
- C. The Membership Officer will remove family members of the ineligible Patriot from the membership roster.
- D. The National Secretary will inform the Unit of said action.



## Section 7 – SUSPEND, CANCEL, OR ANNUL A UNIT/DEPARTMENT CHARTER

- A. The National President may suspend a Unit for failure to maintain ten (10) regular members, not including Junior or Associate members, as of May 31st of the current year.
  - 1. Such Unit must receive written notification and be permitted a period of two (2) years to bring the Unit to full strength.
  - 2. Failing to do this, the Unit may be declared defunct.
- B. The National President or the National Executive Committee may declare a Unit or Department Charter cancelled, suspended, or forfeited due to the insubordination or failure of its members to comply with the rules of the Organization.
  - 1. The Unit and/or Department in question must, through the National President, be notified of the proposed action and through them be permitted to appeal to the Order's National Executive Committee within sixty (60) days of notification.
  - 2. Final appeal shall be with the National Convention Body.
- C. The Department President may suspend the Charter of a Unit within their jurisdiction for a period of sixty (60) days for failure to comply with the Department or National Bylaws, Procedures Manual.
  - 1. The President must have the approval of the Department Executive Committee and provide the Unit with written notification of the proposed action, and reason thereof.
  - 2. The Unit shall be permitted sixty (60) days from the date of the suspension to appeal to the National President or the National Executive Committee.
  - 3. Final appeal shall be to the National Convention Body.
  - 4. The Charter of the Unit may be cancelled at the end of the sixty (60) day period if there is no appeal, or from an adverse decision from the National Convention Body.
- D. A Unit shall have the right to suspend a member for insubordination or for violation of oath of office or conduct prejudicial to good order and discipline provided:
  - 1. That all Unit members in good standing are notified in writing of the proposed disciplinary action.
  - 2. Permission has been granted by the National President to take such action.
  - 3. A suspended member has the right of appeal to the Department within thirty (30) days after the date of suspension, and then, if necessary, to the National President or the National Executive Committee.
  - 4. Final appeal shall be to the National Convention Body.
- E. When intervention by the National President in the conduct of a Department is necessary to protect the interest of the Organization, their orders or decision shall be made known to each member in good standing in that Department through letters sent from the National Secretary.
- F. All members shall have the right of appeal through proper channels from the decisions or actions of Units or Unit Presidents, Departments, or Department Presidents, to the next higher authority, with the right of final appeal to the National President and from their decision, to the National Convention.
- G. All decisions appealed shall have full effect or force until reversed or modified.
- H. Appeals from decisions of Unit Presidents or Units shall be taken within thirty (30) days, and all other appeals within sixty (60) days from the date the decision was rendered.
- I. Nothing herein contained shall prevent the National President from enforcing the provisions of the National Auxiliary Constitution and Bylaws, Procedures Manual, and/or performing those

duties of the office regardless of the expiration of the aforementioned thirty (30) or sixty (60) day appeal periods.

#### Section 8 – SURRENDER of PROPERTY

- A. When a Unit is declared defunct or its Charter revoked, the Charter, Rituals, paraphernalia, and property must be sent to the Department Secretary with any monies to be held in trust by the Department Treasurer for a period of eighteen (18) months.
  - 1. In the event, such Unit Charter is not reinstated within a period of eighteen (18) months; the monies from the Unit shall automatically become the absolute property of the Department.
- B. When a Department is declared defunct or its Charter revoked, the Charter, Rituals, paraphernalia, and property will be sent to the National Secretary with any monies to be held in trust by the Department Treasurer for a period of eighteen (18) months.
  - 1. In the event, such Department Charter is not reinstated within a period of eighteen (18) months; the monies from the Department shall automatically become the absolute property of the National Organization.

#### Section 9 – GRIEVANCE

- A. A grievance is a complaint from a member for some action which causes suffering, distress, or disruption within the Auxiliary.
  - 1. Grievances can only be filed against Individual Member(s).
  - 2. Grievances consist of quantified unfairness, affront(s), insult(s), or indignity.
  - 3. Grievances do NOT involve misfeasance, malfeasance, or violation of the Constitution and Bylaws, and Procedures Manual of the Auxiliary.
  - 4. Misfeasance, malfeasance, malicious or intentional actions are covered in (Article XV Section 11).
- B. A grievance may be submitted by a member(s) to the appropriate next level President with a copy to the National Secretary.
  - 1. A grievance from a Unit level will be heard at Department level (if there is a Department).
  - 2. A grievance from a Department level will be heard at Region level (if there is a Region President).
  - 3. All other grievances will be heard at the National level which include:
    - a. A grievance against a current elected or appointed National Officer.
    - b. A grievance where the member believes there is conflict at Department or Region level, with sufficient written facts, where a member believes bias may be a factor.
    - c. The National President will consult with the Senior Vice President, Junior Vice President, National Secretary, and National Parliamentarian and decide the grievance level.
- C. The grievance must be in writing and in sufficient detail to establish the facts and must be signed. The receiving authority reviewing the grievance should act to mediate the dispute and appoint a disinterested and unbiased member for mediation of the dispute. If those efforts fail, the grievance procedure will proceed.
- D. The grievance will be heard by a Grievance Committee comprised of three (3) Past Presidents at the appropriate level and a member (with no vote) who will act as a recorder of the proceedings. If a sufficient number of Past Presidents are not available for any reason, the President may appoint a sufficient number of qualified members to the Committee. The

President appointing the Grievance Committee will make every effort to select members who have no personal involvement or prejudice with the grievance heard. Members of the Grievance Committee will select their Chairman.

- E. There will be an accurate record kept of the proceedings which, along with a summary of the findings and recommended decision, will be forwarded to the appropriate President, Petitioner, and all participating parties within fifteen (15) days from the close of the hearing.
- F. Although a recommendation for charges under Article XV, Section 11 below may result from the grievance proceedings, the usual cases should result in arbitration and/or actions to eliminate the grievance. Failing to achieve a positive solution, the usual recommendations to the appropriate President from the grievance committee for penalty would include a verbal or letter of reprimand.

### Section 10 – DISCIPLINE, TRANSFER, AND EXPULSION OF MEMBERS

- A. No Regular or Auxiliary Associate member of the Auxiliary may be punished or have their membership rights abridged except for the following reasons:
  - 1. Intentional, willful, and/or malicious violation of the Constitution and Bylaws and/or the Procedures Manual of the Auxiliary.
  - 2. Misfeasance or Malfeasance.
  - 3. Refusal to comply with the lawful orders of the Department or National Convention.
  - 4. Action which brings discredit to the Auxiliary.
  - 5. Conviction of a crime involving theft or moral turpitude.
- B. Punishment which may be imposed under this section is defined as follows:
  - 1. Censure - shall consist of a written reprimand of admonition to the member by the appropriate President.
  - 2. Transfer – shall be the permanent transfer of membership to another Unit or to either a Department or National–at-Large status.
  - 3. Suspension – shall remove the member from membership and/or from any office held by them for not more than one (1) year.
  - 4. Restriction – shall be allowed to remain a Unit Member or Member-at-Large as the case may be but shall have a permanent restriction from being allowed to hold any elected or appointed office for life.
  - 5. Expulsion – shall permanently remove the individual from membership.
- C. The preferring of charges should be an action of last resort. Every effort should be made to solve problems without the necessity of filing charges. Should all efforts fail, including the use of procedures in Section 11, charges may be filed as follows:
  - 1. Any President may bring charges on any member.
  - 2. Any three members in good standing may bring charges.
- D. Charges must be in writing in sufficient detail to establish fact. Charges must be signed by all who are preferring the charges, notarized, and sent by certified mail to the appropriate President with a copy to the National President and Secretary.
- E. Adjudication shall be imposed at the next higher level. Charges brought against a Unit member will be heard at the Department level. Charges brought against a Department Officer or Member-at-Large for Department or National will be heard at the Region or National level as the National President directs.

- F. Procedures for handling of received charges:
1. The convening authority which is the President at the next higher level will, in turn, provide the accused with a copy of the charges, related documents, and a clear statement of the alleged violations along with notification of the hearing time, date, and place. All correspondence with the accused will be by certified mail (return receipt requested). All hearings will be fixed for a date not less than twenty (20) days or more than sixty (60) days from the date the accused is served their charges.
  2. The convening authority will appoint a disciplinary panel of three (3) impartial Past Presidents from the level the hearing is held and one impartial member, without vote, to act as secretary and keep an accurate record of the proceedings. If for any reason three (3) Past Presidents are not available, the convening authority may appoint a sufficient number of qualified members to the panel.
- G. Procedures for a Disciplinary Hearing Panel:
1. This is an administrative hearing and rules of evidence as in a court of law do not apply. A prior confidential investigation by an elected Officer in an effort to learn all relevant facts is encouraged. An accurate transcription of the hearing may be made by the use of a tape recorder.
  2. The accused may represent them self or may retain counsel. The accused has the right to speak and produce witnesses in their own defense. The counsel may give advice to the accused but may not address the panel. If the accused fails to appear as directed, the hearing may proceed without them. Should the accused require additional time to prepare the case, the convening authority may allow one adjournment of the hearing date for a period of not more than thirty (30) days if the convening authority is notified a minimum of ten (10) days prior to the scheduled hearing date.
  3. The Chairman will read the notifications, introduce the parties on both sides of the panel, and will read the charges. The accused will then be asked how they plead, guilty or not guilty to each charge.
  4. Opening statements are made by both sides with the hearing panel starting first.
  5. Following is testimony of any witnesses produced by the panel followed by testimony of any defense witnesses. Rebuttal witnesses are allowed, with the panel going first followed by the defense. After closing arguments are completed by both sides, the accused must leave the room.
- H. Determination of Penalty – A member of the hearing panel in executive session makes a motion for an appropriate penalty as listed in “B” above. After debate, a decision by the panel for recommended punishment is rendered and the hearing is closed.
- I. Post Hearing Procedures – Within fifteen (15) days after the close of the hearing, a written decision for recommended punishment shall be rendered. One (1) copy will be sent via certified mail to the accused. Additional copies along with the accurate record of the proceedings will be sent to the President who is the authority, the Chairman of the hearing panel, and the appropriate Secretary with a copy to the National Secretary. In all cases of recommended expulsion, the National President must be notified immediately.
- J. Review and Appeal
1. A member may appeal the decision of the hearing panel to the next higher level within fifteen (15) days of receipt of the decision. Such appeals shall not be limited to the issue of

arbitrariness of the decision but must be based on specific violations of established procedures or the rights of the accused or on new evidence. The reviewing President will decide on the merits of the appeal and may take any action other than increasing the recommended punishment. The National President is the final appeal on all actions taken below their level.

2. All appeals by members concerning any decision rendered by a National disciplinary panel will be presented to the National President. The National Executive Committee must allow fifteen (15) days to review the case before voting on the matter.
3. All hearing decisions, with the exception of expulsions, will be final after allowing a fifteen (15) day period for an appeal after the decision has been received by the accused. All recommendations for expulsion will be reviewed by the National President. With the approval of the National Executive Committee, the President shall render the final decision by mail ballot or at their next scheduled meeting. After all appeals have been exhausted, The National Secretary will advise the accused of the decision.
4. The National President, with the approval of the National Executive Committee will take the action that they deem appropriate on all punishment recommended. The National Convention will accept or refuse the actions on expulsions from the Auxiliary voted on by the National Executive Committee during the year.

#### Section 11 – LAWSUITS

- A. In addition to any other grounds thereof, a member may be suspended and tried should they resort to join in civil court against a Unit, Department, or the National Organization, or Officers thereof, as such, before exhausting all remedies available within the Organization.

#### Section 12 – RECALL OF ELECTED OFFICERS

- A. This section is reserved for elected Officers, at all levels, who are not accused of wrongdoing, and not subject to the provisions or charges of Section 11 above. This Section provides procedures for removal of elected Officers who:
  1. Do not fulfill the responsibilities of their elected office.
  2. Usual reasons for removal of an elected Officer would be incompetence, non-activity, poor attendance, or egregious performance of their duties.
- B. The initiation of a recall of an elected Officer for removal from office for reasons listed in (1) above must be accomplished by a President of a Unit, Department, Region, or National. A minimum of two (2) other Presidents must endorse this recall.
- C. A transmittal letter requesting recall of an elected Officer at any level must be:
  1. Prepared with specific detail for the reason.
  2. Signed by three (3) Presidents.
  3. Notarized, and forwarded to the National Secretary.
  4. The National President must approve and have oversight.
- D. Jurisdiction exists at the level supervised by the National President.
  1. At the Unit level, all Past Unit Presidents and Unit Elected Officers have one (1) vote.
  2. The rules for voting at Department and National Executive Committees apply at those levels.
  3. A super majority of three fourths (3/4) of all members eligible to vote is required to remove an Elected Officer.

## Section 13 – AUTHORITY

- A. In the event that the National President is the subject of a grievance, charge, or a recall as defined in Section 12 above, the Senior Vice President shall assume the role of the National President only with respect to said grievance, charge or recall.

## Section 14 – NON-PROFIT STATUS

- A. The Auxiliary will follow and conform to the federal law for exemptions by non-profit organizations. The following are the regulations for non-profits under:
  - B. Internal Revenue System United States Code 26 U.S. Code § 501 Exemption from tax on corporations, certain trusts, etc.
    - (c) List of exempt organizations
      - (19) A post or organization of past or present members of the Armed Forces of the United States, or an Auxiliary unit or society of, or a trust or foundation for, any such post or organization
        - Organized in the United States or any of its possessions,
        - At least 75 percent of the members of which are past or present members of the Armed Forces of the United States and substantially all of the other members are individuals who are cadets or spouses, widow, widowers, ancestors, or lineal descendants (**within two degrees of consanguinity**) of past or present members of the Armed Forces of the United States or of cadets, and
- C. For the Auxiliary to maintain its IRS § 501 (c)(19) non-profit status, we must follow the law by:
  - 1. Conforming to the eligibility requirement for the Purple Heart recipients, MOPH Associate Members, MOPHA members, and MOPHA Social (Auxiliary Associate) Members.
  - 2. Ensuring that the percentage of members in each category is met.
- D. No additional categories of membership for the Auxiliary are allowed.

## ARTICLE XVI - MILITARY ORDER OF THE PURPLE HEART

### Section 1 – RECOGNITION

- A. The Military Order of the Purple Heart of the USA, Inc., recognizes a "Military Order of the Purple Heart Auxiliary of the USA, Inc. (MOPHA)."
- B. Subordinate organizations to be known as Auxiliaries to Chapters and Departments shall be approved by the Military Order of the Purple Heart of the USA.
- C. The associations shall be subject to the authority of the National Convention of the Military Order of the Purple Heart of the USA, under the jurisdiction and supervision of the National Commander and the NEC.

### Section 2 – MEMBERSHIP

- A. In the MOPHA is hereby granted, subject to:
  - 1. The terms and conditions as set forth in the Congressional Charter of the Military Order of the Purple Heart of the USA, Inc., (36 USC Chapter 1405).
  - 2. The various restrictions and limitations as set forth in the Auxiliary Constitution and Bylaws, Rules, and Regulations as originally adopted at their 1959 National Convention and herein

amended at their 2017 National Convention removing 'Ladies' and forming a Military Order of the Purple Heart Auxiliary.

3. Conforming to the requirements of Title 26 United States Code § 501 (c) (19).
  4. Such limitations as might from time to time be imposed by the MOPH National organization.
- B. The Constitution and Bylaws, Rules, and Regulations of the MOPHA as adopted at their 2017 National Convention shall:
1. Act as limitations to the various powers and authorities of the Auxiliary.
  2. In no case, shall be interpreted as broadening or increasing the authority or power of such Auxiliary beyond the specific limitations as set forth in 36 USC Chapter 1405 of the Congress of the United States of America, or our own Resolutions, Constitution and Bylaws, Rules, and Regulations.

### Section 3 – PURPOSE

- A. The purpose of the MOPHA is to assist in furthering and perpetuating the objects of the MOPH as set forth in Article XVI, Section 3 of the Constitution of the National Corporation, particularly that part that pertains to "assisting, comforting, and aiding all distressed members and their dependents.

### Section 4 – REPORTS

- A. The MOPHA National Secretary, at its annual National Convention, shall give a complete report, as of June 30th to the MOPH. This report shall include by way of enumeration and not limited to:
1. A detailed list of Departments and Units, showing the number added, reinstated, reorganized, and charters forfeited.
  2. The total membership, showing increase or decrease.
  3. Upon request, the National Secretary shall submit to the MOPH National Adjutant, a complete list of elected and appointed MOPHA Officers after the close of the NEC meeting following the National Convention in a timely manner.
  4. The MOPHA is responsible for submitting the necessary 990 reports directly to the Internal Revenue Service as prescribed by law.
  5. The MOPHA shall also submit a complete financial report, as of June 30th of each year, to the National Adjutant no later than July 31st.

### Section 5 – BYLAWS

- A. No National, Department, or Unit of the MOPHA shall adopt any Constitution and Bylaws, Rules, or Regulations, or adopt any policy or take action that conflicts with the Constitution and Bylaws of the National Corporation of the Military Order of the Purple Heart of the USA, Inc.

## ARTICLE XVII - MILITARY ORDER OF THE PURPLE HEART SERVICE FOUNDATION

### Section 1 – RECOGNITION

- A. The Auxiliary recognizes the Military Order of the Purple Heart Service Foundation, Inc. (MOPHSF) as the major provider of grants to the Order and the Auxiliary which enable these Organizations to perform service, welfare, and rehabilitation work programs in support of veterans and their dependents.

### Section 2 – GRANTS and PROCEDURES

- A. The National Auxiliary will follow the policies and procedures in effect at the time in preparing an annual budget that may form the basis for the MOPHSF to consider granting Restricted and Unrestricted Funds. Should such process result in grants from the MOPHSF, the National President shall be prepared to come before the MOPHSF Board to justify their request for such funds, and to report in detail, how their prior year grants were expended. Such presentation must be supported by an Audit and complete financial accounting of the Grant provided.
- B. The National President will ensure that the MOPHA budget preparation cycle follows the National Parent Organization as set by the MOPHSF.



## ARTICLE XVIII - AUXILIARY ASSOCIATE LIFE MEMBERS

### Section 1 - RECOGNITION

In accordance with U.S. Code 501 Exemption status, the Auxiliary recognizes the eligibility of Social members (herein referred to as Auxiliary Associate members.)

### Section 2 – MEMBERSHIP

Associate membership in the Auxiliary is granted on the basis of a spouse, parent, grandparent, child, grandchild or sibling of a member in the Auxiliary.

### Section 3 – PURPOSE

The purpose of the Auxiliary Associate Life Member is to assist in furthering and perpetuating the objects of the Auxiliary and, in particular, to assist, comfort and aid all distressed members and their dependents.

### Section 4 – PARTICIPATION

An Auxiliary Associate Life member shall be without vote and may not hold an elected office but may hold an appointed office except that of Unit, Department, National Secretary or National Membership Officer.

### Section 5 – EMBLEM OR INSIGNIA

Auxiliary Associate Life Members shall be entitled to wear an appropriate emblem as approved by the National Auxiliary Headquarters, but in no event shall such emblems or insignia bear a replica or facsimile of the Purple Heart medal.

### Section 6 – DUES

Auxiliary Associate Life Members shall be charged the same membership fee as Life Members, as established by the National Convention.

## ARTICLE XIX - AMENDMENTS AND CONDUCT OF MEETINGS

### Section 1 – AMENDMENTS

- A. These Bylaws may be amended in the form of a Resolution at any National Convention by a two-thirds (2/3) vote of the members in good standing in attendance, provided that:
  - 1. The proposed amendment shall have been submitted to the National Secretary by May 31<sup>st</sup> and provided further,
  - 2. No proposed amendment shall be submitted unless said proposed amendment shall have been first submitted by a Department Convention, the National Executive Committee or by a Unit where there is no Department or by the National Bylaws Committee.
- B. These Bylaws may also be amended by unanimous vote of the Convention Body, providing the proposed amendment shall have been read to the National Convention at least one (1) calendar day before it is voted on.
- C. These Bylaws may be set aside or suspended for the period of the National Convention only if deemed expedient by a unanimous vote of the membership as defined in Section above.
- D. Compliance - The Bylaws of the Military Order of the Purple Heart Auxiliary of the U.S.A., Inc., and any subsequent amendments thereto, may not conflict with the Bylaws of The Military Order of the Purple Heart of the U.S.A., Inc. Any discrepancies found shall at once be corrected.

### Section 2 – CONDUCT OF MEETINGS

- A. All Unit, Department, National, and Committee meetings of the Auxiliary shall be conducted in accordance with Robert's Rules of Order, Newly Revised, except as otherwise provided for in these Articles.
- B. All meetings, observances, and official activities shall be conducted in accordance with the Official Ritual and Special Ceremonies of the Military Order of the Purple Heart Auxiliary of the U.S.A. Inc.