

**CONSTITUTION  
OF THE  
AMERICAN GI FORUM OF THE UNITED STATES**

**Preamble**

We, the various State GI Forum Chapters, GI Forum Women, GI Forum Youth and At-Large Chapters of the American GI Forum, a Congressionally Chartered Veterans Family Organization, in order to better serve our People, our Country, our State and our local Communities, do hereby commit ourselves to the principles of American limited constitutional democracy, to the advocacy of US military service Veterans' rights, education, civil rights and socio-economic equal opportunity by organizing and establishing a National Organization of the American GI Forum.

Therefore, we as Veterans of the Armed Forces of the United States, and our families, joined together as the American GI Forum of the United States, do hereby humbly invoke the blessings of Almighty God for This Organization and hereby ordain and establish this Constitution.

**NAME, PURPOSE, PRAYER, PLEDGE, MOTTO, SEAL AND FOUNDER**

**ARTICLE 1**

**SECTION 1: NAME**

The official name of this organization shall be "The American GI Forum of the United States".

**SECTION 2: PURPOSE**

The basic purpose of This Organization shall be to secure the blessings of American democracy at every level of life, local, state, and national, for all inhabitants of our Country, as well as to further the rights of all Veterans, of all our members, their families and friends, This Organization, its Officers and Members, therefore, pledge to:

- A. Uphold and defend the Constitution of the United States of America and the American flag;
- B. Foster and perpetuate the principles of American democracy based on religious and political freedom for the individual and equal opportunity for all;
- C. Foster and enlarge equal educational opportunities, equal economic opportunities, equal justice under the law and equal political opportunities for all citizens, regardless of race, color, religion, sex, age ethnicity or national origin
- D. Secure adequate representation and participation of the ethnic minorities represented by this organization at policy making, administrative and enforcement levels of local, state and national government in all departments, agencies, bureaus or other government units;

- E. Combat all practices of a prejudicial or discriminatory nature in local, state or national life, which curtail, hinder or deny to any member of This Organization, and inhabitants an equal opportunity to develop his or her full potential as individuals;
- F. Foster and promote the broader knowledge, appreciation, conservation and use by all inhabitants of their cultural heritage and language;
- G. Use only non-violent, lawful, civil and peaceful methods of pursuing the objectives of This Organization as set forth above.

**SECTION 3: OFFICIAL PRAYER**

The official Prayer of the AGIF-US shall be the Prayer of St. Frances of Assisi. This prayer shall be recited at the beginning of every meeting of This Organization, whether local, district, regional, state or national.

**Prayer of St. Frances of Assisi**

LORD, Make me an instrument of Thy Peace.  
 Where there is hatred, let me sow love.  
 Where there is injury, pardon.  
 Where there is doubt, faith.  
 Where there is despair, hope.  
 Where there is darkness, light.  
 Where there is sadness, joy.

Oh, DIVINE MASTER, grant that I may not so much seek to be consoled as to console, to be understood and to understand, to be loved as to love, for it is in giving that we receive, it is in pardoning that we are pardoned and it is in dying that we are born to ETERNAL LIFE. Amen.

**SECTION 4: PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag of the United States of America shall be recited by all members of This Organization. It shall be recited at every meeting of This Organization at all levels immediately after the Official Prayer.

**Pledge of Allegiance**

“I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all”.

**SECTION 5: MOTTO**

The official motto of This Organization shall be “Education is our Freedom and Freedom Should Be Everybody’s Business”. This motto shall be used in all literature, letterheads, bulletins and other written material distributed by the AGIF at all organizational levels.

**SECTION 6: SEAL**

The official seal of the American GI Forum shall consist of a shield with seven red and six white stripes running vertically for two thirds of the depth of the shield and a blue field at the top third with thirteen stars set six on each side and one at top center. Across the blue field will be inscribed the word “American” and rays in a white background will run from the center star to the word “American”. Across the face of the shield wherein lie the vertical stripes will be inscribed the words “GI Forum”.

## **SECTION 7: FOUNDER**

The Founder – Dr. Hector P. Garcia, the revered founder of the American GI Forum, has journeyed in full battle gear to join other of our troops in the Kingdom of Almighty God, but his ideas and ideals should be respected and followed as much as practically possible considering the conditions of the time. However, whatever the time, his tireless efforts to achieve social justice, equality of opportunity and a better life for the poor generally and for Hispanics specifically, shall keep the fires burning in the hearts of all those who continue to fight for the lofty goals he sought. His name shall appear as Founder on the upper right side of all American GI Forum letterhead. He shall never be forgotten.

## **ARTICLE II – MEMBERSHIP**



### **SECTION 1: GI FORUM CHAPTERS**

Membership in GI Forum Chapters shall be constituted by men and by women who may qualify as Veterans. The term Veteran shall be defined as all persons, male or female, who are American citizens or legal residents and who have served honorably, or are serving honorably for at least six months, in the Armed Forces of the United States of America, including the Coast Guard, the National Guard or other official component for military service or training set up the Armed Forces of the United States, or who have served in such a unit for as long a time as it may be required to qualify as a Veteran as defined by the U.S. Department of Veterans Affairs, **shall be eligible for active membership in the GI Forum Chapters of This Organization.** Membership in GI Forum Chapters shall also be available to non-veterans to the extent authorized by Section 4 of this Article.

### **SECTION 2: GI FORUM WOMEN CHAPTERS**

All female persons, who are American citizens or legal residents and who are 18 years of age or older, or who are married or have been married and are at least of the age of **14 years**, shall be eligible for active membership in the Women’s Chapters. Said person’s membership must be recommended by a member and must be approved by a simple majority vote of the GI Forum Women’s Chapter wherein membership is solicited.

A female Veteran may join either a GI Forum or a GI Forum Women Chapter.

### **SECTION 3: GI FORUM YOUTH CHAPTERS**

All young persons, who are American citizens or legal residents, single, never married and between the ages of 10 and 21 years, shall be eligible for active membership in GI Forum Youth Chapters.

### **SECTION 4: NON-VETERANS AND MEMBERS OF ARMED FORCES**

Any adult male person, 18 years of age or older, who does not fulfill the requirements of Section 1 of this Article on Veteran qualifications, who is of good morale character and whose general reputation in the community in which he/she resides is good, may be voted into membership in any particular GI Forum Chapter. Said person's membership must be recommended by a member and must be approved by a simple majority vote of the GI Forum Chapter wherein membership is solicited. Provided, however, that the total non-veteran membership in any GI Forum Chapter must not exceed 25% (twenty-five percent) of the total membership except, however, that such percentage, once attained, shall not decrease if the percentage of Veterans members decreases. Provided, further, that all GI Forum Chapters must have at all times at least eight (8) Veteran members. Understandably, the Veteran requirement shall not apply to GI Forum Women and Youth Chapters.

Membership in GI Forum Chapters shall also be available to men and women who are active members of the Armed Forces of the United States, and they shall be counted as Veterans. On leaving the military, in order for them to qualify as Veterans, they shall have to meet the requirement set out in Section 1 of this Article.

Any person so eligible, who is of good moral character, who is disposed to uphold the principles of the AGIF, who pays his/her dues and takes the Oath of Members shall be considered a member of his/her particular Chapter, as well as of the AGIF-US and of any pertinent AGIF Organization there under.

#### **SECTION 5: ACTIVE MEMBERS – DEFINITION**

In order to be considered an active member and eligible to vote in any AGIF Organization, all members must pay their dues as provided in this Constitution and other dues and/or assessments that may be levied through appropriate action of the National Conference, as well as pay such local and state dues and/or assessments as may be imposed by their respective local and state AGIF Organizations, and thereafter take the Oath of Members.

All members must report any change of their address to their respective Local, State, At-Large and National AGIF Organizations.

- A. Quorum** – The quorum required for all AGIF Chapters to legally transact business shall be eight (8) members. All other AGIF Organizations shall themselves set their own quorum requirements.

#### **SECTION 6: OTHER MEMBERS**

##### **A. Honorary**

Any person who has rendered outstanding service to the community wherein he or she resides or who has attained a ranking place in the field of letters, human or civil rights, science or the arts, may be elected to honorary membership in any GI Forum, At-Large, GI Forum Women or GI Forum Youth Chapter by a majority vote of the members thereof. An honorary member shall not hold office or vote but may attend AGIF gatherings, be permitted to give counsel and guidance, and to participate as ex-officio member of any committee to which he or she may be appointed. **Honorary members** shall not be required to pay dues or other financial assessments, but may do so voluntarily.

## **SECTION 7: MEMBERSHIP DENIED TO SUBERSIVES**

No person who is, or has been, a member of any Communist, Fascist, or other organization or conspiracy that advocates the overthrow or the serious undermining of the Government of the United States shall not be eligible for membership in This Organization. To help enforce this requirement, an appropriate oath may be required by the Officers of This Organization of any person who solicits membership of whatever nature in This Organization.

## **SECTION 8: OATH OF MEMBERS**

All members of this Organization, active and/or honorary, shall take the following oath when they join the American GI Forum; such oath once taken does not ever have to be retaken.

### **OATH OF MEMBERS**

“I do solemnly promise and swear that I will uphold the Constitution and honor the Flag of the United States of America and of my State, that I will abide by the Constitution and By-laws of the American GI Forum and that I will neither wrong nor harm, in any way, shape or form the same, nor a member thereof, SO HELP ME GOD”.

## **SECTION 9: NO RESTRICTION ON MEMBERSHIP BY LOCAL CHAPTERS OR ON THE NUMBER OF CHAPTERS**

No AGIF Organization shall restrict the number of active members, except as provided in Sections 4 and 5 of this Article, nor shall the number of AGIF Chapters be restricted in any given community by means of any rule limiting membership or limiting the number of AGIF Chapters or Local AGIF Organizations to a given number in any city or community.

Local Chapters, in accordance with attendance or other reasonable rules, may accord privileges and benefits accruing from extraordinarily fine activity to those members complying with such rules in an exemplary manner.

## **SECTION 10: TRANSFER OF MEMBERSHIP**

Any member in good standing of any AGIF Chapter may request transfer of his/her membership to any other Chapter in any other state by notifying the local Chapter Secretary, whose duty it shall be to notify the proper chief local, state and national officer(s) of such transfer, except that such transfers shall not be authorized to a member residing in a state where a State AGIF Organization exists, unless the member involved shall be domiciled in the state he/she wants the membership transferred to. It is permissible, however, to transfer membership from one AGIF Chapter to another within the same state.

## **SECTION 11: DUES**

- A. The members of all American GI Forum Chapters shall pay no less in the way of dues than the National Conference may decide, but they may pay more, in accordance with whatever amount of the total dues the State and/or Local American GI Forum Organizations shall decide to keep to help finance their own operations.
- B. **Lifetime Memberships** – All those members wishing to become lifetime members shall pay any amount which the National Board may hereafter alone determine, but no less

than \$100.00 dollars to so qualify. On such payment the member involved shall have no further obligation to pay dues to the AGIF-US.

Lifetime Membership does not exempt the member, however, from paying his/her state and/or local dues and/or assessments to maintain full, active membership in the local, district, regional, at-large and state AGIF Organizations of his/her domicile in any of which they shall still have a voice but no vote, unless he/she shall pay whatever local dues and/or assessments may be ordinarily imposed on its members. At all national AGIF gatherings, Lifetime Members shall **[may]** have both a voice and a vote. They shall also have a voice in any and all AGIF Organizations, but a vote insofar as is provided for herein.

- C. **Other Dues** – All active members shall also pay such local and state dues or assessments as may be imposed by their respective local and state AGIF Organization, as well as other dues or assessments that may be levied through appropriate action of the National Conference. The National Conference shall decide by 2/3 vote of the delegates present and voting the amount of dues to be paid to the AGIF-US by members of all AGIF Organizations.

All such members who fail to pay lawful dues and assessments to their local, at-large or state AGIF Organizations or to the American GI Forum of the United States, shall lose their membership, hence their voice and vote in any and all AGIF gatherings, but can be automatically reinstated on payment thereof without any formality. A Lifetime Member shall not ever lose his/her voice (and/or vote) in AGIF gatherings, except as provided for hereinabove.

## ARTICLE III ORGANIZATIONAL STRUCTURE

### SECTION 1: NATIONAL ORGANIZATION – AT-LARGE CHAPTERS

The American GI Forum of the United States shall be in the nature of a confederation composed of its own autonomy, as well as the autonomy of the various State AGIFs, of Local Chapters, and At-Large Chapters, as presently existing at the time this Constitution is adopted, plus any new AGIF Organizations. The autonomy referred to herein is set out merely to insulate fellow (sister) AGIF Organizations from exposure to civil liability which might be incurred by a given AGIF Organization and/or by an AGIF member, but all AGIF Organizations and AGIF members shall be strictly bound by the terms of this Constitution. On the failure of any AGIF Organization or member to be so bound, such as to act outside of the authority hereof, the National Board on its own motion, after notice and adversarial type hearing before it held in the spirit of procedures set out in Article V hereof, may on simple majority vote, suspend the Charter of any AGIF Organization, or suspend an individual from membership, if found guilty of failing to operate strictly under the terms of this Constitution, and any guilty Chapter and/or any AGIF Organization and member thereof, shall lose the right to register and be seated at the AGIF National Conference and Mid-Year Conference, as well as lose the right to use the GI Forum name. On failure to abide by such terms, any AGIF Organization and its Commander and/or member, shall be subject to a state civil injunctive action filed by the National Commander in the capital city of the state wherein any offending entity is/are situated. The finding of the National Board shall be admissible in evidence, and on a court holding against any offending entity, same shall be subject to pay attorney fees, court costs and interest thereon at the legal rate.

State AGIFs shall be defined as a State AGIF Organization in the different states of the United States wherein three or more Charters have been issued to constitute GI Forum Chapters which remain viable, regardless of the existence of whatever number of the other type of Chapters may exist in one or more cities of the respective state. All Chapters in a given state which do not have the required number of GI Forum Chapters to qualify as a State AGIF Organization shall be considered to be Chapters At-Large, whether they be GI Forum Chapters, GI Forum Women Chapters or GI Forum Youth Chapters; except that the District of Columbia shall be recognized as a State AGIF Organization and shall be exempt from the requirement of having three GI Forum Chapters, but shall comply with all other requirements of a State AGIF Organization.

## **SECTION 2: NATIONAL AND OTHER CONFERENCES OR AGIF GATHERINGS**

A. **COMPOSITION** – The National Conference of the AGIF-US shall be composed of the national officers, as hereinafter specified, plus the delegates from the State AGIF Organizations and the At-Large AGIF Organizations. The Conference shall be referred to as the National Conference.

B. **MEETINGS** – The National Conference shall meet at least once each year at site specified by the National Conference two years prior to each respective Conference. In the event the host AGIF Organization is unable to meet its commitment to stage the Conference, a new site/host shall be selected by the National Conference held prior to said Conference, or if the National Conference has already adjourned, then a new site/host shall be selected by a two-thirds voter of the National Board either at a called meeting or with its consent expressed in writing or by written mailed ballot of two-thirds of the members thereof.

(1). Any AGIF State Organization wishing to bid for the staging of a National Conference must provide signed documentation from a financial institution verifying that said AGIF State Organization has a minimum of Ten Thousand Dollars (\$10,000.00) seed money earmarked for the said National Conference. The National Board may choose to raise the minimum amount.

(2). Any AGIF State Organization wishing to bid for the staging of a National Conference must have at least one existing AGIF Youth Chapter.

C. **(a). VOTING PROCEDURE** – At the AGIF-US yearly National Conference, each AGIF Organization shall be entitled to three (3) delegate votes, one each corresponding to the States' Commander, the States' Chairwoman and the States' Youth Chair. Each must be on the assembly floor in order to be eligible to cast his/her vote.

**(b).** Additionally, each GI Forum Chapter, GI Forum Women's Chapter, At-Large Chapters and GI Forum Youth Chapter from all over the United States shall be entitled to six (6) votes for the first eight (8) through ten (10) currently paid members in good standing, and one (1) additional vote for each additional five (5) members in good standing.

**(c).** The Washington D.C. Chapter, pursuant to Article III, Section 1, shall be entitled to three (3) delegate votes as other State AGIF Organizations and shall further be entitled to four (4) votes for the first eight (8) through ten (10) currently paid members in good standing of each Chapter and one (1) additional vote for each additional ten (10) members in good standing.

(d). At any AGIF gathering, whether national, state, regional, district, local, At-Large chapters, Washington, D.C. Chapter, Board of Directors or Executive Boards (or whatever name designation is chosen by the directors), there shall be no voting under the so-called “unit rule” in the entire AGIF Organization, and so every AGIF Organization in good standing shall have only as many votes at an AGIF gathering as it has duly registered delegates present and voting on the Conference or meeting floor, and shall be subject to the other provisions of this Subsection C above.

(e). Subject to Quorum requirements, voting strength at local chapter meetings shall be based simply on one vote for each member present on the floor, but all other AGIF Organizations assembled in any conference or meeting, including board or executive gatherings, shall be subject to the same rules on voting strength as stated hereinabove in Subsection C, if the nature of their composition for voting strength at an AGIF gathering is such that the “unit rule” prohibition sets in.

(f). The cut-off date for receipt of memberships by the National Office to determine the voting strength of any AGIF Organization, at the National Conference or at any other conference or meeting, shall be thirty (30) days prior to the opening date of any Conference or meeting. Any membership application or application for Charter received after the cut-off date will not be counted in determining voting strength of any particular AGIF Organization. After the cut-off date, the National Executive Director shall compile and mail out a report of the potential voting strength of each AGIF State, At-Large or Local AGIF Organization.

(g). Roll Call Vote – At the National Conference – It shall be mandatory that delegations from two State AGIF Organizations request a roll call vote before such vote is ordered by the presiding officer. At State AGIF Organization Conferences, it shall take the call of three (3) individual Chapters before a roll call vote may be so ordered, and at any Local conference or meeting, it shall take the call of three (3) members before a roll call vote is ordered.

(h). Vote and Election Results – Unless otherwise specified in this Constitution, or in Robert’s Rules of Orders, if applicable, only a simple majority vote shall be required to determine any issue which is voted on at any AGIF Organization gathering. Only members of chapters, which have paid their assessments, charter renewal and membership dues shall be eligible to vote.

In all elections held in any AGIF Organization, whether the process is done by paper ballot or otherwise, the winning candidate must carry the election by fifty percent (50%) plus one (1) of the votes taken. In some instances the election process may require a run-off between the two candidates with the highest votes. In any event, the Elections Chair shall see to it that the votes are tabulated and recorded with the help of his/her committee. The Elections Chair shall announce the ultimate winner without giving numbers. But, if any candidate or his/her representative calls for announcement of vote number by results, they shall be orally given to the assembly, or privately given to the candidate, whatever the candidate or his/her representative may request. If any candidate calls for a canvassing of the votes, they shall be canvassed before him/her immediately and in the most expeditious manner.

(i). **Limited Vote of National Commander(s)/Chair(s)** – In keeping with the tradition of giving the Commander/Chairs(s) an aura of impartiality before the assembly, the National Commander, [AND] the National Chairwoman and the National Youth Chair shall not vote on any issue at the National Conference, National Board meetings and in their own respective assemblies, unless it is to break a tie vote.



A delegation for the purpose of the voting process, except for voting at the local chapter level, is defined as follows:

The AGIF State Organization delegation to the National Conference shall consist of the State Commander, State Chairwoman and the State Youth Chair. Further, each duly chartered and currently paid Chapter of the American GI Forum of the US is a separate delegation, which includes each separate GI Forum Chapter, GI Forum Women Chapter, At-Large Chapter and GI Forum Youth Chapter

**(j). Delegations For State AGIF Gatherings** – Delegations to State AGIF, Regional/District or Board Conferences or meetings shall consist of the chapter members including At-Large Chapter delegations from within the particular geographic area. Numeric representation and voting strength shall follow the rules set out in Section 2C hereof.

**(k). Powers** – The National Conference shall be the supreme legislative and governing body of this AGIF-US and except as may be restricted by this Constitution, shall have all powers necessary to administer its affairs and to promote the objectives set forth in the Purpose Clause of this Constitution.

The National Conference shall be empowered to make fundamental and basic policy decisions for the AGIF-US, and shall have the power to veto or modify any action or decision of the AGIF-US Mid-Year Conference of the Board of Directors, except for any action taken by such Conference or Board on administrative, ordinary and perfunctory matters, as more specifically set out hereinafter at Section 3 D. Pursuant to the powers herein granted, all resolutions and other actions of the National Conference shall be binding upon all officers and members of this AGIF-US Organization, on the National Board, on all AGIF State Organizations, on local Chapters, District and Regional AGIF Organizations and At-Large AGIF Organizations.

**(l). INCOME – EXPENSE – PROGRESS** – To guarantee that there shall be no financial loss in respect to a planned National Conference, the National Board shall have veto power over the host AGIF Chapter, Chapters or AGIF State Organizations on matters affecting said Conference, and shall impose itself on the state of progress with regard to projected readiness. The National Executive Board by concurrence of a majority thereof, shall, if they have reasonable grounds to believe that the particular National Conference is headed for failure, institute procedures, including appointment of personnel to ensure progress and sound management and, if need be, on its own motion, may go as far as to wrest away control of the entire program from the State and Local AGIF Organizations. The National Board shall then pass on whether it shall take over the staging of the Conference permanently and completely or allow the State and Local AGIF Organizations involved to continue in control, or partial control of staging the Conference.

In the event a profit is made, the National Women's Treasury and the National Youth Treasury, shall be paid on the basis of \$1,500.00 each or in an amount lower or higher depending on available funds and on the value of the dollar given time as determined by the National Board, but whatever the amount, it shall be utilized for the Educational Achievement Award Essay scholarships before the one-third (1/3) splits are effectuated.

In the event a profit is made on staging the National Conference, the same shall be divided on the basis of one-third to the AGIF-US Organization, one third to the host AGIF State Organization and one-third to the local Chapter or Chapters hosting the Conference. From the

one-third (1/3) profit apportioned to the AGIF-US Organization, seventy percent (70%) will go to the National Office, twenty-five percent (25%) will go to the National Women's Treasury and five percent (5%) will go to the National Youth's Treasury.

Any loss is to be assumed by the same AGIF Organizations in the same proportions as stipulated above on profit.

No income generated from any local contest or other AGIF National contest culminating at the National Conference shall be considered as Conference income in determining profit or loss from the Conference.

Should any GI Forum Organization hire a Conference Coordinator to help stage a National or State AGIF Conference, the cost of same shall be borne by the Organization(s) so hiring.

Unless the National Conference bills incurred in a given year have been paid in full by a hosting Chapter or Chapters prior to the following National Conference, the State Organization wherein the local Chapter or Chapters are situated shall be ineligible to bid further on National Conference sites within its geographic area until such bills and reasonable interest, if any, are paid in full.

(m.) In keeping with the voting procedures at the AGIF National Conference level, such matters being fundamental, voting procedures and/or vote representation at all AGIF State Conferences, AGIF State Board of Directors Meetings, as well as in all AGIF Regional and District meetings, the same rules on voting representation and procedures shall apply, as stipulated in Article III, Section 2 hereof.

### **SECTION 3: NATIONAL BOARD of DIRECTORS**

#### **A. Composition** – The AGIF National Board of Directors (the National Board)

The National Board shall be composed of the national officers as hereinafter named, plus the State Commander, State Chairwoman, State Youth Chair of each State AGIF Organization, or their duly designated representative in descending order of office and one representative from each At-Large AGIF Organization.

**B. Voting Procedure** – Each national AGIF officer shall have one (1) vote. Each AGIF State Commander, AGIF State Chairwoman and AGIF State Youth Chair or their duly designated representative, shall have respectively one (1) vote and each At-Large AGIF Organization shall have one vote.

Roll call votes shall be ordered by the presiding officer at the request of any member of the National Board.

#### **C. Meetings of the National Board of Directors**

The National Board shall meet at least once each year between National Conferences at a place designated at the previous meeting of the Board or by a National Conference. The National Board may also meet during the National Conference and at such other times and places as may be designated by the National Commander with the consent of a majority of the national officers and with 30 days notice to all members of the Board

**D. Powers of the National Board** – Besides as hereinafter specified, the National Board shall act as an ultimate judicial body of the AGIF-US, inasmuch as appeals taken under Article V Sections 5C and 6M hereof shall be heard by such body, which shall act as a “court” of last resort. Its decision shall be final.

Such body shall also provide impetus and direction to the AGIF-US expressed through any matter on which a vote is taken, which shall carry by simple majority. The National Board shall make ordinary, administrative, perfunctory type decisions at the national level on a final basis and without National Conference approval.

All other decisions of such body, such as those affecting fundamental change or basic policy, shall be made in the way of recommendations to the National Conference, which Conference may either veto in part or in whole a particular decision and silently allow such other decisions to stand and be considered as ratified.

#### **SECTION 4: STATE and LOCAL (REGIONAL/DISTRICT) BOARD of DIRECTORS**

Each AGIF State, Local Chapters and At-Large Chapters may have their own Board of Directors consisting of their officers and any other member element of their choosing. They may also choose to call such body their Board of Directors or Executive Board or whatever other adequate name. If any Regional/District AGIF bodies are organized in any area of the country their Board may consist of whatever level and number of AGIF Officers and Members they choose, provided that no AGIF body referred to in this section is organized such as to include Chapters or Members from more than one state.

#### **SECTION 5: NATIONAL OFFICERS – ELECTED**

**A. Designation** – The National Officers/Executive Board of This Organization shall be as follows:

1. National Commander
2. National Vice-Commander
3. National Secretary
4. National Treasurer
5. National Sergeant at Arms
6. National Chairwoman
7. National Vice-Chairwoman
8. National Women’s Recording Secretary
9. National Women’s Treasurer
10. National Youth Chair

**B. Terms of Office** - The term of office of all officers of the AGIF-US shall be for one year. All national officers shall be elected at the National Conference and all AGIF state officers at their respective conferences. The choices of all AGIF-US and AGIF State Officers, whether GI Forum, GI Forum Women and GI Forum Youth entities, shall be made by all the qualified delegates of the entire respective Conference, although each of the three named entities shall have their own set of officers.

A female Veteran AGIF member shall be free to join and serve in any capacity in either a GI Forum Chapter or a GI Forum Women's Chapter and shall be free to serve in any officer position at the National, State or Local AGIF levels.

All officers shall be administered the Oath of Office and shall take office immediately following their election. The National Chaplain, National Legal Advisor and National Parliamentarian may do likewise as soon as they are appointed by the National Commander.

### **Oath of Office**

"I, (give name) do solemnly promise and swear that I will uphold the Constitution and respect the flag of the United States of America and of my State, that I will abide by the Constitution and By-laws of the American GI Forum of which I am (give position); my conduct and thoughts shall be for the betterment and advancement of said Organization and the people it serves. That I will serve to the best of my ability and will strive for cooperation with all officers, members and committees of said Organization and that I will adhere always to such end and uphold the same to the utmost, SO HELP ME GOD".

### **C. QUALIFICATIONS, POWERS AND DUTIES, LINE OF SUCCESSION**

The qualification powers and duties of the AGIF National Officers shall be as follows and their line of succession shall be in the numerical order which is set forth hereinafter.

The AGIF State Organizations and all Local AGIF Organizations may, as reasonably practical, but with flexibility, set up their officer structure in similar fashion, however, all such officers shall meet the same qualifications and/or conditions as hereinafter set out for national officers, except that Local AGIF officers shall not be subject to the five/three year tenure provision set forth hereinafter for national and state officers.

**1. National Commander** – The National Commander must be a Veteran, a U.S. Citizen and otherwise fulfill the qualifications of Article II Section 1 of this Constitution, except that he/she must be 21 years of age or older and must no be on active full time military service. In addition, he/she shall be a member in good standing in the American GI Forum for a minimum of five years next preceding his/her election, provided that if he/she has held a state officer or a national office in the American GI Forum for at least two years, the five year requirement herein set forth shall be reduced to three years. He/She shall be the presiding officer, official spokesperson and official representative of the National Organization. He/She will preside at the National Conference and at National Board meetings and will appoint all standing, interim and all members thereof, as well as the Chair for same. He/She shall appoint all committee chairpersons of the National Conference committees with the advice of the National Chairwoman. He/She shall appoint all members of the National Conference committees and shall do so as reasonably possible with the advice of the various AGIF State and At-Large Organizations.

The National Commander shall exercise such powers and perform such other duties and functions as normally fall within the scope of such office as specified in this Constitution and any By-laws and failing this instrument or instruments to provide definition of duties then as specified in the latest revision of Robert's Rules of Order, except as same are altered or proscribed by this Constitution or by action of the National Conference.

The National Vice-Commander will succeed to any vacancy in the office of the National Commander for the unexpired term thereof. In the event the National Vice-Commander is unable to serve or after assuming the office ceases to continue in same for whatever reason, then such ensuing vacancy shall be filled by the next officer in the line of succession, as listed hereinafter.

2. **National Vice-Commander** – Must meet the same qualifications and be subject to the same conditions as the National Commander. He/She shall assist the National Commander in every manner in which he/she is called to do so and shall perform the duties and functions of the National Commander in the absence or illness of the latter or at the request of same. He/She will exercise such other powers and perform such other duties and functions as normally fall within the scope of his/her office as specified in this Constitution and any By-laws and failing this instrument or instruments to provide definition of duties then as specified in the latest revision of Robert's Rules of Order, except as same are altered or proscribed by this Constitution or by action of the National Board or the National Conference. Any vacancy in this office shall be filled by the next officer in the numerical line of succession.

3. **National Secretary** – Must meet the same qualifications and be subject to the same conditions as the National Commander. The duties of the National Secretary will be to take and keep the minutes or have such minutes done under his/her supervision of the National Board meetings and National Conference and any other lesser conferences called by the National Commander. The National Secretary will ensure that the minutes of all sessions of the National Board and National Conferences are recorded and printed so that such minutes are submitted to the body for final approval, track all resolutions passed by the National Conference and shall report at the National Board meetings and Conferences the follow-up actions taken and needed for said resolutions. In the event a vacancy occurs in such position and the National Conference is not in session, the National Commander shall appoint an Interim Secretary to serve until the next National Conference, at which time one can be elected.

4. **National Treasurer** - Must meet the same qualifications and be subject to the same conditions as the National Commander. He/She preferably should have accounting experience. The National Treasurer shall, working with the National Officer, ensure that all books and records are kept subject to an annual audit; ensure that an annual budget is prepared. It shall be required that he/she be bonded. This officer shall be the chair of the National Finance Committee. In the event a vacancy occurs in such position and the National Conference is not in session, the National Commander shall appoint an Interim Treasurer to serve until the next National Conference, at which time one can be elected.

5. **National Sergeant at Arms** – Must meet the same qualifications and be subject to the same conditions as the National Commander. The Sergeant at Arms will maintain order and enforce any floor rules under the direction of the National Commander or the presiding officer at all National Board meetings and at all National Conferences.

At the directions of the National Commander, the Sergeant at Arms shall have the power to deputize other persons to help maintain order and enforce floor rules. In the event a vacancy occurs in such position and the National Conference is not in session, the National Commander shall appoint an Interim Sergeant at Arms to serve until the next National Conference, at which time one can be elected.

6. **National Chairwoman** – The National Chairwoman must fulfill the qualifications of Article II, Section 2 of this Constitution and shall be a US Citizen. She must

also meet the five-year or three year membership requirement set forth for the National Commander in Section 5 subsection D 1 of this Article. She will be the presiding officer, official spokesperson and official representative of the National American GI Forum Women. Her power, functions and duties will be the same in relation to the American GI Forum Women Organizations as are those of the National Commander to the entire AGIF Organization, except that she will serve under the direction of the National Conference and the National Board. Any issue or conflict arising between her and the National Commander shall be resolved by the National Board or by the National Conference by proper motion or resolution.

She will exercise such other powers and perform such other duties and functions as normally fall within the scope of such office as specified in this Constitution and any By-laws and failing this instrument or instruments to provide definition of duties then as specified in the latest revision of Robert's Rules of Order, except as same are altered or proscribed by this Constitution or by action of the National Conference.

The National Vice-Chairwoman shall succeed to any vacancy in the office of the National Chairwoman for the unexpired term thereof. In the event the National Vice-Chairwoman is unable to serve or after assuming the office ceases to continue in same for whatever reason, then such ensuing vacancy shall be filled by the next officer in the line of succession.

7. **National Vice-Chairwoman** - Must meet the same qualifications and be subject to the same conditions as the National Chairwoman. She shall assist the National Chairwoman in every manner in which she is called to do so and shall perform the duties and functions of the National Chairwoman in the absence or illness of the latter or at the request of same. She will exercise such other powers and perform such other duties and functions as normally fall within the scope of his/her office as specified in this Constitution and any By-laws and failing this instrument or instruments to provide definition of duties then as specified in the latest revision of Robert's Rules of Order, except as same are altered or proscribed by this Constitution or by action of the National Board or the National Conference. Any vacancy in this office shall be filled by the next officer in the numerical line of succession.

8. **National Women's Secretary** - Must meet the same qualifications and be subject to the same conditions as the National Chairwoman. She shall also be subject to the five year or three year membership requirement set forth in Section 5 subsection D 1 of this Article. Her duties will be to record the minutes of all sessions of the National Women's meetings. In the event a vacancy occurs in such position and the National Conference is not in session, the National Chairwoman shall appoint an Interim Secretary to serve until the next National Conference, at which time one can be elected.

9. **National Women's Treasurer** – Must meet the same qualifications and be subject to the same conditions as the National Chairwoman. She shall also be subject to the five year or three year membership requirement set forth in Section 5 subsection D 1 of this Article. She shall be the custodian and the one responsible for all national women's fund raising projects, the Educational Achievement program monies and will be responsible for disbursement of expenses and payment of said programs. She shall submit to an annual audit of the books. It shall be required that she be bonded.

She shall transfer to her successor in office, or anyone designated by the National Chairwoman, all monies, securities, vouchers, book records or other properties of the GI Forum Women in her possession or under her control, immediately upon change of administration.

In the event a vacancy occurs in such position and the National Conference is not in session, the National Chairwoman shall appoint an Interim Treasurer to serve until the next National Conference, at which time one can be elected.

**10. National Youth Chair** – The National Youth Chair, whether male or female, must fulfill the qualifications of Article II, Section 3 of this Constitution, provided that such person must be a U.S. Citizen and between the ages of 17 and 21 and must have been a member for three years in good standing. The powers, functions and duties of this office shall be the same in relation to the National Commander to the entire organization, except that the person filling this office is subject to the supervision of the National Commander, the National Chairwoman and National Youth Advisor. Any issue or conflict arising between [HIM/]her and the National Commander shall be resolved by the National Board or by the National Conference by proper motion or resolution. But until such matter is resolved, such officer shall abide by the supervision of the National Commander, National Chairwoman and National Youth Advisor. Vacancy in this office shall be filled by the National Vice-Youth Chair for the unexpired term.

### **NATIONAL OFFICERS – APPOINTED**

**National Chaplain** – The National Chaplain shall be appointed by the National Commander and must meet his/her same qualifications, but shall not be subject to the five/three year tenure requirement. He/She shall serve at the will of the National Commander. If possible, he/she should be a duly ordained Minister or Priest. He/She shall render the Official Prayer Invocation and Benediction at the National Conference and National Board meetings at which he/she is present. He/She shall also look after the spiritual welfare and guidance of This Organization and of the officers and members hereof.

**National Parliamentarian** – The National Parliamentarian shall be appointed by the National Commander and must meet his/her same qualifications, but shall not be subject to the five/three year tenure requirement. He/She shall be the person in charge of keeping parliamentary order in all meetings of the AGIF-US and of the National Board. It would be advisable that the parliamentarian be a lawyer. His/Her rulings on any parliamentary law and procedure issue arising in the course of business of This Organization shall govern unless and until they are overruled by a 2/3 vote of the members present and voting whichever way a vote is taken in accordance with this Constitution. The National Parliamentarian shall serve at the will of the National Commander. He/She shall have a voice and vote at all gatherings of the AGIF-US, AGIF gatherings in his/her own State, his/her own Regional/District AGIF level gatherings and in his/her own Chapter.

**National Legal Advisor** – The National Legal Advisor shall be appointed by the National Commander as soon as practical following election of the Commander. He/She must meet the same qualifications as the National Commander, but shall not be subject to the five/three year tenure requirement. The position shall be filled by a lawyer in good standing with his/her State Bar Association and shall serve at the will of the Commander. The National Legal Advisor may attend all meetings of the AGIF-US, the National Board and all State, Local, District/Regional, At-Large and Board of Directors meetings of AGIF gatherings in any state where the AGIF may have an Organization. He/She shall advise and represent the AGIF-US on all legal matters, claims, transactions and cases at law, or to be litigated in the Courts. He/She shall have a voice but no vote at all gatherings of the National Board and of those held in any AGIF State or At-Large Organizations and all Chapters, District/Regional AGIF Organizations,

except that he/she shall have a voice and a vote at the National Conference and in all AGIF gatherings of his/her own State, Regional/District and Local Chapter.

**National Women's Chaplain** – The National Women's Chaplain shall be appointed by the National Chairwoman and must meet the same qualifications and be subject to the same conditions as the National Chairwoman. She shall also look after the spiritual welfare and guidance of the members during the women's meetings. The National Women's Chaplain shall serve at the will of the National Chairwoman.

**National Women's Parliamentarian** – The National Women's Parliamentarian shall be appointed by the National Chairwoman and must meet the same qualifications and be subject to the same conditions as the National Chairwoman. She shall be in charge of keeping parliamentary order in all the women's meetings of the AGIF-US. Her rulings on any parliamentary law and procedure issue arising in the course of business of the National Women's meetings shall govern unless and until they are overruled by a 2/3 vote of the members present and voting however a vote is taken in accordance with this Constitution. The National Women's Parliamentarian shall serve at the will of the National Chairwoman.

**National Women's Sergeant of Arms** – The National Women's Sergeant at Arms shall be appointed by the National Chairwoman and must meet the same qualifications and be subject to the same conditions as the National Chairwoman. She shall maintain order and enforce any floor rules under the direction of the National Chairwoman or presiding officer at all National Women's meetings. The National Women's Chaplain shall serve at the will of the National Chairwoman.

At the direction of the National Chairwoman, the National Women's Sergeant at Arms shall have the power to deputize other persons to help maintain order and enforce floor rules.

**National Youth Chaplain** – The National Youth Chaplain shall be appointed by the National Youth Chair and must meet the same qualifications and be subject to the same conditions as the National Chairwoman. He/She shall also look after the spiritual welfare and guidance of the members during the youth meetings. The National Youth Chaplain shall serve at the will of the National Youth Chair.

**National Youth Parliamentarian** – The National Youth Parliamentarian shall be appointed by the National Chairwoman and must meet the same qualifications and be subject to the same conditions as the National Chairwoman. He/She shall be in charge of keeping parliamentary order in all the youth meetings of the AGIF-US. His/Her rulings on any parliamentary law and procedure issue arising in the course of business of the National Youth meetings shall govern unless and until they are overruled by a 2/3 vote of the members present and voting however a vote is taken in accordance with this Constitution. The National Youth Parliamentarian shall serve at the will of the National Youth Chair.

**National Youth Sergeant of Arms** – The National Youth Sergeant at Arms shall be appointed by the National Youth Chair and must meet the same qualifications and be subject to the same conditions as the National Youth Chair. He/She shall maintain order and enforce any floor rules under the direction of the National Youth Chair or presiding officer at all National Youth meetings. The National Youth Chaplain shall serve at the will of the National Youth Chair.



At the direction of the National Youth Chair, the National Youth Sergeant at Arms shall have the power to deputize other persons to help maintain order and enforce floor rules.

**National Youth Advisor** – The National Youth Advisor shall be selected by the National Youth Chair. He/She must serve or have served as a local, state or national officer and be familiar with the AGIF-US Constitution and the Revised Version of Robert’s Rules of Order. The National Youth Advisor shall advise the National Youth Chair, his/her officers and members on issues pertaining to youth. He/She shall inform the National Commander and National Chairwoman of any concerns or changes pertaining to the Youth. He/She shall serve at the will of the National Youth Chair.

## **SECTION 6: COMMITTEES AND BOARDS**

The National Board may establish committees, standing or for a limited purpose, abolish committees, change personnel within a committee and determine the jurisdiction of committees, subject to the provisions of this Article and guided by the direction of the National Conference, if a direction has been delineated.

**A. National Advisory Committee** – An AGIF National Advisory Committee, composed of all past National Commanders, National Chairwomen and National Youth Chairs is hereby created. Its main function shall be to counsel and guide incoming National AGIF Officers in order that fundamental American GI Forum policies and objectives are continued. It shall be incumbent on the National Commander and other national officers to seek the counsel of such Committee whenever basic policy decisions affecting the entire organization are to be made without time being available for submitting such issues to the National Board or the National Conference. This Committee, however, shall have no veto powers.

**B. National Board Membership – Limitation** – Members of the AGIF shall not serve on the National Board or on a Board at any AGIF Organization level if they are employed by an AGIF Organization or by NVOP, SER or any similar or successor organizations. Furthermore, AGIF personnel employed by any said organization shall not be eligible to vote for the AGIF-US National Commander, National Chairwoman or National Youth Chair.

## **SECTION 7: NATIONAL OFFICE**

A. The AGIF National Office of This Organization shall be located at a site selected by the National Board. All financial, administrative and other records of the AGIF-US shall be kept at such office and shall be in the care of an AGIF member to be entitled as National Executive Director/Administrative Manager, as the National Board may choose and he/she shall be bonded at the cost of the AGIF-US. Mailing lists and other confidential material and records of the AGIF Organization will not be released to any person or entity except by authorization of the National Board. The National Board alone shall appropriate such monies as are necessary for the proper administration of such office, keeping in mind personnel salaries, subject to submission of an annual accounting and budget.

B. To avoid any apparent partiality, obligation or conflict of interest, any member employed by the AGIF, HEF, NVOP, SER or any similar or successor organization, shall not be eligible to vote for the AGIF National Commander, the National Chairwoman and the National Youth Chair.

## **SECTION 8: OTHER OFFICES**

The National Board of Directors shall have the authority to establish other offices of the AGIF-US and to appropriate monies for their proper functioning. In particular, such office may, if feasible, be established in Washington, D.C. for the purpose of establishing rapport with all federal government branches, departments, agencies and bureaus for the benefit of This Organization and its members at all levels.

## **SECTION 9: NATIONAL HOME**

The National Home of the American GI Forum will be located in Corpus Christi, Texas only for the purpose of maintaining all historical records and other documents pertaining to the American GI Forum. It shall be known as the National Archives and Historical Foundation of the American GI Forum.

## **SECTION 10: THE FOUNDER MONTH**

The month of March shall be known as the Founder Month. Every effort should be made to hold all events honoring the Founder or any fund raising activities to support the National Archives & Historical Foundation of the American GI Forum (National Archives) or the like should, if at all possible, be held in the month of March. The profits of any fund raising activity undertaken in the National Archives name shall have to be turned over to the National Archives Organization.

## **SECTION 11: NATIONAL PUBLICATION**

The National Board and/or the National Conference shall have the authority to provide for the publication of all official newsletters for the AGIF-US and provide for the publication of an official newspaper for the AGIF-US and to appropriate monies for the cost of same. The bodies named above may further change the subscription rate for same from time to time as may be necessary without amendment to this Constitution. The editor thereof shall be selected by majority vote of the National Board. Whose decision on the matter shall be final. He/She shall be responsible for publication and circulation of such newspaper. He/She shall also be responsible for publishing all newsworthy items and shall follow the dictates of the National Board and/or the National Conference on the matter of editorial policy. These bodies may provide for the compensation, in line with AGIF-US capabilities of the editor and the staff of said publication and for selection of a name for the same.

## **SECTION 12: FINANCES**

**A. Fiscal Year** – The fiscal year of the AGIF-US shall be established by resolution of the National Board.

**B. Annual Operating Budget** – With the recommendation of the Finance Committee, the National Board shall adopt an annual operating budget.

**C. Accounting Procedures – Bank Signature Cards** – The National Treasurer and the National Executive Director shall utilize accounting procedures and fiscal procedures in preparation of financial statements and financial reports that conform to generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants. In such spirit, it shall be strictly required that in all AGIF bank or financial accounts at any AGIF

level, at least two (2) signatures shall be required on instruments to pay, withdraw funds or debit AGIF accounts.

**D. Annual Audit** – The accounts of the AGIF-US shall be audited not less than annually by a certified public accountant, who shall provide a report to the National Board.

**E. National Budget** – The National Executive Director at every National Conference shall present a proposed budget of anticipated income and expenses for the AGIF-US for the year following said Conference.

Said budget shall be submitted for consideration by a Finance Committee of the National Conference which shall alter or modify same and then report to the National Conference for its approval by majority vote thereof.

No item of expense in said budget shall be considered or approved by the National Conference in respect to which the National Executive Director certifies in writing to the Conference that there is not sufficient anticipated revenue to cover same. The National Conference will consider and approve only those proposed expenses for which there is definitive anticipated revenue.

### **SECTION 13: THE INTERRELATIONSHIP OF AGIF ORGANIZATIONS – NON-PROFIT CORPORATE REQUIREMENTS – PROPERTY TITLES**

**A.** Every AGIF Organization beneath the National level shall be affiliates of This Organization and Chapters beneath the State level shall be affiliates of their respective State AGIF Organizations as well. All shall be subject to this Constitution and their own Constitutional provisions not in conflict herewith. The relationship of all AGIF Organizations shall be exclusively to help pursue the benevolent tenets of the Purpose clause of this Constitution, but all AGIF Organizations shall be autonomous and shall be individually responsible for any civil liability or criminal penalty incurred by them.

The AGIF National, State, At-Large and Washington, D.C Chapter, shall be required to operate under a non-profit corporate entity and all AGIF Organizations at any level engaged in the operation of or which shall operate a hall for a meeting and/or recreational purposes, such as bingos, dances, social programs, sports, etc., or which shall operate a bar providing beverages and/or food shall immediately have to achieve non-profit corporate status as well; else, they shall not operate under the AGIF name. No operation under the AGIF name shall exist for the personal monetary gain of AGIF members.

All GI Forum Youth Chapters shall be sponsored and supervised by a GI Forum Chapter and/or GI Forum Women's Chapter.

#### **B. TITLE TO AGIF PROPERTY**

(1). All charters issued to AGIF Chapters or AGIF Organizations shall contain a paragraph providing that title to any personal and real property acquired by a Chapter or Organization which may cease to exist, shall be vested in the State AGIF Organization wherein the defunct Chapter or Organization existed, if same is itself viable, otherwise title shall be vested in the American GI Forum of the United States.

(2). On the loss of an AGIF Charter by an AGIF Organization, if same is not reinstated within a reasonable time, or on the cessation of the existence of an AGIF Organization, title to any realty and personally acquired by the Chapter or AGIF Organization, shall be vested in the State Organization within which the Chapter or AGIF Organization existed and, should a particular State AGIF Organization not exist in viable form, then title shall be vested in the American GI Forum of the United States. The provisions of this paragraph B, shall apply currently and retroactively.

#### **SECTION 14: CONSIDERATION OF MILITARY PERSONNEL FOR ELECTION OF STATE and LOCAL OFFICERS**

When the scheduled dates for election of officers of **national**, state and all other AGIF bodies at the lower levels beneath state cannot be rescheduled for qualified members who are serving in a US Military component and their annual military training period conflicts with election dates, the member shall be declared eligible to run for office in absentia when he/she submits written notice of intent to do so at least thirty (30) days prior to election or in the previous meeting before elections.

#### **ARTICLE IV NATIONAL EXECUTIVE DIRECTOR**

##### **SECTION 1: POSITION of NATIONAL EXECUTIVE DIRECTOR**

The position of National Executive Director is hereby created. The position or any position similar thereto, regardless of name, shall be occupied at the AGIF National and/or State level by a Veteran who must also be a US Citizen. Applicants for the position of National Executive Director will be interviewed and selected by a majority vote of the National Board. In the event the entire Board cannot be convened for an urgent selection, a committee of the Board appointed by the National Commander will interview candidates and then submit a written report thereon to all Board members. The National Board will then select a National Executive Director by majority vote through a written mailed ballot.

The Executive Director at National and/or State AGIF Organization levels and any staff, shall refrain from any involvement in campaigns for electing National or State AGIF officers, National and/or State Boards or elements thereof.

The National Executive Director will be subject to the supervision and control of the National Board, shall be answerable to said Board at all times and shall abide by all rules, regulations and policies laid down by said Board and/or by the National Conference. The holder of the position may be paid in any amount the National Board may determine.

The National Commander will ensure that the National Executive Director carries out the directives of the National Board and abides by all rules, regulations and policies of the body. In the event the National Executive Director does not fulfill the duties of the position, the National Commander may recommend to the Board that such individual be dismissed. Dismissal requires a majority vote of the Board, either while assembled or by a mailed ballot.

The same or similar provisions on selection, conduct and dismissal of Executive Director(s) applicable in the National AGIF level shall be applicable at the State AGIF level.

#### **ARTICLE V SUSPENSION, REMOVAL FROM OFFICE OR EXPULSION**

##### **SECTION 1: CAUSE**

National Officers and members of the National Board may be impeached, (charged or accused, suspended, removed from office or expelled from the AGIF Organization for the following reasons only:

- A. Disloyalty to the United State or to This Organization manifested by either open and obvious or overt actions or statements or by covert methods; in either case, such actions or statements as are calculated to be treasonable otherwise conduct, as well as for callous disregard for, and/or disobedience of, the terms of this Constitution, when such conduct is calculated to diminish, stymie and/or undo any Organization.
- B. Misconduct in office of the type, which is unreasonably disruptive or harmful of any AGIF Organization or AGIF member.
- C. Misappropriation of funds.
- D. Notorious, improper or immoral conduct which bring shame or disruption or is destructive of any AGIF Organization.
- E. Conviction by Federal or State authorities of a felony class criminal offense.
- F. Proven sexual harassment in employment outside of any AGIF Organization as recognized and adjudicated by an State or Federal jurisdiction at the administrative level or at a court of law level if appealed thereto, or if found guilty of sexual harassment within the AGIF structure guided by State standards wherein the accused resides and/or by Federal standards.

## **SECTION 2: PRESENTATION OF CHARGES**

- A. In any and all cases, AGIF National, State, Local or At-Large, the charge(s) must be presented in the way of a written Complaint and must be specific, particular, clear, written or typed, dated and signed by the Accuser under oath. The specific charges must contain which of the violation(s) under this Constitution, as set out in Article V, Section 1, A thru F above, are applicable in the case
- B. In any case under this Article, the charge(s) against the allegedly culpable person or entity shall be brought within two years of the alleged occurrence; otherwise same shall be barred by limitation, except that in fraud cases the two (2) year period shall not start to run until the fraud is discovered.
- C. Before any hearing at any level is held for the purpose of having any party respond to charges of any violation under this Constitution, the charged party shall be given reasonable written notice of the charge(s) and of the hearing date, time and place by personal service with delivery certified under oath, or by registered or certified mail or by any other reasonably certain means. To appear or answer, the charged party shall be given a reasonable time under all circumstances or such time as may be specified under any subsection in this Article or under Article VI. If the whereabouts of the charged party cannot be determined on reasonable inquiry, the written notice shall be sent to his/her last known address in the manner referred to above. The charged party may answer or accomplish presence by representative or by written pleading, but weather the charged party appears or not, the body

before which the charged party is scheduled to appear shall proceed with the hearing as scheduled and dispose of the case at any phase of the proceeding.

D. When the Complainant is a fellow National Officer or member of the National Board, the Complaint shall be filed directly with the National Executive Director who shall thereupon furnish the accused and members of the Board with a copy of same.

E. When a Complaint is filed by an ordinary member against a National Officer or National Board member, it must be filed with the respective AGIF State Organization of the complainant. It shall then be forwarded forthwith to the National Executive Director and to the National Commander who shall immediately proceed under the provisions of Section 3 herein below.

F. If the accused National Officer or National Board member is a member of the same AGIF State Organization as the complainant, the complaint shall be filed with the National Board directly, with copy to the National Commander.

G. The charge or charges must also contain the discipline sought:

1. Verbal reprimand with corrective guidance and counseling;
2. Impeachment with possible suspension of GI Forum membership not to exceed three (3) months;
3. Removal from AGIF Office; or
4. Permanent expulsion from all AGIF Organization membership privileges.

### **SECTION 3: INVESTIGATION OF CHARGES - MEDIATION**

The National Board shall cause an investigation of the charges and pursuant thereto shall appoint an Investigative Committee of three AGIF members from any AGIF Organization level for the purpose of investigating the complaint/charge. After such investigation, the Investigative Committee findings will be reviewed with the National Commander, the National Chairwoman and the National Youth Chair, with the aid of the National Executive Director/Administration Manager. They will determine whether or not the complaint has merit.

Should the complaint be filed against the National Commander, Vice-Commander or the National Chairwoman or the National Youth Chair then the next succeeding National Officer shall be one of those reviewing the findings.

The National Executive Director, as necessary, shall seek legal counsel from the National Legal Advisor and the National Parliamentarian, both of whom shall be considered eligible to sit in any aspect of the decision making process regarding these matters; they shall have a voice but no vote.

- A. When it is determined that the complaint lacks sufficient evidence to support the allegations and the complainant is unable to furnish additional supportive evidence within a reasonable time, not to exceed 45 (forty-five) days, the complaint will be dismissed as without merit. All parties concerned will be notified about such event in writing by the National Executive Director
- B. When it is determined that a complaint has merit and the nature of the complaint warrants Mediation to help resolve or settle the controversy involved in the

complaint, efforts should be made at Mediation before a formal hearing is scheduled. The National Legal Advisor and the National Parliamentarian and a third member of the AGIF appointed by the National Commander shall serve as the Mediation team. If Mediation is successful, the matter shall be considered closed.

- C. When settlement at Mediation fails, the National Executive Director shall immediately schedule a hearing prior to the start of business of the following Mid-Year Conference or the National Conference, whichever comes first. The National Executive Director shall notify all parties of the date, time and location of said hearing.

#### **SECTION 4: THE HEARING**

- A. The National Commander shall appoint a Hearing Panel and appoint its Chair, composed of National Board member of no less than five (5) in number. The appointed Panel and its Chair shall conduct the hearing. The National Legal Advisor and/or the National Parliamentarian may be present for the duration of the Hearing. He/She or they shall advise the Chair and the Panel but shall not have a vote.

- B. Hearing At All AGIF Levels To Be Informal**

All AGIF hearing committees, panels or bodies shall not be governed by the strict rules of evidence as is observed in American (U.S.A.) jurisprudence and hearings whether at the AGIF national, state, regional/district or local level shall be informal. Ordinary law court procedures or dilatory tactics used to prevent a timely hearing and/or ruling shall not be allowed.

All hearing proceedings however, shall be reduced to writing as much as practical, particularly decisions and other crucial aspects of all proceedings so that if an appeal is taken the higher (appellate) AGIF authority may be able to review lower level proceedings totally.

- C. The National Legal Advisor shall represent the interests of the AGIF Organization. The National Legal Advisor and the National Parliamentarian shall not represent the personal interests of a National Officer or National Board member unless the complaint is from outside the AGIF Organization.
- D. The Charging Party shall present his/her testimony and the Panel shall allow for Charging Party's witness(es) testimony and all other evidence to be considered. The members of the Panel have a right to question the Charging Party and his/her witness(es).

The Charging Party shall have a right and the option to legal representation.

The Accused shall have the right and the option to legal representation and both parties shall be free to present live witness(es), documents, affidavits, pictures, videos, etc., in the way of evidence.

The Charging Party and the Accused shall each have the right to one peremptory challenge to a Hearing Panel appointee. On the appointee being so challenged (removed), the National Commander shall appoint another member in his/her place.

- E. At such hearings, the parties, the Panel and the respective legal representative(s) shall have the right to cross examine the witness(es) and the Parties.
- F. In all hearings under this Article or under Article VI, the charging party shall have the burden of proof and so shall have the right to and close, with the charged party sandwiching in between. If either party does not argue, the right to do so is waived and the case shall move on to conclusion

#### **SECTION 5: FINAL DETERMINATION – APPEAL**

- A. Based on the evidence and the results of such a Hearing, the Hearing Panel with the counsel of the National Legal Advisor and any assistant of his/her choice, shall make a determination of “guilty” or “not guilty” by two thirds (2/3) vote of the Panel.
- B. The Panel shall also decide whether the accused shall be reprimanded, suspended for a period of time, removed from office and/or expelled from the AGIF-US Organization or shall be imposed a combination thereof pursuant to the pleading and findings. The Hearing Panel, Hearing Committee or any hearing body under this Constitution, may deliberate before rendering its written decision and shall render same within a reasonable time after all the evidence was presented and arguments. The decision shall be served on the accused with enough time as to afford the accused ample opportunity to comply with the appeal timetable.

Timetables in any proceeding under this Constitution always being of the essence, they shall always be reasonably observed, otherwise the party failing to meet any deadline shall forfeit the right to proceed with the case.

- C. Appeal shall be available to either party involved in a case for valid legal reasons, to dissipate local in-built bias and to offer an opportunity to object to substantial procedural error, which might have developed in the originating site of the charge. The appeal shall lie with the entire National Board of Directors. In all cases, a written notice of appeal shall be filed with the National Office and with the Chair of the Hearing Panel within fifteen (15) days from the date when the written decision is served on the accused by certified mail at his/her/its last known address at its current or next meeting, but may choose (though not obligated to) any new evidence the parties may choose to present. After presenting evidence, the parties or their representative(s) or legal counsel shall be given sixty (60) minutes each for argument.

A quorum of the National Board shall make the final decision on a simple majority vote, after which there cannot be any further appeal. The National Office and the Chair of the Hearing Panel shall furnish a copy of the written decision to the parties.

In the event of a “not guilty” verdict, the Accused shall continue in office and shall be restored to all rights and privileges of office and membership in the AGIF and in the event of a “guilty” verdict, the Accused shall receive the particular penalty pronounced by the National Commander that he/she is found guilty of.



## **SECTION 6: SUSPENSION, REMOVAL FROM OFFICE, EXPULSION OF STATE AND LOCAL AND AT-LARGE OFFICERS AND MEMBERS**

The reprimand, impeachment with possible suspension, removal from office and expulsion procedure set forth in Section 1 and Section 2: A, of this Article shall also be applicable hereunder.

Otherwise, a Standard Grievance Procedure is hereby adopted which will be applicable to State AGIF Officers (other than at the national level) and to all Local or ordinary AGIF Chapter members.

- A.** The purpose of this procedure is to provide an opportunity to any State or Local Officer or ordinary member to file a misconduct complaint, which must be in writing, clear and specific, typed and under oath, against any other officer or member under this Section.
- B.** Charges against a State Officer shall be filed with the State Board of Directors or State Board, whatever the state designation shall be for such body. Charges against a Local Chapter Officer or member or of an At-Large Chapter Officer or member shall be filed with the particular Chapter Board of Directors or Chapter Board.

The AGIF State Organizations, Local and At-Large Chapters and Boards shall be constituted as set out in Article III, Section 4 of this Constitution. In proceedings under Section 6 hereof, the State Legal Adviser and/or State Parliamentarian, if any, may attend, but are not obligated to do so, any hearings pursuant to proceedings under this Section and if in attendance shall have a voice at any hearing but no vote.

- C.**
  - (a).** A member of a Chapter acting independently, jointly, collectively or in common with his/her Chapter members may file a complaint against a member of a separate Chapter. When this is done, the complaint shall be filed with and investigated and heard by the particular State Board of Directors.

25

- (b).** Charges against a chapter may be filed in accordance with the provisions of Article VI, Section 5 hereof.
- D.** Any active member within the same Chapter may file charges against any other member. When this is done, the charges shall be filed with the Local Chapter Board.
- E.** The complaint must also contain the discipline sought as under the provisions of Article V, Section 2 G.
- F.** The complaint shall be delivered by courier or by certified return receipt mail and/or in accordance with the provisions of this Article, Section 2C, to the charged party and to the Local/State Commander, Chairwoman or Youth Chair, whichever is applicable. The presiding officer shall announce receipt of the complaint at the next regularly scheduled meeting if held within thirty (30) days from receipt of the complaint, otherwise, the announcement will be by mail to all members in the particular Local AGIF Organization. If the complaint involves a State level officer, it shall be served on the party as hereinabove provided and

mailed to the State office and to any State AGIF officer, either of whom shall immediately mail copies to the members of the State Board of Directors. If any complaint delivered, as set out above, is not acted upon within forty-five (45) days from the date of actual delivery at the Local/State level, then it may be filed directly with the National Office which in turn shall forward copies to the National Commander and the National Board of Directors. It shall process fully under the provisions for charges filed and determined involving National Officers and members of the National Executive Board. Otherwise, if processed timely at the Local/State level, the Local Commander, Chairwoman or Youth Chair and their respective Executive Board, or the State Commander, State Chairwoman and State Youth Chair or At-Large Chapter Chair, as the case may be, shall appoint a Grievance Chair, which may be him/herself and four (4) other members to serve on a Hearing Committee of five (5). If the Commander, Chairwoman or Youth Chair is the one charged, then the officer next in line (as in the officer lineup set out in this Constitution) shall appoint. The accused shall have one peremptory challenge as provided in Section 4, A, of this Article.

- G.** (a). The Hearing Committee shall meet and proceed to an investigation of the alleged violation(s). If the complaint is determined to be groundless, the charges will be dismissed, but the committee shall write a decision stating all facts, holding and reasoning, which decision shall be served on the interested parties within sixty (60) days from the filing of the complaint. Appeal from a dismissal of the charges shall be available to the Complainant under the provisions of subsection M hereunder, and with the added proviso that the National Board of Directors may also hear the matter as in a trial de novo and decide the case on a final basis. On the other hand, if the charges appear reasonable and may result in disciplinary action, the Hearing Committee Chair shall notify the parties in writing in any form set out in Section 2C hereinabove. The notice shall include a text of the charge(s).

If the notice is not sent out immediately, then the case shall be handled as if it were an appeal from a dismissal as provided for in this subsection G, with the added proviso that either party may avail itself of the remedy.

(b). If both sides to the controversy so request, a mediation session held by a three (3) member Mediation Team shall be scheduled. The Mediation Team shall be installed along the lines set forth in Section 3B of this Article, but using personnel from the State/Local AGIF Organization and even using respectable, fair-minded persons from without the AGIF. The State/Local Commander or Chair of the Complainant and Respondent or Charged Party involved, shall each appoint one (1) of the first two (2) members and the two (2) shall then pick the third (3<sup>rd</sup>) member of the Mediation Team. The mediation session shall be set at a date, time and site convenient to all parties. If the mediation is successful, the matter ends, if not, then the process shall continue as hereinafter set forth.

- H.** Upon notification, the Accused shall have fourteen (14) days from the date of receipt of the notice to proceed with formal hearing to respond and request a hearing date, place and time convenient to all parties. If the Hearing Committee Chair receives no response within the fourteen (14) day period, the Hearing Committee will schedule a hearing time, date and place. In any event, the

hearing place, date and time reasonably convenient to both sides, shall take place not more than four (4) weeks after the response time has ended.

- I.** The Accuser and Accused may represent themselves or be represented by counsel or by anyone of their choosing. Both sides may present live witness(es), affidavits, supporting written documentation, pictures, videos, etc., which address the specific allegation(s). Neither party need be present at the hearing, which absence is not to be interpreted as an admission of guilt or as evidence that the case is frivolous.
- J.** The decision of the Hearing Committee will be based upon testimony, supporting documentation and all other evidence presented. If found guilty of the charges, the Committee Chair will submit the findings of the Committee to the State or Local (Chapter) Commander or Chair, whichever is applicable, who in turn shall impose the penalty. It shall so be done at the next regularly scheduled meeting of the body. No member of the Committee, any local officer or vote of the full membership of the particular body may impose a lesser penalty than that requested in writing by the Accuser, whereby the Accused will either stand guilty of the particular charge(s) or be acquitted.
- K.** The Hearing Committee is charged with maintaining written documentation of each phase of the case as proof of its compliance with this grievance procedure. This includes the charge(s), responses, evidence, hearing notes/minutes, ruling, opinions, etc. All documentation must be available for copying by the Accused.
- L.** The Hearing Committee is duly-bound to be objective in its decision-making process and will conduct its meetings and hearing in a spirit free from prejudice or bias. It shall at all times, make prudent and reasonable decisions.
- M.** APPEAL – An AGIF State Board and/or a Local Chapter Board adverse decision or ruling against either party may be appealed in writing, directly to the National Board of Directors, by mailing same via certified mail return receipt requested to the National Office, whose director in turn, shall forward copies to the National Commander and the rest of the National Board and shall in either instance, be governed by the procedures thereof as set out in any applicable provisions of this Article, observing the most direct and practical appeal route guarded with ample notice and other procedural safeguards to the parties. Either party in the controversy (the Accused or Accuser, Complainant or Respondent), may appeal in an effort to dissipate State or Local bias at any decisive phase of the proceedings on a complaint, such as dismissals or other ultimate holdings or also on failure of the Local/State AGIF authorities to act on a complaint within forty-five (45) days from the date of its filing. Appeal shall be in writing and, if applicable, shall be filed within the time provided for in Section 6G of this Article; otherwise it shall be filed with thirty (30) days from the date on which the Chair imposed its ruling in writing which shall have been presented at the regular Local or State board meeting next after the ruling if the adverse party is present at the meeting; if not, then the thirty (30) days shall start to run from the date when the written notice/decision is physically delivered by courier with receipt or is mailed to the party by certified, return receipt mail at the last known

address of the party and is either actually received by the party or the letter notice is returned as undeliverable. Unless otherwise provided for in this Article, appeal is interpreted to mean that the National Board not only reviews the documentation and written evidence from the originating Chapter/State, but may hear live, any evidence presented in the lower hearing body it chooses and may hear any additional new evidence either party may decide to present. The National Board presiding officer shall set the case for review at its nearest meeting in terms of date and time and notify the parties involved thereof in accordance with provisions of Section 2C hereinabove. Each side may present any old evidence, may request the National Board to re-hear some of the evidence and shall be given sixty (60) minutes to present arguments on their case after which the National Board may issue its ruling to either “affirm the decision” or rule that the charges were either unfounded or not proven and thereby issue a finding of “not guilty”. In any case, a simple majority of the National Board shall govern. In the case of intended complete expulsion from the AGIF and in such cases only, if a substantial procedural error is found to have been committed by the Hearing Committee in the case, same shall be reversed and heard anew in the originating AGIF Organization. A written copy of the decision shall be provided to the parties involved. In any case, however, where the National Board does not find substantial procedural error and the Board affirms a finding of “guilty”, with its imposed penalty or “not guilty”, there shall be no further appeal and such decision shall be final.

- N. The National Office shall be notified of any reprimand, suspension, removal from office or expulsion of an officer and/or member from the AGIF. In such event, the National Executive Director shall maintain a record of said decision and in the event of an expulsion, remove the name/names from the active files and assure that said member’s applications are not transferred to another chapter.
- O. Any charged party under any Article in this Constitution shall have the right against self-incrimination and the right not be subject to double jeopardy.
- P. Any party found guilty of a charge culminating in the imposition of the penalty of expulsion from the AGIF, may purge itself/himself/herself of the offense if on application for reinstatement to active AGIF membership, two-thirds (2/3) vote(s) of the Local Chapter Board of which the guilty party was a chapter member, then two-thirds (2/3) vote(s) of the particular AGIF State Organization State Board and then two-thirds (2/3) vote(s) of the National Board, the latter of whose decision shall govern, shall be final and be ultimately binding, all by written ballot votes taken, the National Board is satisfied that the party in question is truly repentant, has made restitution, if any was required, and that the purge is legally and morally of such nature as to qualify the party for re-admission, the party may be eligible for reinstatement as a member.

## **ARTICLE VI CHARTERS, ASSESSMENTS, LOSS OF CHARTERS, REPORTS AND RECORDS**

### **SECTION 1: CHARTERS**

**A. (1).** All charters for the GI Forum Chapters, GI Forum Women and GI Forum Youth Chapters as well as for all At-Large American GI Forum Organizations shall be issued nationally by the National Executive Director and shall be signed by him/her and the National Commander.

**(2).** Any group wishing to petition the AGIF-US for a charter, must have eight (8) potentially qualified members, submit the application along with designated fee set by the National Board to an AGIF State Office or State Officer who shall expediently certify to the National Executive Director/Administrative Manager whether the applying group has met all the qualifications set out in Article II, Section 1,2,3,4 and 4 as may be applicable and whether the group is a bona fide group or not. Should the State AGIF office or State Officer certify that the group is not bona fide, the National Executive Director/Administrative Manager with the advice and consent of the National Commander, shall appoint an investigative committee of five (5) members, only two (2) of whom may be from the same state as the applying group.

The committee shall investigate with all deliberate speed and by majority vote inform the National Executive Director or on whether the group is bona fide or not and he/she shall forward the information to the National Commander. Its decision shall be final.

An At-Large group wishing to petition for an AGIF-US charter shall file directly with the National Executive Director/Administrative Manager and he/she will ensure whether the applying group has met all the qualifications set out in Article II, Sections 1,2,3,4 and 4, as may be applicable and whether the At-Large group is bona fide or not. Should the National Executive Director/Administrative Manager certify that the applying group is not bona fide, there shall be an automatic appeal to the National Executive Board. A majority vote of the National Executive Board shall determine in final form whether the group is bona fide or not. Any group certified as bona fide shall receive a charter forthwith.

**(3).** AGIF Local Organizations shall be required to submit all papers relating to charter applications or renewals and/or membership dues or similar instruments hereinafter referred to as Papers to their particular AGIF State Organization, State office or State Officer, if same exist.

Failure to do so shall prevent the particular chapter from remaining in good standing, receiving membership cards and from voting on AGIF issues and elections. It is understood that At-Large Chapters, by their nature not having an AGIF State Organization or State Officers, shall send their Papers directly to the AGIF National Office.

**(4). Chapter Names:** All chapters shall be free to add a particular name to their chapter, whether it is the name of a city, an individual or any other distinguishing name. No GI Forum, GI Forum Women or GI Forum Youth and At-Large Chapter shall be permitted to use a name identical to that of an existing Chapter within a given community. Any Chapter wishing to change or alter its name shall petition for a new charter and pay the appropriate Charter fee.

**B. (1).** Failure to Forward Charter Applications, Etc.

Any bona fide solicitor denied its right to have its Papers forwarded to the National Executive Director/Administrative Manager for thirty (30) days by an AGIF State Organization or State Officer may appeal to the Executive Director/Administrative Manager who, with consent of the National Commander, shall order the person in question to forward the same. Thereafter, failure to immediately forward same to the National Office shall cause the person to respond forthwith to the National Executive Board. All communications and/or appearances in such

regard may be in person or by mail or telephone to construe the failure. If the Executive Director/Administrative Manager determines that the failure is not reasonable, the Papers shall be issued to the solicitor immediately, provided that the solicitor applying has met all qualifications set out in Article II, Sections 1, 2, 3, 4 and 5, as may be applicable. The retrieving of any instruments, including the charter, funds, membership cards, etc., may be accomplished by whatever means later. All State AGIF Organizations and/or State Officers shall abide by the National Executive Board's decision and recognize the validity of any such Papers and status conferred thereby issued by the AGIF-US. Meanwhile, if the National Executive Board determines that the conduct of the officer or person who failed to forward Papers was arbitrary and/or capricious, the officer or person in question may, at the discretion of the National Executive Board, be charged by the Executive Director/Administrative Manager, processed under the appropriate provisions of Article V hereof and suffer any possible consequences. The charge(s) shall be filed with the National Board of Directors directly and the case shall be heard in full and final form by said Board in accordance with the most applicable procedures set out in Article V.

**B. (2).** There shall be no provisions for a Commander's Chapter.

## **SECTION 2: CHARTER RENEWAL FEES**

All local GI Forum, GI Forum Women and GI Forum Youth Chapters as well as all At-Large Chapters once duly chartered, shall be required to renew their charters during January of each calendar year upon payment of a fee to the Executive Director/Administrative Manager office in an amount established by the National Conference in conformity with the cost of living of the times. Should any AGIF Organization fail to pay its Charter renewal fee and/or appropriate dues, its charter shall be suspended but, if paid within 30 days from the end of January of the year in question, its charter shall be automatically reinstated. If not so paid, there shall be a penalty of not less than ten dollars (\$10.00) a month or in an amount determined by the National Board for the ensuing two (2) months. If the Chapter has failed to pay during such period, then the group may apply for a new Charter in accordance with the provisions of this Section and of Article II, Sections 1 thru 5.

## **SECTION 3: OTHER CONTRIBUTIONS OR ASSESSMENTS**

With the exception of the Charter fee, the cost of subscription of the official publication of This Organization and dues as provided in Article II, Section 11 in this Constitution, neither the Board nor the National Conference shall have the power to levy or impose upon a particular State AGIF Organization or any affiliate AGIF Organization thereof or any At-Large AGIF Organization, any additional dues, charter fees or other contributions and assessments without the consent of the particular AGIF Organization, provided that any fee or assessment which is connected with and made a part of any revenue producing contest terminating at the national AGIF level shall not be covered by the provisions of this Section.

## **SECTION 4: REPORTS TO NATIONAL OFFICE**

All State AGIF Organizations, all chapters within a State and all At-Large AGIF Organizations, for the purpose of reporting to the U.S. Internal Revenue (IRS), and for other necessary purposes, shall submit such reports, financial reports status reports or papers and other similar reports at such time or times as are required by government agencies and/or requested, for good cause, by the National Office to be sent to it. Failure to provide such papers to the National Office and/or to file the proper reports in connection with IRS and other government agencies when it is required to comply with the rules and regulations of such agencies, shall authorize the National Office to suspend the Charter of the delinquent AGIF Organization involved, and/or to file charges against State/Local AGIF individuals failing to comply. Hearing procedures shall be processed as outlined in Article V of this Constitution.

Any AGIF State, AGIF At-Large or AGIF Local Organization which organizes its own corporation and gains 501(c)(3) status or any other such status under the identity of the American GI Forum, shall comply with this Constitution and shall provide for equal representation on the board of directors of said corporation. The corporation shall provide equal employment opportunity to all persons and shall so provide as stated above in the corporate charter, constitution and By-Laws of said corporation.

All AGIF State and AGIF At-Large Organizations applying for corporate status as 501(c)(3) or any similar type non-profit corporations shall first obtain authorization to do so from the National Office.

All AGIF National, State, At-Large and Local AGIF Organizations holding corporate status as 501(c)(3) corporations (or similar at law, should the number designation change) shall report to the National Office as requested by same, information as to the state of incorporation, corporate charter number, employer's identification number and provide copies of the Internal Revenue Service letter granting 501(c)(3) or similar status, the annual IRS Form 990, corporate minutes, the annual treasurer's report and other requested pertinent information.

#### **SECTION 5: LOSS OF CHARTER**

An AGIF Organization may also lose its Charter for group misconduct as set out or outlined in Article V, Section 1, A thru F, as determined by the National Board alone and on its own motion, but suspension may occur only after a full hearing before the National Board whose simple majority ruling shall be final. The accused AGIF Organization shall have the right of representation by Counsel and shall have the right to present all evidence in the way of documentation, witnesses, pictures, videos, etc., and an opportunity for argument not to exceed sixty (60) minutes. The Board shall have equal representation, introduction of evidence and argument rights. Should the AGIF Organization Charter be suspended, it shall remain until the group purges itself of fault to the satisfaction of a majority of the National Board before it can be eligible to have a new Charter issued to it. The amount of cost of reinstatement of the Charter shall be fixed by the National Board.

#### **SECTION 6: RETENTION OF RECORDS**

All AGIF Organizations shall retain and properly store their records to comply with the time limits set forth by the Internal Revenue Service, Department of Labor and other governmental agencies as well as by the AGIF-US.

Outgoing AGIF officers at all levels, shall pass all records to the succeeding officer(s) within thirty (30) days of the election, failing which the new officer(s) may file charges under Article V hereof against whoever so failed.

All AGIF State Organizations must provide a place for safe and proper storage of Organization records.

## **ARTICLE VII: GENERAL PROVISIONS**

### **SECTION 1: BASIC DOCUMENT**

This Constitution adopted at the national AGIF-US level, shall be the basic law governing This Organization, all State AGIF Organizations, At-Large AGIF Organizations and all Local, District/Regional AGIF Organizations. Any constitutional provision in the constitutions of any of the AGIF Organizations mentioned hereinabove which may be in conflict with the provisions of this Constitution shall be invalid and of no force or effect.

### **SECTION 2: NEPOTISM CLAUSE**

No national officer or member of the National Board of Directors shall vote or participate in any manner (speak) in the naming or selection of any officer who is related to him/her within the third degree by blood or marriage to a position of remuneration in This Organization, nor shall such person vote or participate in any manner (speak) on any issue affecting such a position.

### **SECTION 3: RULES OF PROCEDURE**

The latest revision of Robert's Rules of Order shall be adopted as the rules of procedure at all meetings of This Organization and of all AGIF State Organizations, At-Large AGIF Organizations and all Local, District or Regional AGIF Organizations, except as such may be altered or changed by properly adopted rules of procedure of any AGIF gathering, so long as such rules are adopted before the gathering in question brings its initial session to order.

### **SECTION 4: POLITICAL ENDORSEMENT PROHIBITED**

While This Organization seeks the participation of all citizens as individuals in political affairs, it is forbidden of all officers and members of This Organization and of all AGIF Organizations at every level to use the name "American GI Forum", or any other derivative or abbreviation of the same, for the support of any candidate for public office or political party.

Letterheads, emblems and other insignia or material identified with the AGIF shall not be used by any member or by any AGIF Organization when participating in political affairs as individuals. Members of the AGIF will do their utmost not to be identified politically as officers or members of the AGIF.

### **SECTION 5: POWERS OF STATE ORGANIZATIONS**



All State AGIF Organizations and At-Large AGIF Organizations may adopt their respective constitution and by-laws setting up their own structural organization, officers, board of directors and providing for the titles or names thereof, provided that nothing therein shall conflict expressly or in substance with the provisions of this Constitution. Such Organizations shall have the power to raise monies by dues, assessments, projects and by other lawful means for their own purposes and to set up their own procedures for contests and other fund raising functions within their jurisdiction and sphere of activity. Provided, however, that all local Chapters are requested to elect their officers during the month of December of each year and notify their respective state officers and the AGIF office of the National Executive Director of the names and addresses, zip code and phone numbers of each member and newly elected officers.

## **ARTICLE VIII PROCEDURE MANUAL**

### **SECTION 1: PROCEDURES MANUAL**

A procedures manual shall be developed by the National Executive Director, or by any member acting in a similar capacity, with approval of the National Executive Board.

## **ARTICLE IX AMENDING PROCEDURE**

### **SECTION 1: PROCEDURE**

Proposed amendments to this Constitution, which has reference to piecemeal amendments or to the adoption of an entire document, (Text), must first be submitted to the National Legal Advisor, the National Parliamentarian, the National Commander and the National Executive Director. The first three (3) named officers shall determine whether the proposed Text is stated in proper form. They shall be free to suggest and/or aid in re-writing, if necessary.

Next, within thirty (30) days from submission to the named officers or from the re-writing, whichever is later, but in any event in not later than sixty (60) days from the date of submission to the officers, the Text shall again be immediately submitted to the National Executive Director who shall forthwith send a copy of the Text to all legally constituted Chapters of the AGIF-US for their review.

Thereafter, an AGIF State Board of Directors must adopt the Text in principle by simple majority vote.

Next, the Text shall be sent forthwith to each member of the AGIF National Executive Board of Directors at least thirty (30) days before a meeting thereof called by the National Commander. The members of the National Board shall consider and debate the Text and vote on adoption or rejection in part or in whole. Adoption must carry by two-third (2/3) vote of such Board.

Finally, the Text shall be presented to the ensuing AGIF National Conference, which shall forthwith consider the Text. Upon approval of the Text in part or in whole by two-third (2/3) vote of said National Conference, the National Commander shall pronounce the Text as approved in final form.

## **ARTICLE X ENACTING AND REPEALING PROVISION**

### **SECTION 1: ENACTMENT and REPEAL:**

At such time as this Constitution is approved under the provisions of the pre-existing or predecessor Constitution of This Organization, the same shall become the supreme law of the AGIF and all other constitutional provisions, by-laws, customs and usage or action of the National Board of Directors or National Conference or State and/or At-Large and Local GI Forum Organizations in the past in conflict herewith shall stand automatically repealed.

### GLOSSARY

- A. AGIF** – shall refer to the American GI Forum in a general sense.
- B. AGIF-US** – shall refer more specifically to the national organization, American GI Forum of the United States.
- C. GI Forum** – shall have the same meaning as in “A”.
- D. This Organization** – shall refer to the American GI Forum of the United States.
- E. AGIF** – (name of State) Organization, (as in AGIF-California) shall refer to the particular statewide AGIF Organization named therein.
- F. AGIF Organization** – shall have reference to all AGIF Local Chapters, including At-Large, Regional, District or GI Forum, GI Forum Women or GI Forum Youth, Board of Directors, Executive Boards, etc., depending on its contextual use.
- G. AGIF Charter(s)** – shall have reference to all AGIF Local Chapters, including At-Large Chapters and also shall have specific reference to a particular Chapter, whether, GI Forum, At-Large, GI Forum or GI Forum Youth, when so named.
- H. AGIF NATIONAL CONFERENCE or NATIONAL CONFERENCE** – shall have reference to what has heretofore been known as the National Convention. Because the gathering offers an opportunity to members of the AGIF from all Organization levels for an exchange of ideas on Veterans, social, educational and economic issues for workshops which include Youth leadership, for dialogue oral or written, for floor debate and for the practical use of parliamentary law and procedure, the gathering can rightfully be referred to as The AGIF Annual National Training and Educational Conference, which Corporate America can appreciate, but the gathering may be referred to as simply, the National Conference.
- I. NATIONAL EXECUTIVE BOARD** – shall consist of elected AGIF national GI Forum, GI Forum Women officers and the GI Forum Youth Chair.
- J. NATIONAL BOARD** – shall consist of elected AGIF national officers as well as of all State GI Forum Commanders, State GI Forum Chairwomen and State GI Forum Youth Chairs.
- K. STATE BOARD OF DIRECTORS or STATE BOARD** – shall consist of all AGIF elected state level officers.
- L. CHAPTER BOARD OF DIRECTORS or LOCAL CHAPTER BOARD** – shall consist of all AGIF elected officers of any local level Chapter.

**M. AGIF NATIONAL ORGANIZATION** – shall have reference to the American GI Forum of the United States.

**N. STATE AGIF ORGANIZATION (S)** – shall have reference to all, or any particular State AGIF Organization, when so named.

**O. LOCAL AGIF ORGANIZATIONS OR LOCAL** – shall have reference to all of the various or particular AGIF Chapters or At-Large Chapters, in the various cities or communities, as well as to any District or Regional, if any, or to particular AGIF groups, depending on contextual use.

**P. AT-LARGE AGIF ORGANIZATIONS** – shall refer to individual Chapters within a state, which does not have the required number of GI Forum Chapters as set out in Article III, Section 1 of this Constitution.

**Q. NATIONAL OFFICE** – shall refer to the designated headquarters of the AGIF-US, wherever situated.

**R. NATIONAL EXECUTIVE DIRECTOR or EXECUTIVE DIRECTOR** – shall refer to the AGIF National Executive Director or to anyone with a similar title or position, whether provisional, temporary or permanent.

**S. PRESENT AND VOTING** – shall refer to votes actually cast by whatever number of delegates or members are physically present on the floor and qualified to vote under the rules set out in this Constitution and under whatever rules are in effect at any AGIF Conference, meeting or gathering, provided such rules are not in conflict herewith. Other definitions may be found in several of the particular Articles set out in the Constitution text.

**T. ISSUE** – shall refer to a controversy or matter in dispute, which would ordinarily be settled by a vote taken or by agreement. It shall not refer to an election of a candidate for AGIF office.

**ADOPTED by the AGIF-US** on this 29<sup>th</sup> day of July, 2005 in National Conference gathered at Anaheim, California.