



July 28, 2022

Randy Riggs, Commander
87/72 Moo 6 The Fouriage Klong 4
Phra Onk Jou Say Rd Soi Ladsaway
Lumlukka, Pathumthani 12150

Re: Proposed Bylaws

Dear Comrade Riggs:

Receipt is acknowledged of the proposed Bylaws for District No. 5, Department of Pacific Areas, submitted through channels for the review of the Commander-in-Chief in accordance with Section 402 of the Manual of Procedure.

A review of the proposed Bylaws discloses that they are in compliance with the Congressional Charter, Bylaws, Manual of Procedure, Ritual, and laws and usages of the Veterans of Foreign Wars of the United States.

A copy of the reviewed Bylaws has been retained for our files, another forwarded to your Department Headquarters, and two sets herewith returned.

Sincerely,

Johnathan R. Duncan, Director
Administrative Operations

JRD: cl
Enc: Bylaws (2)
cc: Department Adjutant (1)

NATIONAL HEADQUARTERS

406 W. 34th Street Office 816.756.3390
Kansas City, MO 64111 Fax 816.968.1157

WASHINGTON OFFICE

200 Maryland Ave., N.E. Office 202.543.2239
Washington, D.C. 20002 Fax 202.543.6719

info@vfw.org
www.vfw.org



12 July 2022

Kevin Jones
Adjutant General
VFW National Headquarters
406 West 34th Street
Kansas City, MO 64111

Subject: Amended District V By-Laws, Department of Pacific Areas, Veterans of Foreign Wars of the United States.

Comrade Jones,

The subject By-Laws were received at Department of Pacific Areas for our review on July 2022.

Pursuant with Section 402 of the National bylaws and Manual of Procedures these By-Laws have been reviewed by Department and enclosed (1) hereto and certify that there is no conflict in the proposed District I By-Laws with our Department bylaws.

Several changes were recommended but were rejected by the District V Commander. Copy of those recommendations have been attached for your review.

The enclosed District I By-Laws are submitted for consideration, review and approval by the Commander-in-Chief.

Yours in Comradeship,

Warren Maxon
Department Commander

By:



Shawn C. Watson
Department Adjutant

Enclosure: (2)

- 1) Amended bylaws, District V By-Laws, Department of Pacific Areas
- 2) DPA JA Review

Copy to: Director, Administrative Operations

Revision: 05-2016
Amended: 05-2018
Amended: 04-2019
Amended: 05-2022

District V Bylaws
Department of Pacific Areas
Veterans of Foreign Wars of the United States

ARTICLE I
NAME, JURISDICTION AND HEADQUARTERS

Section 101 - Name: By virtue of charter granted, this subdivision of the Department of Pacific Areas (hereinafter, Department). Veterans of Foreign Wars of the United States (hereinafter, VFW) shall be known as District V (hereinafter, District).

Section 102 - Jurisdiction: Pursuant to Department Bylaws the jurisdiction of this District shall include all of Thailand, Cambodia, Australia and other areas that may be assigned by the Department.

Section 103 - Headquarters: The Headquarters of this District shall be located at the Post of the District Commander. All other District officers, elected and appointed, shall conduct District business from their respective locations within the jurisdiction of the District.

ARTICLE II
PURPOSE

Section 201 - Purpose: The purpose of this District shall be as set forth in Section 230102 of the Congressional Charter of the VFW.

ARTICLE III
SUBORDINATION

Section 301 - Subordination: The supreme power of this association is vested In the National Convention and this District shall be at all times governed by the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States, the Bylaws of the Department, orders issued by authority of the National Convention, National Council of Administration, the Commander-in-Chief, the Department Convention, Department Council of Administration and the Department Commander. For purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE IV
GOVERNANCE AND COMPOSITION

Section 401 - Governance: Pursuant with the provisions of the National Bylaws, Section 404 this District shall be governed by the District Convention.

Section 402 - Composition: The District Convention and District meetings shall consist of:

1. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post in the District.
2. The National Council of Administration member who is in good standing in a Post in the District.

3. The Department Commander and Past Department Commanders who are members in good standing in a Post in the District.
4. The District Commander, all Past District Commanders who are members in good standing in a Post in the District, all elected officers of the District and Adjutant.
5. All Post Commanders throughout the District. In the absence of the Post Commander, the Post Senior Vice Commander, or in their absence the Post Junior Vice Commander may function as a member of the Convention or meetings.
6. Delegates elected by Posts.

ARTICLE V **CONVENTION**

Section 501 - Annual Convention: The District shall hold an annual District Convention for the purpose of electing District officers and for the transaction of business within its jurisdiction. Such a Convention to be held not less than ten (10) days nor more than seventy-five (75) days prior to the convening of the Department Convention.

ARTICLE VI **REGULAR, SPECIAL MEETINGS, PURPOSE, ATTENDEES AND QUOROM**

Section 601 - Regular Meetings: In addition to the annual convention, the District shall conduct three (3) additional meetings, such meetings shall be held during the months of August, November and February of each year. Meeting location shall be rotated between the Posts and finalized at the convention. Approved meeting schedule shall be included in the District General Order No. 1.

Section 602 - Purpose: The purpose of said meetings is to coordinate the activities of the Post within the jurisdiction of the District for conducting schools of instruction for Post officers and membership, discuss problems affecting the welfare of members and other matters as may be appropriate to the purpose of the VFW.

Section 603 - Special Meetings: The District Commander shall call a special meeting upon vote of a majority of the District members present and voting at a Convention or regular meeting; or upon receipt of a signed written request of a majority of the Posts in the District; or the date upon which the District Commander determines that a special meeting may be necessary.

In the event a special meeting is called, the District Adjutant shall give notice, in writing, to Post Commanders of Posts within the District and District Officers of the time and place of any special meeting and of the business to be transacted, such notice to be given in such manner as to reasonably reach each Post Commander, District Officer and Department Commander at least forty-eight (48) hours in advance of the time set for the meeting.

No business shall be transacted at any special meeting except that for which the meeting was called.

Section 604 - Attendees: Any member, not a member of the District Convention, may attend said Convention, however, they shall have no voice in business discussions unless requested by the Commander, and shall have no voting privileges. Those on official business shall be recognized by the Commander for the conduct of business. Members may be allowed to participate in meetings via electronic attendance, provided the technology used allows for all participating members to communicate with each other simultaneously. The District Commander will submit an Online Policy and Procedures for virtual meetings.

Section 605 - Quorum: The minimum number of delegates required to constitute a quorum for the transaction of business at a regular meeting, special meeting or District Convention shall be not less than one (1) delegate each from fifty (50) percent of Posts in the District.

ARTICLE VII
DISTRICT DUES, ADMISSION FEES AND ARREAGES

Section 701 - District Dues: District dues shall be assessed to and payable by each Post based on the number of members in good standing as of 31 March.

- a) Members in good standing will only be verified by the District Quartermaster. Post Commanders must submit full disclosure of all information from the Post query within National Online Membership System (OMS). The information must be dated on 31 March.
- b) Annual dues will be transferred electronically to the District Five account via the Post financial institution; and confirmed by the District Quartermaster. Dues must be paid no later than 30 April. The District Quartermaster is not authorized to accept cash or check payments for Post District dues as the District does not have a cash account.
- c) The amount of said dues will be set and approved annually along with the Annual District Budget.

Section 702 - Arrearages, Deficiencies and Omissions: Any Post in arrears for any financial or other obligations to District for fees, dues, poppy money, supply money, failing to have the office of Quartermaster properly bonded in accordance with Section 703, failing to ensure that the Post is properly insured in accordance with Section 709, failing to submit properly completed Post Reports in Section 1701 of these Bylaws shall be deprived of all representation in the District. Such representation shall be restored promptly upon proper adjustment of such deficiencies.

- a) Post Inspection Report will be verified and utilized as the retention document to ensure the following lines are completed:
 - i. The Quartermaster Bond
 - ii. Completed Post Trustees Report of Audit
- b) Posts found to be in arrears shall be informed of such prior to the meeting/Convention and/or at the first business session.
- c) No person other than the Post Quartermaster may pay financial obligations, as outlined in Sec. 213 of the National Bylaws.

ARTICLE VIII
DELEGATES AND DELEGATE LETTER

Section 801 - Delegates: Delegates and alternates to the District Convention and regular meetings shall be elected as prescribed in the National Bylaws and Manual of Procedure, Section 222.

Section 802 - Delegate Letter: Immediately following the election of Post delegates the Post Commander shall prepare and forward a signed letter listing the names of elected Post delegates and alternates to the District Adjutant not later than five (5) days after the Post's April meeting. The letter must also include the following:

- a) Letter must be dated
- b) Name of delegate(s) and alternate(s)
- c) Membership number
- d) If the elected Post delegate is an annual member, the letter must also include that member's expiration date
- e) Signature of Post Commander and Adjutant
- f) Following statement: Pursuant to Section 801 and 802 of the District Bylaws:
 - i. The following comrade(s) have been duly elected at the Post (insert number) meeting held on (insert date and year and month of April) and are authorized to cast delegate votes at District Five meetings and/or convention for term (list current term).
 - ii. In accordance with Section 217 of National Manual of Procedure there were no challenges or claims of irregularities concerning the election of Post delegates or alternates.

ARTICLE IX

VOTING

Section 901 - Vote: Each member of a District Convention or District meeting are those persons defined in Section 402 herein, except delegates elected by the Posts, present at a District Convention or meeting shall be entitled to one vote, and an individual possessing more than one qualification for membership in the District Convention or meeting shall have no more than one vote. A member may abstain their vote and/or decline to vote either for or against a motion or proposal.

- a) The District Adjutant or appointed member by the District Commander will conduct a roll call of members present to verify eligibility and majority requirements needed for the voting process.
- b) Once the Credentials Committee report is adopted with the roll of voting members, any absent voter must register with the Credentials Committee prior to voting. Post Commander shall inform the Chairman or Commander of any changes to the voting.
- c) No voters in the District will have a fraction of a vote.

Section 902 - One Vote: The District Adjutant or appointed member by the District Commander to conduct a roll-call of voting members, prior to any voting, to verify eligibility and majority requirements needed for the voting process. Thus, allowing qualified voting members no more than one vote at the District Convention or District meeting for which position they will be casting their vote.

Section 903 - Delegate Votes: The delegate or delegates of a Post present at a District Convention or meeting shall be entitled to vote the full delegate strength to which the Post is entitled. Should there be a division among the delegates representing the Post, each delegate present shall cast their pro rata share of the total voting strength of the Post. For the purpose of this section, a Post Commander shall be considered a delegate.

- a) Prior to any voting, the Post Commander will determine the pro rata share in accordance with Section 421 of the National Bylaws in the event a Post delegate vote cannot be divided equally.
- b) Any issues or complaints regarding the election of delegate(s) or alternate(s) at a Post meeting must be filed in accordance with Sec. 109 of National Bylaws and Manual of Procedure and presented to the District Commander via the Post Commander no less than 10 days prior to the District Convention.

Section 904 - Credential Committee Responsibilities: Prior to the meeting; the Credential Committee Chairman will notify the Post Commander of possible discrepancies that may need to be corrected. As the first item of business and prior to any voting at the Convention, the Credentials Committee shall review and present for approval by the Governing Body validation of Post delegate letters, membership statistics, and other necessary source documents to establish Post eligibility; to include the precise number of votes authorized to be cast by a Post during the ensuing year. The District Quartermaster shall be the only person to verify the delegate strength of each Post based on members in good standing as of March 31. Complaints or accusations will not be accepted or validated at the Credentials Committee meeting prior to the Convention.

Section 905 - Deadlocked Election Results: In the event of a tie election result, the Adjutant will determine the winner by toss of a coin. In even number years the candidate with the lowest Post number will call heads or tails prior to the toss. In odd number years the candidate with the highest Post number will make the call.

ARTICLE X
ELIGIBILITY TO OFFICE AND RESTRICTIONS

Section 1001 - Eligibility: Any member in good standing of a Post within the District shall be eligible for any office in the District; provided that no member shall hold two (2) elected District offices at the same time, but may hold one (1) elected and one (1) or more appointed offices. District officers, elected or appointed, shall be eligible to hold office in a higher or lower body, and such offices may be held concurrently.

Section 1002 - Restriction:

- a) An officer or committee member whose membership is not in good standing by reason of failure to pay current dues by their membership anniversary date shall forfeit their eligibility to hold any office during the administrative year.
- b) The District Commander shall be ineligible to simultaneously hold an elected Department office pursuant to the National Bylaws, Section 515.

ARTICLE XI
DISTRICT OFFICERS

Section 1101 - Elected: The elected officers of this District shall be the Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain and three (3) Trustees.

Section 1102 - Appointed: The Commander shall at least appoint an Adjutant, Service Officer, and Inspector(s). The District Commander may appoint a Chief of Staff, Judge Advocate, Surgeon, and other officers as deemed appropriate to properly conduct the affairs of the District. The District Commander retains the authority to remove any appointed officer.

Section 1103 - Proof of Eligibility: District officers elected and appointed, shall submit proof of eligibility to the District Adjutant and shall not be installed or assume the duties of their office until such proof of eligibility has been submitted and properly reviewed. Such proof of eligibility shall be open to and reviewed by the District Commander, Adjutant, Inspector, and Quartermaster prior to installation to office.

Section 1104 - Vacancy of Office: In the event an elected or appointed officer fails to submit proof of eligibility within thirty (30) days of election or appointment, any right of the officer to hold office shall be forfeited and the office declared vacant. If any elected officer is not residing in the District's area of responsibility (AOR) they are subject to removal in accordance with National Bylaws and Manual of Procedure (MOP) Sec. 420.

ARTICLE XII
NOMINATION, ELECTION, INSTALLATION, AND TERM OF OFFICE

Section 1201 - Officers: The District Officers shall be nominated, elected and installed at the Convention in the manner prescribed in the National Bylaws and Manual of Procedure, Section 417.

Section 1202 - Nominations and Elections: Initial nominations for District Officers will be held at the February regular meeting and remain open until properly closed at the Convention. Any nominee that is unable to attend the Convention shall have notified the District Adjutant in writing, their consent to accept nomination for a specific office. The District Adjutant will make available such letters prior to the opening of nominations at the Convention.

Section 1203 - Installation: The Installation of District Officers shall be conducted by a member in good standing who holds or has held an office equal to or higher than District Commander. The District Commander-elect shall select the Installing officer. District officers shall take their officers obligation before adjournment of the meeting at which

elected. Any elected or appointed officer not present at the District Convention may be installed at any regular VFW meeting in the District prior to the Department Convention.

Section 1204 - Term of Office: The District Commander and all officers shall take office upon confirmation of the election and installation of the Department Commander at the Department Convention. District officers shall continue to hold their office for the period for which they were elected. Officers or committee members must remain a member in good standing. Failure to do so will deprive them of their right to hold office and the office shall be declared vacant.

ARTICLE XIII OFFICERS DUTIES AND OBLIGATIONS

Section 1301 - Duties and Obligations: District Officers, elected and appointed, shall have such duties and obligations as prescribed in the National Manual of Procedure, Section 418.

Section 1302 - Adjutant Duties: The Adjutant in addition to those duties listed in the National Manual of Procedure, Section 418, shall send within thirty (30) days a copy of the minutes for the District Convention and meetings to be reviewed by District Commander, JAG, Quartermaster, and Trustees prior to submission to the District Webmaster. The District Minutes will be labeled as DRAFT until approved by the Governing Body of the District.

ARTICLE XIV PAST OFFICERS

Section 1401 - Past Officers: A Past Officer is one who has been elected and installed, appointed or succeeds to a vacancy in a District office and (1) has served to the end of their term; (2) died before the expiration of their term; (3) ceased to hold office by reason of a consolidation of units; or (4) resigned to enter active military service or, while in active military service, resigns office due to receipt of permanent change of station orders.

ARTICLE XV VACANCIES AND REMOVAL OF ELECTED OFFICERS

Section 1501 - Vacancies and Removal: The District shall remove elected officers and fill vacancies in accordance with the National Bylaws and Manual of Procedure, Section 420.

ARTICLE XVI COMMITTEES

Section 1601 - Committees: The following committees will be established with additional appointments as might be deemed necessary and appropriate by the District Commander:

- a) Bylaws/Resolutions Committee: Chaired by the Judge Advocate with additional members appointed by the District Commander.
- b) Credential Committee: Chaired by the District Adjutant with the Quartermaster, District Inspector, and Judge Advocate as members of the committee.
- c) Budget Committee: Chaired by the Quartermaster with the Senior Vice Commander, Junior Vice Commander, and (immediate) Past District Commander as members of the committee.

ARTICLE XVII POST REPORTS

Section 1701 - Post Reports: Each Post in the District shall provide to the District Adjutant a copy of the following reports and amendments thereof:

- a) Post Delegate Letter
- b) Post Election Report

c) Post General Order No. 1

Section 1702 - Meeting Reports: Post Commanders shall render a verbal report at the District Convention and meetings. If a Post is not attending the Convention or a meeting, then a written report may be submitted electronically to the Adjutant in advance of the event. Such report shall relate membership statistics, new Post developments, significant events participated, comrades in distress, and a future project / activities / Buddy Poppies. Service Officer Report continues to be a monthly report to the ADSO. Post Reports shall only relay information pertinent to the current period.

Section 1703 - Community Service Report: Post Commanders will ensure Community Service Officer (CSR) Reports are submitted to the District JVC with a copy sent the District Adjutant. The District JVC will provide quarterly reports to Post Commanders advising them of their All-State and All-American status concerning CSR's.

ARTICLE XVIII **RULES OF ORDER**

Section 1801 - Rules of Order: Rules of Order governing the conduct of business during meetings shall be in accordance with the provisions of the National Manual of Procedure, Sections 1001, 1003 and 1005.

Section 1802 - Bylaws Committee: The Bylaws committee will prepare handouts of the Rules of Order for conducting the Convention and regular meetings pursuant with the National Manual of Procedure, Section 1001 and Robert's Rules of Order as necessary. Said document will be reviewed annually by the Bylaws Committee, adopted by 2/3 majority vote at the Convention or regular meeting and posted on the District website.

Section 1803 - Committee Reports: All committee reports will be typed and a copy of such report provided to the District Adjutant for incorporation into the minutes.

Section 1804 - Robert's Rules of Order: In all District procedures not provided by the Congressional Charter, National Bylaws and Manual of Procedures or these Bylaws, Robert's Rules of Order shall be the authority.

Section 1805 - Online Meeting Policy: The District Commander will submit an Online Policy and Procedures for virtual meeting; subject to approval NLT the second quarter meeting. If no new policy is submitted, the previously approved policies and procedures will remain in effect.

ARTICLE XIX **MISCELLANEOUS**

Section 1901 - Solicitation of Funds: This District may solicit funds or contributions or otherwise engage in fundraising activities and projects by prior vote of the District Convention or at a regular meeting by agreeing to such solicitation, activity and projects and in accordance with the National Bylaws and Manual of Procedure, Section 414.

Section 1902 - River Kwai Memorial: District will commit the necessary funds to support and maintain the memorial plaque placed at the River Kwai Bridge in memory of the 668 US military men who were held as prisoners of war and forced to work on the "Death Railway".

Section 1903 - Military Order of the Cootie: The District recognizes the Military Order of the Cootie as a subsidiary unit of the VFW and as such the Grand of Pacific Areas Council of Administration, Member for District V (Thailand, Cambodia and Australia) Cootie may present a report of Cootie activities at the Convention and regular meetings.

Section 1904 - Administrative Communications: All District officers elected and appointed are required to provide the District Adjutant with a valid means of contact (current phone number, residence and mailing address, and email address) immediately after installation. Officers shall keep the Adjutant and District Commander updated with any changes as they occur.

Section 1905 - Electronic Communications: Electronic communication, email or facsimile, is considered an official method of communications within the District. However, caution must be used to ensure there is no conflict with National Bylaws and Manual of Procedure, which require written communication be delivered via registered or certified mail.

Section 1906 - Bylaw Distribution: Approved Bylaws shall be posted on the District website and any request for a hard copy should be directed to the District Adjutant.

Section 1907 - Expenditure of Funds: Expenditure of District funds not budgeted or over the approved budget require the approval of the governing body. To receive payment, bills must be submitted to the District Quartermaster within ninety (90) days. Any bill that is not submitted within the allotted time will not be honoured. Receipts for such expenses shall be provided to the District Quartermaster.

ARTICLE XX

APPROVAL, AMENDMENTS AND CONFLICT

Section 2001 - Approval: These Bylaws or amendments thereto shall become effective immediately upon review by the Department Commander and the Commander-in-Chief of the VFW.

Section 2002 - Amendments: These Bylaws may only be amended or altered at the District Convention by a two-thirds (2/3) vote of the members present and voting at a meeting thereof; provided that such amendments have been forwarded through proper channels and written notice thereof, together with a copy of the proposed amendment(s) being given to the District Commander and Adjutant for proper notice to all Posts and District Officers at least forty five (45) days prior to the convening of the District Convention. All amendments shall be forwarded through channels and reviewed by the Department Commander and the Commander-in-Chief before becoming effective.

Section 2003 - Conflict: Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future Department or National Bylaws the latter shall prevail and be binding on this District as though written herein.

These Bylaws were adopted, subject to the review of the Department Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States on this, 21st day of May 2022, at the District Convention convened in Chiang Mai, Country of Thailand, District V Thailand, Cambodia and Australia, Department of Pacific Areas, Veterans of Foreign Wars of the United States.

By Order of:



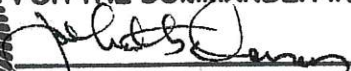
Randy Riggs
Commander
District V

Official:

Adjutant
District V



REVIEWED **JUL 28 2022**
FOR THE COMMANDER-IN-CHIEF



DANIEL L. WEST
ASSISTANT ADJUTANT GENERAL
BY JOHNATHAN R. DUNCAN, DIRECTOR
ADMINISTRATIVE OPERATIONS