

# OFFICER RESPONSIBILITIES - ADMINISTRATIVE POLICY AND PROCEDURE



VETERANS OF FOREIGN WARS.

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## Introduction

When the Veterans of Foreign Wars was first organized, it was primarily an association of individual groups all working toward common goals of veterans legislation, veterans benefits, veterans rehabilitation and patriotism. Administration was comparatively simple since the only problems were those of getting information to the members and getting them to agree as to what was to be done.

These **still** are our major goals but the interests of the Veterans of Foreign Wars have broadened and activities on the local Post level have grown far beyond the original purpose.

Youth activities, civic betterment, humanitarian projects, and community service all take a tremendous amount of individual volunteer effort and a lot of money. In the raising of that money and in providing recreation and social activities for our own members our Posts have branched into activities which have multiplied the organization's administrative challenges far beyond what our founders could possibly have dreamed.

These challenges are compounded by the fact that a VFW Post is almost a pure democracy and nearly all of its programs depend upon volunteers. Decisions are made by vote of people who are informed on the subject and are carried out by volunteers. As a result, if there is not a set of hard and fast rules to follow and a clear understanding of fields of responsibility and limits of authority there are going to be misunderstandings and irritations which create dissension and detract from the purpose of the organization.

This problem has been recognized and very sincere efforts have been made (and continue to be made) by the National and Department Organizations to provide rules and guidance for Post Officers and Committee Chairmen in carrying out the duties of their particular field of responsibility.

The **master set of rules** for the guidance of all Post activities is the VFW National Bylaws and Manual of Procedure. The Bylaws are the basic rules and the Manual of Procedure goes into further detail. These govern all activities of the Veterans of Foreign Wars and are inflexible. They are worded very clearly, and they mean just what they say. The Bylaws and Manual of Procedure, along with the VFW Ritual are combined into one document referred to as the Podium Editions (Item #4108) and is available in the VFW Store.

Because of the fact that state laws differ and there is a wide variance between Departments in their organizational make-up, most Departments have adopted **Department Bylaws** which apply only to Posts within that Department's jurisdiction. These must not conflict with the National Bylaws nor can they permit anything which is prohibited by the National Bylaws.

In most cases, Department Bylaws deal with policies to be followed at the Department or District level and do not attempt to go into detail in the operation of the Post. They can impose **more** restrictions on Posts but never **less** than are provided in the National Bylaws.

Naturally, a basic set of rules cannot contain much detail nor can it specifically provide for every possible contingency in every Post -- from the little 25 member Post which holds a meeting once a month and lives off its dues -- to the thousand member Post which owns its own home and conducts dozens of activities in as many different fields.

For that reason, **specialized** rules must be formulated and adopted to cover specific activities. The more complicated the activity, the more specific the rules must be.

These rules seek to prevent Posts from falling into the common pitfalls of poor planning, deficit financing, loss of control, and illegal operations.

Since the Bylaws are designed to cover a wide range of operations, they cannot and do not attempt to specifically detail every move of the Post. They are something like a building code. They establish certain minimum requirements but they permit you to build a lot of different kinds of houses.

As a Post grows in size and activity, there are certain steps it either should take or must take to protect itself and its officers and avoid future arguments and misunderstandings which can create problems and dissension.

## **Incorporation**

The first steps that any Post must take before it branches into any type of community project, social activity or financial undertaking is incorporation. Most Posts are already incorporated -- the rest should be.

There are two general sets of rules which cover incorporation of a VFW Post: the laws of the individual state, and the National Bylaws of the Veterans of Foreign Wars (Section 708). To be recognized, your corporation must comply with both and must be submitted to the Commander-in-Chief for review.

In just about every Department, incorporation of a Post is a comparatively simple matter since forms which meet the requirements of state law and the National VFW are available upon request from Department Headquarters. If they are not available, this Headquarters would strongly urge that such forms be prepared, approved by the appropriate state official and the National VFW and reproduced for use by the Posts.

Incorporation is necessary for several purposes. To begin with, in many States, the Post must be incorporated before it can hold property in its own name and before any type of liquor license may be issued to it.

Secondly -- and perhaps just as important to the officers of the Post -- the act of incorporation takes individual responsibility away from the Post Officers and places it upon the Post itself. The individual officers of an incorporated Post cannot be sued for financial obligations of the Post.

It is the general policy of this Headquarters that approval will not be given to separate Holding Corporations or Club Corporations. Some of these have been approved in the past and conceivably will be permitted to exist under that approval, but there will be no more in the future. (Unless changes in laws or regulations make a change in policy necessary.)

There is no particular advantage in the pyramiding of corporations. The Post incorporation is sufficient to protect all its operations -- **if those operations are kept under control of the Post**. The general purpose of a separate Club Corporation or Holding Corporation is to take control **away** from the members of the Post. Usually it has not been done for any dishonest purpose but in the belief that more efficient operation will result from tighter control by a smaller group of people. It is the contention of the Veterans of Foreign Wars that sufficient control may be exercised -- without sacrifice of democratic processes -- by the adoption of Post Bylaws and rules.

An exception to the “no separate corporation” rule may be made in the case of sponsorship of large-scale “one- shot” activities such as an air show, a community celebration, a Department Convention, etc. It is sometimes better in these cases to incorporate the individual activity for ease in obtaining insurance, settling financial obligations, etc. These corporations have a limited existence and are dissolved after their purpose is served.

A standard Articles of Incorporation template is available through the Adjutant General’s Office or can be printed or downloaded from the training and support section of the National Headquarters website.

## **Post Bylaws**

Every Post operating any type of activity -- particularly a Club or Post Home -- should adopt Post Bylaws. Section 202 of the National Manual of Procedure requires that such Bylaws be submitted to the Department Commander and Commander-in-Chief for review.

The **Post Bylaws** can cover the gaps left in the National Bylaws and Department Bylaws and Rules. Where the former are the **building code**, the Post Bylaws are the **house plan**. They show just what you are trying to accomplish.

The National or the Department Organizations can furnish you with a Post By-Law template. However, they are the responsibility of the Post and may be set up in the way best suited to the type of operation contemplated by the Post. They **cannot** permit anything prohibited by National or Department rules, nor can they take away any of the responsibilities or authority of Post Officers. They **can** set up general procedures and policies within the Post.

Post Bylaws may provide for the establishment of certain standing committees within the Post, state how they are to be selected and the limits of their powers and duties; they may give authority for the sponsorship of recurring activities; limit the expenditures of funds; establish the procedure for carrying out certain objectives; and provide for their own amendment.

Generally speaking, they set up the **policies** of the Post and provide for carrying them out. They protect the member against ill-conceived or hasty actions since they generally provide for prior notice and a 2/3 vote for amendment, and they promote a clearer understanding of operating procedures.

Matters of **policy** are covered in the Bylaws; **details of management** of a Post Home or Club are left to the Post Club or Home regulations.

A standard Bylaws template is available through the Adjutant General's Office or can be printed or downloaded from the training and support section of the National Headquarters website.

### **Officer Responsibility & Limits of Authority**

If every Post Officer were familiar with their duties and responsibilities and their limitations -- and carried out their duties to the best of their ability -- there would be very few squabbles within a Post and none which would require outside intervention. The National Manual of Procedure specifically lists certain duties for each officer and, in the normal course of events, this would be sufficient. However, the complex nature of the operation of many Posts makes it necessary that we look beyond a mere listing of duties and fully understand the reasons for the division of authority. In this way we can apply them to the unusual situations which are bound to crop up from time to time.

The **Post meeting** is the center of all Post activities. Every member has a right to attend all meetings and has a voice in their proceedings. It is at the Post meeting that the Post adopts its Bylaws, its Club Regulations, decides its policies, and distributes responsibilities. Within practical limitations, the Post meeting is supreme to the Post Officers, committees and employees. The membership present may overrule decisions of the Post Commander or House Committee; they may approve expenditures, set policies, and delegate authority. The Post meeting cannot take any action contrary to the National or Department Bylaws or rules or in conflict with its own Bylaws.

It is important to understand that there **are** limitations on the authority of the Post. A member has the right to appeal any Post action to the District Commander (Section 109 of the Manual of Procedure), who will determine whether that action was proper. In extreme cases, a member can go to the courts if he/she feels that their rights have been abused by an action of the Post. The Post cannot take **unreasonable** actions at a meeting. For instance, it could not refuse payment of a legitimate bill for an item authorized for purchase at a previous meeting. It cannot direct an officer or member to do anything contrary to VFW regulations or public law. It **cannot** take away any of the authority given to individual officers through the National Bylaws.

Ideally, the Post meeting makes the rules and sets the policy for the Post; other levels of authority carry them out.

The **Post Commander** is the key officer of the Post. They, alone, represent the **judicial** branch of the organization and also have some of the responsibilities of the **executive** branch. They preside at all meetings, enforce the rules, appoint committees not otherwise provided for, and make certain that the other officers and committeemen perform their duties.

Their authority extends to the Post Home or Club to the extent of enforcing the rules of the Post and the National and Department VFW and public laws. They represent the authority of the Post between meetings, and their voice is that of the Post membership. They see that the Post Trustees conduct their audits, that the Post Quartermaster is bonded, and that the House Committee properly supervises the activities of the Post Home.

Their authority also is limited according to the rules of the organization and the bounds of common sense. They are in no sense a dictator. They cannot order nor permit the breaking of laws nor can they supersede the recognized authority of other officers or committees. They cannot, for instance, order the Club Manager to keep the clubrooms open after hours, nor can they direct the Post Quartermaster to pay an unauthorized bill.

The Commander should be familiar with all activities of the Post. They should sit in with the Trustees at their audits or, at least, have a sufficient knowledge of their procedure to know whether they are doing their job. They should attend the meetings of the House Committee, calling to their attention any discrepancies he/she may have observed or complaints they may have received. They must know that when they sign a check, it is in payment of a legitimate expenditure.

The Commander is the arbitrator of arguments and the judge in disputes. As a general rule, their decisions are considered correct until over-ruled by the Post meeting, the District, Department Commander or Commander-in-Chief.

The **Post Quartermaster** has certain definite responsibilities and duties. They are the responsible officer for all Post funds and property and his/her signature validates all checks. They keep the fiscal records for the Post and have the duty of overseeing all financial transactions. They must be bonded to the Post for all funds under their control.

In the case of a large-scale Club operation, it often becomes impractical or impossible for the Post Quartermaster to physically handle all the funds or to personally keep the detailed records of operation. It is not uncommon in these cases to require that the Club Manager or a hired bookkeeper keep a separate set of club books, subject to the control of the Quartermaster and reported to the Quartermaster at regular intervals.

The Quartermaster is the **responsible** Post Officer in financial matters -- not necessarily the Post bookkeeper. In a large corporation the treasurer does not physically handle the bookkeeping obligations but he/she is responsible that they are done properly, efficiently and accurately. This may also be true of the Post Quartermaster, depending upon the Post Bylaws and Club regulations. In any case, they must be familiar with all books of record and are responsible for all required Federal and State reports and payments.

Remember that the Post cannot take away any of the authority of the Post Quartermaster although they may be relieved of some of the **work**.

The Quartermaster only pays bills which are authorized by Post action or under Post rules. They cannot refuse to pay a legitimate and properly authorized bill except for a lack of funds. Neither can they be forced to pay one which is not properly authorized.

Quite often a controversy arises between the Quartermaster and Club Manager as to responsibility for Club funds. Sometimes a fine point arises which must be arbitrated. As a rule of thumb, the Quartermaster keeps their nose out of the cash register except for checking purposes, and the Manager hides no transactions from the Quartermaster. The Quartermaster does have the right, and the duty, to determine that all reports are correct and that all funds are handled properly. They do not have the right to assume managerial responsibilities.

The **Post Trustees** duties are probably the most misunderstood of any of the Post Officers. They are primarily the **watchdogs** of the Post funds. They make certain that no one has their fingers in the till. They audit the Post funds regularly -- at least once each quarter.

While the National Bylaws are silent on this point, it would seem logical that the Trustees also have authority and responsibility concerning the proper handling of funds. It is only reasonable that their authority should not be limited to catching a dishonest person. Equally important should be the prevention of dishonesty. Where funds are guarded carelessly or records are kept inefficiently, the Trustees should call attention to this and make every effort to correct it.

The Trustees duties extend to **every** operation of the Post. Their audits must cover all activities, including the clubrooms, the bar, bingo, or any other source of income or financial transactions. Again, it is not always entirely necessary that the Trustees do their own investigating and conduct their own audits. In most cases, the Trustees are not qualified accountants, particularly where large amounts of cash are involved and the operations are especially complex. Many Posts employ a private firm of accountants for the purpose of an audit. This is to be encouraged rather than discouraged. In these cases, the auditors report to the Trustees and the Trustees make certain that the audit is conducted correctly.

A quarterly audit of all funds and accounts is an absolute necessity. If the Trustees do not function in a proper manner, the Commander may deem it an emergency situation and appoint an auditing committee on his/her own initiative.

Regardless of the size of the Post, a quarterly audit is mandatory. Failure to conduct one may result in the cancellation of the Post Quartermaster bond and will take away all voting privileges at District and Department Conventions.

The Trustees do not have any authority over the management of the Post Home, nor is property held in their name in an incorporated Post. They cannot serve on any committee having to do with the handling of Post funds, and cannot therefore serve as members of the House Committee, Bingo Committee, etc. There is nothing to keep a Trustee from serving as a volunteer worker or in an appointive capacity where Post funds are not handled.

The **House Committee** functions only in a Post which operates a Post Home or Club. This committee may be selected in anyway the Post determines but it is generally considered advisable that it be elected by the Post membership, with the members serving staggered terms, on the order of Post Trustees. This lessens the possibility of one certain group gaining and retaining control of the Club.

The duties of the House Committee should be laid out in the Post Bylaws and/or Club regulations so there is no misunderstanding of their powers and responsibilities. The purpose of the committee is to act on behalf of the Post in making certain that the club is run in an efficient, reputable and legal manner and that the rules of the Veterans of Foreign Wars are adhered to.

It is the general procedure for the House Committee to hire all employees, set their salaries, and issue necessary instructions and orders to the Club Manager. The committee usually meets at least once a month for the purpose of discussing facility problems, taking inventory, studying financial reports, and in general, acting as an advisory, supervisory and disciplinary board. No member of the House Committee should ever be permitted to act as Club Manager or as a paid employee of the Club due to the obvious conflict of interest.

The House Committee is generally given authority to suspend the Club privileges of any member and to establish and enforce, through the Club Manager, rules of decorum and behavior. They usually, also, have the authority to suspend or discharge the Club Manager or any employee for good and sufficient cause. In any disciplinary action, discharge or suspension, there should be provision for an appeal to the Post meeting.

The committee cannot make or enforce any rules contrary to the rules of the Department, public law, or the lawful instructions of the Post. If it is elected from the Post floor, the committee is directly responsible to the Post floor and makes its reports to the Post at meetings. Refusal to comply with the rules and instructions of the Post is grounds for removal of any or all members of the House Committee.

The **Club Manager** is directly responsible to the House Committee for the management of the Post Clubrooms. They have the direct responsibility for supervising employees, enforcing rules, and accounting for receipts and expenditures. They must have enough authority to permit him/her to do so with a reasonable degree of freedom from interference. They must keep the accounts in such a manner as to justify all expenditures and verify all receipts. The Club Manager must make reports to the Post Quartermaster and to the House Committee. They enforce the rules but they do not make them.

The Club Manager keeps all payroll records, recording amount of pay to each individual and withholding the proper amount of Federal and State Income Taxes and FICA Taxes. Either the Club Manager or the Post Quartermaster must make the necessary Federal and State reports and payments for withholding taxes, Social Security and Unemployment Compensation.

The Club Manager has the right to appeal any decision of the House Committee to the Post floor for arbitration. Post members should, however, be cautious in overruling the actions of its own representatives on the House Committee, particularly in the case of frequent appeals. A dishonest Club Manager generally has no problem in bringing in enough friendly votes at a meeting to uphold his appeal.

**In summary**, it must be remembered that the Veterans of Foreign Wars itself is supreme in any dispute. The Department rules and the Post Bylaws and rules outline the way the Post and the Club must be run. The Post, in **all** cases, is above the Club. The Club is merely an activity of the Post and must be treated as such. **In no case is it a separate entity.**

When a Post is chartered it is granted a license or franchise for the use of the name of the Veterans of Foreign Wars in the carrying out of programs which are assumed to be of value to the entire organization. At any time that a Club or other activity is managed in such a manner as to harm the good name and reputation of the Veterans of Foreign Wars, the right to use the name can be revoked.

As a general rule, the operations of VFW Posts and their Clubrooms in the Departments are a credit to the organization and a source of pride to its membership. Through proper adherence to the rules of the VFW and the duties and responsibilities of our officers, we can avoid the many misunderstandings and bitter arguments which can break the finest Post.

### **Club Regulations**

These, again, are left to the Post for adoption although they must not conflict with the National Bylaws, Department Post Home Rules or Post Bylaws. Suggested forms are available although they are not designed for adoption in their entirety. The variance between Posts makes it impossible to adopt a standard form for all Posts. Some operate entire buildings with activities scheduled every day of the week; others may own or rent very modest quarters and only be open occasionally. Some have a full-time paid staff of employees while others may operate entirely on volunteer help.

The Club regulations cover the details of operation. They outline the responsibilities and limits of authority of the Post membership, the House Committee, the Club Manager, and the guests. They cover opening and closing hours, decorum, enforcement of rules, hiring of paid help, financial authority and keeping of records.

For any Post operating a Club or Post Home, local regulations are a **must**. They will save many hours of argument, and remove most causes for misunderstanding and dissension.

## **ADMINISTRATIVE POLICY & PROCEDURE**

### **Operation, Management & Control of Clubs and/or Canteens**

The purposes of the Veterans of Foreign Wars of the United States are stated within our Congressional Charter. The operation, management and control of clubs and/or canteens were not envisioned in the purposes of our organization. The operation, management and control of clubs and/or canteens are not provided for in our National Bylaws, Manual of Procedure and Ritual.

The first and foremost consideration of Posts shall be to the objects of the VFW which are fraternal, patriotic, historical, charitable, and educational. We must maintain our focus to preserve and strengthen comradeship among its members; to assist worthy comrades; to perpetuate the memory and history of our dead, and to assist their widows and orphans; to maintain true allegiance to the Government of the United States, and fidelity to its Constitution and laws; to foster true patriotism; to maintain and extend the institutions of American freedom; and to preserve and defend the United States from all enemies. VFW clubs and/or canteens shall be of secondary interest and concern and compatible with this stated purpose.

Rules and Regulations and Management Guides for the operation of Post sponsored clubs and/or canteens have been adopted by some Departments in compliance with state and local regulations and the applicable mandates of Section 708 and 709 of our National Bylaws which address incorporation and control of units. Also, many Posts have incorporated the above in their Bylaws or adopted Rules and Regulations for the operation, management and control of their canteens and/or clubs in accordance with the above.

Although differing laws at the local and state levels preclude the promulgation of universally acceptable rules and regulations, certain principles are essential for good management and proper control of Post sponsored clubs and/or canteens and certain policies are mandatory to insure total compliance with the National Bylaws of the Veterans of Foreign Wars both as to incorporation and control of units and to be in keeping with the objectives of the Veterans of Foreign Wars. In adopting rules and regulations for the operation, management and control of clubs and/or canteens, the following provisions of the National Bylaws must be adhered to:

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

**All money, property or assets of any kind or nature, as well as all books and records owned, held or used by any activity, clubroom, holding company or unit sponsored, conducted or operated by, for or in behalf of a Post, shall be the property of the Post and must be placed in the care and custody of the Post Quartermaster.**

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

No Post or activity, clubroom, holding company or unit sponsored, conducted or operated by, for or in its behalf, may participate in any arrangement whereby its funds are expended on property held by another entity for the joint use of such Post and other individuals, firms, partnerships, associations, corporations or other business or charitable entities, including veterans organizations, except that such arrangement may be made with a post or unit of a congressional chartered veterans organization, provided the arrangement allows for the prominent display of the names, trademarks, or service marks of the Veterans of Foreign Wars of the United States nor is contrary to any provision of law or the National Bylaws.

## **Rulings & Appeals**

Section 518 of the National Bylaws places, on the Department (State) Commander, the responsibility for deciding all questions of law and usage within their Department, subject to an appeal to the Commander-in-Chief. Where such questions are submitted directly to National Headquarters, it is our policy to refer them back to the Department.

Generally speaking, an appeal cannot be made nor will a ruling be given until after an action has actually taken place. For instance, a member cannot appeal a proposal that has not as yet been acted upon. The decision of a Post Commander can be appealed to the District Commander. If the District Commander upholds the Post action, an appeal may then be made, through channels, to the Department Commander. If the Department Commander upholds the District action, an appeal may then be made, through channels, to the Commander-in-Chief. The right of appeal is covered in section 109 of the National bylaws and Manual of Procedure.

A Department Commander or Department Adjutant may request information or guidance from the National Headquarters prior to entering into a contemplated action. Such requests will be honored and information provided to the best of our ability.

The Post Judge Advocate, Department Judge Advocate, or Judge Advocate General do not rule - they offer advice when asked to do so by the appropriate Commander. However, if an opinion written by the Judge Advocate in his/her advisory capacity is adopted and promulgated by the Commander, it then becomes the decision of the Commander.

## **Membership Eligibility**

Where copies of separation documents are submitted, they are checked and information given as to whether eligibility is indicated. Where general information is asked, it is provided. We will give any and all assistance to a Post, or to the Department, in determining whether it should accept an applicant as a member.

National Headquarters has no facility for determining the eligibility of an applicant except by a check of the separation documents. We have no access to military records nor do we maintain any type of list of persons who are eligible for membership. Neither can we certify that an applicant is eligible merely because they were previously a member of another Post. All we can provide is general or routine information.

Once the applicant has been accepted as a member, however, the questions no longer are routine.

The procedure in removing ineligibles is covered very specifically in Section 108 of the National Manual of Procedure. There is no short-cut to the procedure.

## **Members-at-Large**

Section 101 of the National Bylaws makes provision for members-at-large for any eligible person by reason of location, current active military service or personal preference who does not wish to affiliate with a local Post. The eligible person may become a Department member-at-large as a matter of personal choice.

## **Continuity of Membership**

National Headquarters cannot provide a Post with a list of its members showing the years in which their dues were recorded. Neither can we check the continuity of membership of an individual. Records are not maintained in a manner which makes it feasible to provide such information.

Complimentary lapel pins recognizing 25 or more years of continuous membership were discontinued several years ago. Where Posts wish to continue to recognize such members, the appropriate pins must be purchased through the VFW Store. These pins may be ordered by the Post Quartermaster in the same manner as other merchandise. It is not necessary to provide a list of the recipients or a sworn statement that they have earned the pin if the order is submitted by the Quartermaster or other responsible Post Officer.

## **National Headquarters Mailing Lists Officer List vs. Member List**

National Headquarters maintains an officer mailing list of certain Department Officers and Committee Chairmen, District Officers and Committee Chairmen, and Post Officers and Committee Chairmen.

Every effort is made to keep this list current and correct. Changes and corrections are made daily as information is received. Some Department Adjutants routinely forward such changes. This service is appreciated and encouraged.

A mailing list of all members is also maintained and is constantly being updated. This computerized list is entirely separate from the officer mailing list.

A major source of confusion results from a change of address being submitted without identification of any office the member may hold. In such cases, the address may be changed on the computerized membership list but not on the officer list.

A typical letter may state "I've sent my change of address to you twice and I get my magazine correctly addressed but you keep sending my Post Commander mail to my old address." This will ALWAYS happen if the member does not indicate any office held so that it will be corrected also.

Post Officer mailing list addresses can easily be changed by the Quartermaster using the Online Membership System (OMS) Election Report feature.

### **Post Election Report**

With the increased need for early, accurate information on new Post Officers and the amount of Post dues, a "Post Election Report" form is now being distributed to Post Quartermasters prior to Post elections. These forms are to be completed on-line through the Online Membership System (OMS) immediately following the Post election or a copy can be mailed prior to June 1st to National Headquarters, a copy to the Department, and a copy to the District or County Council. The installing officer is still required to ensure the submission of the Election Report and eligibility of each member, elected or appointed.

Of most importance to National Headquarters are the names and addresses of Post Commanders and Quartermasters and the amount of Post dues. Information regarding Post information such as location, meeting day and time, contact information, and services offered are tracked and used as part of the "Find a Post" feature on the National headquarters website.

### **Change of Post Name or Location**

A Post cannot change its name or location without carrying out the provisions of Sections 205 or 208 of the National Manual of Procedure. We will NOT make such changes on the strength of a phone call, a letter or an email. Bitter experience has taught us that an enterprising or obstinate Post Officer may take it upon himself to make changes which have not been approved by the Post. We must have the properly signed documents on file before the change is recognized. This is true even where the name was incorrectly spelled on the muster report or the location has changed because of annexation or other legal action.

Posts ordering banners with the wrong name, location, or muster date will not receive them until the proper procedure has been followed.

Forms for Change of Name, Correction of Name, Change of Location, and Correction of Location are available without charge from the Adjutant General. Sample copies of the forms can be downloaded or printed in the training and support section of the National Headquarters website.

### **Change of Meeting Place**

The change of a Post meeting place is covered in Section 205 of the National Manual of Procedure. Such a change requires the approval of the Department Commander but not the Commander-in-Chief.

A Post changes its location when it moves into a different political sub-division (from one city to another, from a city into a township, etc.). It changes its meeting place when it moves to another building in the same city-even if that city is as large as Chicago.

A Post could conceivably meet temporarily outside the limits of its chartered location without changing its official location, but the location should be changed when moving to a permanent home elsewhere.

### **Visitations—National Officers**

Invitations to National Officers must be forwarded through channels to the Adjutant General with approval of the Department Commander. This applies to all National Officers, and unless the above is complied with, invitations will not be given consideration

### **Formation, Chartering & Instituting of VFW Posts**

#### **Pertinent points to organizing new VFW Posts (Section 201):**

1. Only the Commander-in-Chief can authorize a charter for a new Post.
2. Charter application must contain the names of 25 eligible veterans; 10 must be new members.
3. A member may transfer from one Post to another provided the following conditions are met: 1) completion of the application as prescribed in Section 102 of the Manual of Procedure, 2) signing a Member Declaration, and 3) acceptance by the Post.
4. No new Post shall bear the name of a living person, other than a living Medal of Honor recipient, only after written consent from the recipient has been received, nor adopt a name already adopted by another Post in good standing in the department.
5. A Post shall not be instituted unless 10 or more qualified members are present for the institution.
6. Posts shall be instituted within 60 days of the date the charter is authorized.
7. The charter of a new Post shall remain open for up to 90 days from the date of institution of a Post.
8. The official date of charter for a Post is the date it is instituted.

## **Procedure in Issuance of New Post Charters**

1. A letter is addressed to the Post Quartermaster about two weeks prior to the expiration of the 90-day charter period, informing that the charter period is due to close and instructs them to make up and submit a dues report covering all previously unreported members just as soon as the charter period expires.
2. About one week following the close of the 90-day charter period, an alphabetical print-out of names of members, including transfers, is mailed to the Post Commander and Post Adjutant. A cover letter requests each to certify the list, making such corrections and/or additions as necessary, and return via mail or email.
3. When certification is received, and corrections and/or additions verified, the charter is engrossed and mailed to the Post Commander. If additional names are included, a reasonable time is allowed for reports to clear so that verification can be made. If questions still remain, further correspondence is required.
4. The charter is not engrossed until the certified list is returned and verified from National Headquarters records.

The Department Adjutant receives a copy of all correspondence and is kept informed as to the problems encountered. They are also informed as to any changes in official information and are notified when the charter is mailed.

### **Some of the problems we have encountered in the issuance of the charters include:**

1. **No dues payment reports received until long after the date of institution.** The Post Quartermaster should be assisted in making up the report. This should be ready for submission at the time of institution or immediately thereafter.
2. **Delay in submitting subsequent reports.** For obvious reasons, the Post Quartermaster must be instructed to submit a report at least once a month. Members names cannot be included on the charter if they have not been reported. This includes paid-up members transferring from another Post and transferred life members.

## **Charter Replacement**

A Post having lost, damaged, or destroyed its charter may obtain a replacement from the Adjutant General's Office. This replacement charter will bear the same names as the original although it may be slightly different in appearance. The charge for a replacement charter is \$25.00.

## **Anniversary Award Certificates**

The National VFW issues Anniversary Citations to Posts which have completed 50, 75 or 100 years of continuous existence. These are prepared from records at National Headquarters and are mailed to the Department Headquarters at least two weeks in advance of the anniversary with the request that arrangements be made for presentation.

These certificates are prepared automatically and do not have to be requested.

We have had requests for similar citations for 25th anniversaries, which are available upon request.

## **Suspension of Post Charter**

The Department Commander may suspend the charter of a Post for a period of up to 90 days (and extend an additional 90 days, not to exceed a total of 180 days) for failure to comply with lawful orders and/or for violation of the laws and usages of the organization. The Department Commander must notify the Commander-in-Chief of such action within 48 hours.

## **Cancellation of Post Charter**

Charters of VFW Posts may be cancelled under the provisions outlined in Sections 211 and 212 of the Congressional Charter and Bylaws and Manual of Procedure.

Before cancelling the charter of a Post, under Section 211, Congressional Charter and Bylaws, the Commander-in-Chief will suspend the charter, giving the Post an opportunity to appeal the suspension and possible revocation of charter.

The Commander-in-Chief may declare a Post defunct and its charter forfeited for failing to pay Department and National dues on a minimum of ten members by February 1, under the provision of Section 212 of the National Bylaws.

## **Voluntary Surrender of Charter**

A Post may surrender its charter providing all members in good standing of the Post at the time are notified at least 20 days in advance of the proposed action and the proposition is voted on and approved by a two-thirds (2/3) vote of members present at a designated meeting where such action is considered.

Section 210 of the Congressional Charter and Bylaws and Manual of Procedure covers the requirements for such action.

## **Post & Member Correspondence**

Letters and emails from Post officers or individual members are answered promptly and courteously. If the response requires that a decision be rendered, the letter will be forwarded to the Department Adjutant for the consideration and decision of the Department Commander. Correspondence of a general nature and questions of a routine nature will be answered directly to the individual. Posts should, however, be encouraged to carry on such correspondence with the Department rather than National Headquarters.

## **Where to Write for Information**

In writing to National Headquarters concerning any matter, much time and effort will be saved if each letter covers **only one subject**. When a letter covers several subjects, such as VFW Store orders, Community Activities, Membership Awards, etc., a reply is unnecessarily delayed while the letter passes through the various Departments at National Headquarters for individual answers.

Letters concerning National Security, Legislation or Veterans Service Issues should be addressed to the appropriate Director, VFW Memorial Building, 200 Maryland Avenue, N.W., Washington, D.C. 20002.

Letters covering other programs and activities of the National Organization should be addressed to the Adjutant General, Quartermaster General or the appropriate Director, VFW Building, 406 West 34th Street, Kansas City, Missouri 64111.

**Remember**, your first source of information should be your Department Commander or Department Adjutant. These Officers are equipped to give you necessary information on most routine issues and common challenges.