

Bylaws Resolutions



**for the
91st National Convention
of the
Military Order of the Purple Heart
of the USA, Inc..
(The Order)
At
Orlando, Florida
15-18 July 2024**

From: National Bylaws Committee

To: Members of the Military Order of the Purple Heart, USA, Inc..

Subject: Resolutions that are being presented to the 91st National Convention of the Military Order of the Purple Heart, USA, Inc. 15-18 July 2024 in Orlando Florida.

Summary of the Resolutions

2024-01-NFF: National Finance Committee (NFO):

This Resolution adds meeting every other month in addition to the two currently required per year for the National Finance Committee and requires the minutes of the meeting be sent to the National Executive Committee (NEC). Makes corrections to misspelled words in the current addition of the Bylaws.

2024-02-NFF: Article XII – National Committees Section 4 Duties of the National Finance Committee (NFC):

Changes the words “will” or “must” to “shall” throughout Article where applicable. Corrects misspelled words throughout. Places responsibility of preparing the Annual Budgets squarely on the NFC while considering input from those Patriots seeking election as National Commander without relinquishing its authority and responsibility for the preparation and review of annual budgets.

2024-03-NFF: Article XII, Section I National Executive Committee:

Adds paragraph B: the following paragraph shall be added to Section I: B. Any NEC Member who misses three or more consecutive meetings of the National Executive Committee (NEC), which shall include National Conventions, Digital NEC Meetings and Ballots between the National Convention, shall be suspended from the NEC by order of the National Commander unless a legitimate excuse can be made for each absence. Allows for an Appeals Process and Reinstatement.

2024-04-NFF: ARTICLE XII - NATIONAL COMMITTEES Section 2 Duties of National Executive Committee & Article II Membership Section 5 Membership Code of Conduct:

Provides a definition of what Spam eMail is. Protection from spam or other unwarranted or unsolicited degrading or harmful correspondence including email(s) should apply to all members, associate members or affiliates of the Military Order of the Purple Heart of the

USA, Inc. (the Order) and not just the Members of the NEC as the Bylaws are currently written.

2024-05-NFF: Amends Article XI – Duties of National Officers Section 5 National Adjutant; Article XI Section 5 Paragraphs B and C; Article XII National Committees Section 3 The National Finance Committee (NFC) Paragraph E; Article XII National Committees Section 5 Investment Committee.

2024-06-NFF: National Committees Section 5 Investment Committee paragraph B be amended to read: B. The Investment Committee shall conduct quarterly reviews of investment policies and accounts and provide the minutes of the reviews to the NEC.

2024-07-NFF: Amends Article XI – Duties of National Officers Section 8 National Judge Advocate to make provisions for how legal matters or disciplinary proceedings are to be taken, or not taken, in the event that the position becomes vacant (due to death, resignation, suspension, expulsion, or etc.) or, the NJA is required to recuse himself/herself due to a conflict of interest.

2024-08-NFF: Amends Article II Membership Section 6 Resignation and Article XV Section A 2 on how the Order shall handle resignations from Members of the order and requests from those seeking reinstatement.

2024-09-NFF: Amends ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 6 – POLITICS and ARTICLE XIV - UNIFORMS and SUPPLIES Section 4 Uniforms to prohibit the wearing of the MOPH uniform in whole or part, and/or any item displaying the MOPH Logo at any campaign event where a political candidate endorsement can be sought. No member who is the candidate them self, shall wear the MOPH Uniform, in whole or in part, and/or item displaying the MOPH Logo while campaigning for a local, state, or federal elected office. No Member shall wear the MOPH Uniform, in whole or in part, and/or item displaying MOPH Logo at any event where it may be construed that MOPH is supporting or bring discredit to the Military Order of the Purple Heart.

2024-10-NFF: Amends ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph A Charges (1) to read: No member or associate member of the Military Order of the Purple Heart of the USA, Inc., shall be punished or have any membership rights abridged without a Disciplinary Hearing Panel and in which a recommended abridging punishment (suspension or expulsion) is upheld by the NEC between National Conventions or the Supreme Body during National Conventions.

2024-11-NFF: Amends ARTICLE XV TO PRESERVE the INTEGRITY of the CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph E(3) on matters regarding Suspension of Members and ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph E (4) on matters of Restriction of Members and adds the levels at which Suspensions and Restrictions are to be monitored and enforced.

2024-12-NFF: Recommends Article IX National conventions Section 5 Rules of the National Convention Paragraph N be amended to: Article IX National conventions Section 5 Rules of the National Convention Paragraph N. Recommendations for consideration and action of the Convention shall be in the form of resolutions as advanced by Chapters, Departments, or official committees. Resolutions to amend the Bylaws shall have been first proposed by a Department Convention, Department Executive Committee, the National Bylaws Committee, or the NEC (also see Article XVIII Amendments Section 1 Amendments Paragraph A (1).

2024-13-NFF: Recommends that Article X – National Officers, Section 4 – Term of Office, paragraph B. be changed to read: The National Commander, National Senior Vice Commander or National Junior Vice Commander may succeed themselves by re-election to a second full term. They cannot serve more than two consecutive terms, if re-elected to a second term. If said National Commander, National Senior Vice Commander or National Junior Vice Commander are considering serving a second term said officer should notify, in writing, by April 1 st of the year, prior to the National Convention, through the National Adjutant, who will then notify the body of the Order of said notice by April 5 of said year. Said written notice can be by digital means. Said officers’ position for the second term must be nominated from the floor during the nomination procedure at the National Convention.

2024-14-NFF: Recommends changes to ARTICLE XVIII Section 1 A and Section 1 A, 1 SECTION 1 - AMENDMENTS and ARTICLE XII subparagraph 4) which if approved will hamper and restrict the Bylaws Committee from carrying out its due diligence and responsibilities as currently defined and outlined in the Bylaws.

2024-15-NFF: Recommends: Assigning the responsibilities of the National Publications Committee, and the Social Media Director to the Public Relations Director will provide a more focused effort to improve and then maintain the Order's reputation and public image.

2014-16-NFF Recommends: The Quorum of a regular meeting of the Chapter shall be five members consisting of at least three (3) or more active Patriots of the Chapter and the balance be Associate members. At least one of the three Patriots shall be a Required Officer of the Chapter to ensure/enforce the strict observance of the Bylaws and usage of the Corporation, all orders from proper authority.

RESOLUTION NO: 2024-01-NFF

COMMITTEE: Bylaws

Committee's Recommendation:
Approval- 6 yay, 0 Nay

Convention Action:

RE: National Finance Committee Meetings

WHEREAS, Article XII – National Committees Section 3 National Finance Committee Paragraph G currently reads: The Finance Committee shall meet at least twice each year-once before and once after each national convention and,

WHEREAS, the two meetings are currently being held as follows: one meeting the night before the start of the National Convention and the post-convention meeting immediately following the closure of the National Convention and,

WHEREAS, it is felt by many Departments, members of the National Executive Committee (NEC), and individual Patriots that these two meetings, while meeting the intent of the Bylaws as currently written, do not meet needs of the Military Order of the Purple Heart (the Order) to provide regular up to date information on the financial status of the Order and

WHEREAS, Article XII – National Committees Section 4 Duties of National Finance Committee Paragraph C currently reads: Present all budgets within 30 calendar days after the close of each **nationalconvention**, or adjustments thereto, to the NEC for its final action and

WHEREAS, Article XII – National Committees Section 4 Duties of National Finance Committee Paragraph G currently reads: The National Finance Committee meeting held after the **Nation** Convention will set "high priced capital expenditure" criteria. Therefore be it

RESOLVED that Article XII – National Committees Section 3 National Finance Committee Paragraph G be amended to read: The National Finance Committee (NFC) shall meet as follows:

- (1) The night before the start of the National Convention.
- (2) Immediately following the closure of the National Convention.
- (3) Every two months until the next National Convention
- (4) The Minutes of the pre-Convention and post-Convention NFC meetings shall be included as part of the overall Minutes of the National Convention. The Minutes of all other NFC meetings shall be recorded by the National Adjutant (as secretary of the NFC) and distributed to the NEC within 30 days after the meeting and therefore be it further

RESOLVED that Article XII – National Committees Section 4 Duties of National Finance Committee Paragraph C be amended (corrected) to read: Present all budgets within 30 calendar days after the close of each National Convention, or adjustments thereto, to the NEC for its final action and therefore be it further

RESOLVED that Article XII – National Committees Section 4 Duties of National Finance Committee Paragraph G be amended (corrected) to read: The National Finance Committee meeting held immediately after the closure of the National Convention will set "high priced capital expenditure" criteria.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr.* Date: 11/12/2023

ROBERT OLIVAREZ

Chairman, Bylaws Committee

RESOLUTION NO: 2024-02-NFF

COMMITTEE: Bylaws

Committee's Recommendation:

Approval

**Voted: 9 approved, 0 Nays,
0 Abstains**

Convention Action:

RE: Duties of the National Finance Committee

WHEREAS, Article XII – National Committees Section 4 Duties of the National Finance Committee (NFC) currently reads:

A. Be responsible for the preparation and review of the annual budgets of the **National Corporation** after receipt of budgetary requests from officers and committees.

B. It shall supervise and control all expenditures and the handling of regular funds and those of all income-producing programs of the National Corporation.

C. Present all budgets within 30 calendar days after the close of each national convention, or adjustments thereto, to the NEC for its final action.

1) The National Finance Committee shall have the power-subject to the approval of the NEC-to allocate for budgetary purposes all funds received from any source within the limitation prescribed in these Articles.

2) It shall have authority to approve expenditures beyond budgetary limits by the ten (10%) percent of the individual item. Requests for the expenditures in excess of this allowance must be submitted to the NEC for approval.

D. Exercise unquestioned fiscal responsibility.

E. Any person or persons approving warrants, vouchers and/or checks in an amount exceeding the approved or amended budget line items shall be personally liable for this overdraft.

1) Such person(s) shall reimburse the Corporation the amount of the overdraft.

2) The National Adjutant, National Commander, and National Finance Officer shall each be jointly and severally liable for such repayment to this Corporation.

F. Contracts for employment of employees, rental or purchase of new office space, or other high-priced capital expenditures will be reviewed by the [National] Judge Advocate for correctness prior to submission to the National Finance Committee.

G. The National Finance Committee meeting held after the National Convention will set "high priced capital expenditure" criteria.

H. Be charged with the investigating and the reporting to the NEC on all contracts submitted to MOPH.

I. It shall render advice to the NEC on all financial questions.

J. Not allow any Chapter, Department, Auxiliary, or other unit of the Military Order of the Purple Heart of the USA, Inc., to raise or acquire any monies, funds, or other things of value with the help or assistance of a paid or otherwise compensated person, employee, individual, or company without approval.

1) Such entity must submit written notification to the National Commander, National Adjutant, National Judge Advocate, and the Chairman of the National Finance Committee as to all the details of the fund-raising project.

a) The Chapter, Unit, Department, or any subsidiary of the Corporation requesting permission for such fund-raising activities shall comply with all local ordinances, codes, or laws; and federal ordinances, codes, laws, or regulations covering the various fund- raising activities. Event insurance is recommended.

b) Determine that funds raised by such fund-raising activities or programs shall be used only for such purpose or purposes as are advertised in the solicitation for which approval has been granted by the National Finance Committee.

c) Institute such additional regulations for the licensing, fees, and overall supervision of all fund-raising activities by all subsidiaries of this Corporation, as may be determined and promulgated by the National Finance Committee. It shall determine that the regulations are fully complied with by all concerned.

2) It shall be the duty of the National Commander, the National Adjutant, and the National Judge Advocate, within 30 calendar days of receipt of such request, to make a recommendation to all the National Finance Committee members regarding such a fund-raising project.

3) The National Commander or the Chairman of the National Finance Committee shall forthwith call for a vote of the National Finance Committee.

4) A majority of the National Finance Committee must approve such a fund-raising project.

K. The National Commander will have the National Adjutant certify approval or rejection for the fund-raising project by the National Finance Committee. Define for the National Finance Officer in detail:

- 1) The accounting system to be used by the Corporation.
- 2) The form and frequency of regular and special reports that it may require of him or her covering all funds, offices, officer's expenditures, and similar items.

L. Be responsible for the annual audit of all funds of the National Corporation by an independent Certified Public Accountant and shall audit on specifically designated dates.

M. Determine that the reports of the National Finance Officer and the independent Certified Public Accountant shall comply in every respect with the requirements as set forth in the Congressional Charter, Public Law 761, 85th Congress as amended by 36 USC Subtitle II Chapter 1405.

N. Will act as custodian of the Life Membership Fund and as such will review any consideration for withdrawal of any part of the principal from this account and submit its recommendation to the National Executive Committee for approval. Approval to withdraw funds will require two thirds of the votes received from the National Executive Committee by ballot or at a National Convention. Recommendation to withdraw funds must include a plan for repayment over a specific period of time and

WHEREAS, this resolution corrects errors in grammar, spelling, punctuation and omissions, contained in the current language of Article XII Section 4 Duties of the National Finance Committee and

WHEREAS, the words will or must are changed to “shall” and the word “shall” be added where applicable in order to enforce the Bylaws responsibilities of the NFC and

WHEREAS, this Resolution adds language that directs the Chair, NFC to assigned specific duties to each of the elected NFC members. **Therefore be it**

RESOLVED, that Article XII – National Committees Section 4 Duties of the National Finance Committee (NFC) be changed to read

A. The NFC shall be solely responsible for the preparation and review of the annual budgets of the National Corporation after receipt of budgetary requests from officers and committees. The NFC shall consider input from those Patriots seeking election as National Commander without relinquishing its authority and responsibility for the preparation and review of annual budgets.

B. The NFC shall supervise and control all expenditures and the handling of regular funds and those of all income-producing programs of the National Corporation to ensure the budget is kept within the approved limits for the fiscal year.

C. The NFC shall present all budgets within 30 calendar days after the close of each national convention, or adjustments thereto, to the NEC for its final action.

1) The National Finance Committee shall have the authority, subject to the approval of the NEC, to allocate for budgetary purposes all funds received from any source within the limitations prescribed in these Articles.

2) The NFC shall have the authority to approve expenditures beyond budgetary limits by up to ten (10%) percent of the individual line item. Requests for the expenditures in excess of the 10% allowance shall be submitted to the NEC for approval. It shall require a majority of NEC votes received by ballot or at a National Convention to approve expenditures greater than 10%.

D. The NFC shall exercise unquestioned fiscal responsibility. Unquestioned does not mean that members of the Order cannot ask the NFC questions regarding the budget. It is defined by the Cambridge Dictionary as “accepted as true or right by everyone”.

E. Any person or persons approving warrants, vouchers and/or checks in an amount exceeding the approved or amended budget line items, without approval of the NFC or NEC (see paragraph C2) above), shall be personally liable for this overdraft.

1) Such person(s) shall reimburse the Corporation the amount of the overdraft.

2) The National Adjutant, National Commander, and National Finance Officer shall each be jointly and severally liable for such repayment to this Corporation.

F. Contracts for employment of employees, rental or purchase of new office space, or other high-priced capital expenditures shall be reviewed by the National Judge Advocate for correctness prior to submission to the National Finance Committee.

G. The National Finance Committee meeting held after the National Convention will set "high priced capital expenditure" criteria.

H. The NFC shall be charged with the investigating and the reporting to the NEC on all contracts submitted to MOPH.

I. The NFC shall render advice to the NEC on all financial questions.

J. The NFC shall not allow any Chapter, Department, Auxiliary, or other **Units** of the Military Order of the Purple Heart of the USA, Inc., to raise or acquire any monies, funds, or other things of value with the help or assistance of a paid or otherwise compensated person, employee, individual, or company without approval.

1) Chapters, Departments, the Auxiliary and its Units, and/or other subsidiaries of the Military Order of the Purple Heart of the USA, Inc., shall submit written notification to the National Commander, National Adjutant, National Judge Advocate, and the Chairman of the National Finance Committee as to all the details of the fund-raising project.

a) The Chapter, Unit, Department, the Auxiliary and its Units, or any subsidiary of the Corporation requesting permission for such fund-raising activities shall comply with all local ordinances, codes, or laws; and federal ordinances, codes, laws, or regulations covering the various fund- raising activities. Event insurance is recommended.

b) The NFC shall ensure that funds raised by such fund-raising activities or programs shall be used only for the purpose or purposes that are advertised in the solicitation for which approval has been granted.

c) The NFC shall institute, as required, additional policies and procedures for the licensing, fees, and overall supervision of all fund-raising activities by all subsidiaries of this Corporation. It shall ensure that the policies and procedures are fully complied with by all concerned and updated as needed.

2) It shall be the duty of the National Commander, the National Adjutant, and the National Judge Advocate, within 30 calendar days of receipt of such request, to make a recommendation to all the National Finance Committee members regarding such a fund-raising project.

3) The National Commander or the NFC Chair, shall forthwith call for a vote of the National Finance Committee to approve or disapprove a fundraising project or seek additional information from the entity making the request if there is not enough information or there are questions concerning the information contained in the request.

4) A majority of the National Finance Committee shall approve such a fund-raising project.

K. The National Commander shall have the National Adjutant certify approval or rejection for the fundraising project(s) by the NFC and define for the National Finance Officer in detail:

1) The accounting system to be used by the Corporation.

2) The form and frequency of regular and special reports that it may require of the NFO covering all funds, offices, officer's expenditures, and similar items.

L. The NFC shall be responsible for the annual audit of all funds of the National Corporation by an independent Certified Public Accountant and shall audit on specifically designated dates.

M. The NFC shall ensure that the reports of the National Finance Officer and the independent Certified Public Accountant (CPA) are in compliance with all requirements as set forth in the Congressional Charter, Public Law 761, 85th Congress as amended by 36 USC Subtitle II Chapter 1405.

N. The NFC shall act as custodian of the Life Membership Fund and as such, shall review any consideration for withdrawal of any part of the principal from this account, and submit its recommendation to the NEC for approval. Approval to withdraw funds shall require two thirds

(2/3) of the votes received from the NEC ballot or at a National Convention. All recommendations to withdraw funds shall include a plan for repayment over a specific period of time.

○. The NFC Chair, shall assign each Committee member a duty, or set of duties, to ensure proper financial responsibility is maintained throughout the fiscal year. These duties are, but are not limited to oversight of:

- 1) All Contracts and Rental of Building C.
- 2) Restricted Funds Accounts (i.e. VAVSO, Scholarship, Youth Leadership Program, Disaster Relief, and etc).
- 3) General Operating Fund Accounts (i.e. Headquarters Expenditures to include payroll, utilities, supplies and equipment not requiring contracts, National Conventions, Travel and etc.).

Submitted by: Bylaws Committee

Signed: Robert Olivarez Jr. Date: 11/12/2023

**Robert Olivarez,
Chairman, Bylaws Committee**

Resolution 2024-03-NFF

COMMITTEE: Bylaws

Committee's Recommendation

Approval- 8 Yay, 0 Nay

Convention Action:

RE: Suspension of Inactive and Non-Participating National Executive Committee Members

WHEREAS, Article XII, Section I National Executive Committee currently reads: A. Consist of the National Commander, PNC in good standing, Senior Vice-Commander, Junior Vice-Commander, six Region Commanders, National Finance Officer, National Judge Advocate, National Inspector, National Sergeant-at-Arms, Department Commanders and the National Finance Officer and National Publication Committeemen, all with votes; and the National Adjutant, National Service Director, National Legislative Director, National Welfare Officer, National Historian, National Chaplain, National Americanism Officer, National Public Relations Director, National Surgeon, VAVS Director and Director of Women Veterans' Issues -- without votes.

WHEREAS, there is no language within the MOPH Constitution and by Laws that addresses the absences of NEC Members that miss three or more consecutive meetings of the National Executive Committee (NEC), to include National Conventions, meetings between National Conventions, and Ballots without obtaining a written excusal from the National Commander or National Adjutant. Therefore, be it

RESOLVED, the following paragraph shall be added to Section I: B. Any NEC Member who misses three or more consecutive meetings of the National Executive Committee (NEC), **which shall include National Conventions, Digital NEC Meetings and Ballots** between the National Convention, shall be suspended from the NEC by order of the National Commander unless a legitimate excuse can be made for each absence.

1. NEC Members who will miss any NEC Meeting as defined above shall obtain, in advance, a written excusal of absence from either the National Commander or National Adjutant. The written excusal may be either by letter or by email.
2. Suspended NEC Members shall have the right to appeal to the National Executive Committee within sixty (60) days from the date of the National Commander's order

declaring his/her suspension from the NEC. The order date shall be the date of such notification to the NEC Member either by email or postal letter.

3. A decision to uphold or remove the suspension shall be conducted by Ballot of the NEC within thirty (30) days of receipt of the NEC Member's request to remove the suspension.
4. Should the suspension occur within 60 days of a National Convention, the suspended NEC Member shall have the right to have his/her appeal heard by the NEC during the pre-Convention NEC Meeting.
5. Should the suspension be upheld by the NEC, the suspended NEC Members shall have the right to appeal to the Supreme Body during the next National Convention and be it further
6. NEC Members who are suspended from the NEC shall retain all other MOPH membership rights and privileges in accordance with the MOPH Bylaws and Constitution.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr.* **Date:** 11/12/2023

ROBERT OLIVAREZ
Chairman, Bylaws Committee

RESOLUTION NO: 2024-04-NFF

COMMITTEE: Bylaws

Committee's Recommendation:

Approval- 8 Yay, 0 Nay

Convention Action:

Regarding eMail & Spam

ARTICLE XII - NATIONAL COMMITTEES Section 2 Duties of National Executive Committee, Subsection I, 1), d) (3) and ARTICLE II MEMBERSHIP Section 5

WHEREAS, ARTICLE XII - NATIONAL COMMITTEES Section 2 Duties of National Executive Committee, Subsection I, 1), d) (3): The National Adjutant, other MOPH officers, or members shall not spam an NEC member's designated voting e-mail address and

WHEREAS, Webster's Dictionary defines Spam as "unsolicited usually commercial messages (such as e-mails, text messages, or Internet postings) sent to a large number of recipients or posted in a large number of spaces. When any member of the Order who sends, by means of a computer resource or other communication device,

(a) any information that is grossly offensive or has menacing character; or

(b) any information which he/she knowingly know(s) to be false, but for the purpose of intently causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill will, persistently by making use of such computer resource or a communication device,

(c) any electronic mail or electronic mail message for the purpose of causing annoyance or inconvenience or to deceive or to mislead the addressee or recipient about the origin of such messages, is in violation of Section 66A of the Information Technology Act of 2000 as amended in 2008 which is punishable by imprisonment for a term which may extend to three years and with fine. and

WHEREAS, Protection from spam or other unwarranted or unsolicited degrading or harmful correspondence including email(s) should apply to all members, associate members or affiliates of the Military Order of the Purple Heart of the USA, Inc. (the Order) and not just the Members of the NEC as the Bylaws are currently written. Therefore, be it

RESOLVED, that **ARTICLE XII - NATIONAL COMMITTEES, Section 2 - Duties of National Executive Committee, Subsection I, 1), d)** be amended by deleting paragraph (3): “The National Adjutant, other MOPH officers, or members shall not spam an NEC member’s designated voting e-mail address” and, be it further

RESOLVED, that Article II Membership Section 5 Membership Code of Conduct shall be amended to read by adding:

E. Members having a “@purpleheart.org” email address shall only use it for official MOPH business.

F. “Members, associate members or affiliates of the Military Order of the Purple Heart of the USA, Inc. (the Order) shall not send spam or other unwarranted or unsolicited degrading or harmful correspondence including email(s), to any members of the Order’s purpleheart.org email and/or personal email. Members who have received a request to stop sending spam or other unwarranted or unsolicited degrading or harmful correspondence including email(s) and fails to do so, shall be subject to a grievance under Article 15, Section 12 and/or charges under Article 15, Section 13.

Reference: Merriam-Wester definition “Spam”; unsolicited usually commercial messages (such as e-mails, text messages, or Internet postings) sent to a large number of recipients or posted in a large number of places.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr*

Date: 11/12/2023

ROBERT OLIVAREZ
Chairman, Bylaws Committee

RESOLUTION NO: 2024-05-NFF

COMMITTEE: Bylaws

Committee's Recommendation:

Approval- 9 Yay, 0 Nay

Convention Action:

Regarding Duties of the National Adjutant

WHEREAS, Article XI – Duties of National Officers Section 5 National Adjutant specifies the duties of the National Adjutant: and

WHEREAS, Article XI Section 5 Paragraphs B and C require the National Adjutant to: Be responsible for the recording and transcription of the minutes of the National Convention, National Finance, and NEC meetings and prepare briefs for the meetings of the National Finance and Executive Committees held immediately before and after the national convention and

WHEREAS, Article XII National Committees Section 3 The National Finance Committee (NFC) Paragraph E requires the National Adjutant to (1) Be the ex-officio Secretary (2) Not be a member of the committee, and (3) attend to provide information and answer questions concerning the Headquarters' budget, and budgets submitted by other officers, this paragraph does not require the National Adjutant to be responsible for the recording and transcription of the minutes of the NFC Meetings and

WHEREAS, Article XII National Committees Section 5 Investment Committee includes the National Adjutant as a voting member but does not specify what the his/her duties are for the Committee and

WHEREAS, there is no statement in Article XI Section 5 National Adjutant specifying that the National Adjutant shall not be a signatory on any of the MOPH bank, investment, or other financial accounts but with the approval of the National Commander may have viewing only authority in order to help the National Commander, National Finance Committee and National Finance Officer make informed decisions regarding the Budget and Investments and

WHEREAS, Article XI – Duties of National Officers Section 5 National Adjutant paragraph H describes the National Adjutant's responsibilities for the Constitution, Bylaws, and Rituals, the language for updating the documents is vague and needs clarification. Therefore, be it

RESOLVED, that Article XII National Committees Section 3 The National Finance Committee (NFC) Paragraph E be amended to read by adding

(4) Be responsible for the recording and transcription of the minutes of the National Finance Committee meeting and distributing to the members of the NEC.

(5) The National Adjutant shall not be signatory on any of the Order's banking or other financial accounts, but with the permission of the National Commander may have viewing only authority (see Article XI Section 5) and be it further

RESOLVED, that Article XII National Committees Section 5 paragraph A Investment Committee be amended to read as follows:

Includes the Chair of the National Finance Committee, the National Finance Officer, and the voting members of the National Finance Committee and be it further

RESOLVED, that Article XII National Committees Section 5 Investment Committee be amended to read by adding:

(D) The National Adjutant shall not be a member of the Investments Committee but shall (1) attend meetings to provide information and ask questions and (2) be the ex-officio Secretary responsible for the recording and transcription of the minutes of the Investment Committee meeting and distributing to the members of the NEC.

(E) The National Adjutant shall not be signatory on any of the Order's investment accounts, but with the permission of the National Commander may have viewing only authority (see Article XI Section 5) and be it further

RESOLVED, that Article XI Duties of National Officers Section 5 National Adjutant be amended by adding:

T. The National Adjutant **shall not** be a signatory on any of the Order's bank, investment, or other financial accounts. The National Adjutant, with the approval of the National Commander, may have viewing only authority in order to help the National Commander, National Finance Committee and National Finance Officer make informed decisions regarding the Budget and Investments and be it further

RESOLVED, that Article XI – Duties of National Officers Section 5 National Adjutant paragraph H (3) be amended to read:

When amendments to the Constitution, Bylaws and/or Rituals are made by National Conventions, the National Adjutant shall be responsible for ensuring all changes are incorporated into these documents. A copy of these documents shall be used for this purpose to ensure the integrity of the current Master while the changes are made. The National Adjutant may seek assistance from a trusted key employee or member of the Bylaws Committee to type the changes and be it further

RESOLVED, that Article XI – Duties of National Officers Section 5 National Adjutant paragraph H (5)(a) be amended to read:

When the National Adjutant has need of updating the Bylaws, a duplicate will be made to allow a trusted key employee or member of the Bylaws Committee to type the changes.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr.* **Date:** **11/12/2023**

ROBERT OLIVAREZ
Chairman, Bylaws Committee

RESOLUTION NO: 2024-06-NFF

COMMITTEE: Bylaws

Committee's Recommendation:

**Approval: 8 Yay, 0 Nay,
1 Abstain**

Convention Action:

Regarding National Investment Committee Reviews

WHEREAS, Article XII – National Committees Section 5 Investment Committee paragraph B currently reads:

B. Conduct periodic reviews of investment policies. These reviews will be done at least annually, but preferably more often and

WHEREAS, it has been determined that one review per year is insufficient to make informed decisions regarding the Order's investments and the impacts the investments have on the annual budget and Life Member Funds. Therefore, be it

RESOLVED, that National Committees Section 5 Investment Committee paragraph B be amended to read:

B. The Investment Committee shall conduct quarterly reviews of investment policies and accounts and provide the minutes of the reviews to the NEC.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr.*

Date: 11/12/2023

**ROBERT OLIVAREZ
Chairman, Bylaws Committee**

RESOLUTION NO: 2024-07-NFF

COMMITTEE: Bylaws

Committee's Recommendation:

Approval: 9 Yays, 0 Nays,

Convention Action:

Regarding Duties of the National Judge Advocate

WHEREAS, Article XI – Duties of National Officers Section 8 National Judge Advocate describes the duties of the National Judge Advocate (NJA). However, it makes no provisions for how legal matters or disciplinary proceedings are to be taken, or not taken, in the event that the position becomes vacant (due to death, resignation, suspension, expulsion, or etc.) or, is required to recuse himself/herself due to a conflict of interest. Therefore, be it

RESOLVED, that Article XI – Duties of National Officers Section 8 National Judge Advocate be amended to read by adding

G. In the event that the position of the National Judge Advocate becomes permanently vacant for any reason, the National Commander shall perform the following actions:

1. Appoint a Past National Judge Advocate or a Department Judge Advocate to fulfil the duties of the NJA until such time the position is permanently filled by election of a new NJA. The individual shall meet the same requirements specified in paragraph A above.
2. Should a Past National Judge Advocate or Department Judge Advocate not be available, the National Commander, with the approval of the NEC, may obtain outside legal counsel to handle legal matters or disciplinary hearings until such time the position is filled.

H. In the event that the position of the National Judge Advocate is temporarily unavailable for any reason to include military, personal, and employment, or must recuse themselves from a particular matter due to a conflict of interest, the National Commander shall perform the following actions:

1. Shall appoint a Past National Judge Advocate or a Department Judge Advocate to fulfil the duties of the NJA until the earliest time of the conflict of interest is resolved, the period of unavailability is resolved, or the matter is closed. The individual shall meet the same requirements specified in paragraph A above.
- 2.

Should a Past National Judge Advocate or Department Judge Advocate not be available, the National Commander, with the approval of the NEC, may obtain outside legal counsel to handle legal matters or disciplinary hearings until the conflict of interest is resolved, the period of unavailability is resolved, or the matter is closed.

3. The position of NJA shall be deemed vacant if the period of unavailability is not resolved within 90 consecutive days of the first notice of unavailability due to military, personal, or employment reasons. This provision does not apply to conflict of interests on individual matters.

Submitted by: Bylaws Committee

Signed: Robert Olivarez Jr.

Date: 11/12/2023

ROBERT OLIVAREZ

Chairman, Bylaws Committee

RESOLUTION NO: 2024-08-NFF

COMMITTEE: Bylaws

Committee's Recommendation:

**Approved (8 Y) (0 N) (0
Abstain)**

Convention Action:

**RE: RESIGNATION FROM and RESINSTATEMENT INTO the MILITARY ORDER
OF THE PURPLE HEART**

WHEREAS: there has been a recent debate as to whether or not that the Order is required to accept the resignation of a Member who chooses to resign his/her membership in lieu of charges, facing a Disciplinary Hearing Panel, or adhering to a recommended form of punishment and

WHEREAS according to Roberts Rules of Order (RRoO) (12th Edition) Section 32:8 **Resignation from Membership**, "A resignation sent in to escape charges need not be accepted. The charges may be preferred, and the trial should proceed the same as if the resignation had not been sent in.". Therefore, be it

RESOLVED: that **Article II Membership Section 6 Resignation** be amended to read:

Section 6 - RESIGNATION AND REINSTATEMENT

A. Resignation:

1) To protect the rights of members, Patriots no longer desiring to be considered a member of the Military Order of Purple Heart must submit a statement of resignation of membership.

2) A signed statement may be mailed or attached to an e-mail to the National Headquarters. If sent by mail, the membership card should accompany the statement of resignation.

3) The effective date of the-resignation is the postmark date on the envelope of the resignation letter. If emailed and no signed statement is attached, the effective resignation date is the date the e-mail was sent. The National Adjutant shall date stamp the receipt of the resignation notification and give to the Membership Office for processing.

3) A member may resign from the Order at a convention by submitting a written notice to the Commander presiding at the convention. The membership card should accompany the written notice. The date and time of receipt by the presiding Commander is the effective date of the resignation. The resignation shall be turned over to the National Adjutant and Membership Office for processing.

4) A resignation to escape Charges need not be accepted. The Charges may be preferred, and

the Disciplinary Hearing should proceed the same as if the resignation had not been sent in. A request for resignation to escape Charges may be submitted to and accepted or rejected by a Commander at any level within the Member's direct chain of command. The individual shall be notified in writing via any shipping service entity Certified Mail Return Receipt Requested whether or not the request for resignation to escape charges is accepted (Article XV Section C 1 d). A copy of the request for resignation and notice of acceptance or rejection shall be sent to the National Adjutant.

5) A member who resigns, **or whose resignation in lieu of charges is accepted**, shall no longer have rights, privileges, or consequences of membership in the Military Order of Purple Heart.

B. Reinstatement:

1) To regain membership, the Patriot must reapply and provide documentation of the award of a Purple Heart and pay the current dues.

2) The determination to be re-accepted into a Chapter is made by the assigned Chapter (Article II Section 2 C)

3) Before an individual who resigned to avoid charges under Article XV Section 13 can be reinstated, a National Judge Advocate review shall be conducted in accordance with Article XV Section 13, A, 2, d).

4) The jurisdictional Commander (at the level which the adjudication was halted) with advice from the National Judge Advocate may reject an individual's application for reinstatement in the Order for poor moral character if information regarding this individual's resignation after charges were filed was considered (Article XV, Section 13, paragraph A 2). If the jurisdictional Commander declines to reject the applicant, the National Adjutant shall deliver the information to the gaining Chapter for its consideration. The Chapter may accept or reject the applicant in accordance with Article II Section 2 B & C. **Be it further**

RESOLVED that **Article XV Section A 2** be amended by adding:

Section A Charges

3) No charges may be adjudicated against a member or associate member who has submitted a resignation from the Order **and said resignation has been accepted. However, a request for resignation to escape Charges need not be accepted. The Charges may be preferred, and the Disciplinary Hearing should proceed the same as if the resignation had not been sent in (Article II Section A 4). A request for resignation to escape Charges may be submitted to and accepted or rejected by a Commander at any level within the Member's direct chain of command. The individual shall be notified in writing via any shipping service entity Certified Mail Return Receipt Requested whether or not the request for resignation to escape charges is accepted (Article XV Section C 1 d). A copy of the request for resignation and notice of acceptance or rejection shall be sent to the National Adjutant.**

a) **If accepted**, the effective date of a request for resignation is the date on the postmark on the envelope of the resignation letter or other written correspondence. The National Adjutant shall date stamp the receipt of the resignation notification **and give to the Membership Office for processing (Article II Section 6 A 3).**

b) The effective date of **an accepted** request for resignation **sent by e-mail** is the date it was sent. **A printout copy will be made as evidence of the resignation date and shall be**

retained as part of Charges Evidence Package and a second copy will be given to the Membership Office for processing (Article II Section 6 A 3).

c) The charges, evidence, statements, testimony, and all other documents will be put in a sealed file and be retained by the National Adjutant.

3) If the former member reapplies for membership, the charges will be reviewed by the National Judge Advocate (also see Article II Section 6 B 3), who will then:

(1) Confer with the Commander now at the level in the chain of command where the adjudication was halted because of the resignation.

(2) Make a recommendation to the jurisdictional Commander as to whether the adjudication should proceed from the point where the procedures stopped.

(3) The jurisdictional Commander will make the decision about proceeding with or dropping the charges (**Also see Article II Section 6 B 4**).

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr* Date: 14 Nov 23

ROBERT OLIVAREZ
Chairman, Bylaws Committee

RESOLUTION NO: 2024-09-NFF

COMMITTEE: Bylaws

<p>Committee's Recommendation:</p> <p>Approved (7 Yay) (0 Nay) (0Abstain)</p>

<p>Convention Action:</p>

RE: Prohibition on Political Endorsements While Wearing the MOPH Uniform

**WHEREAS: ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION
Section 6 – POLITICS** currently reads:

- A. The Corporation's National, Region, Department, or Chapter officers shall not contribute to, otherwise support, or assist any political party or candidate for public office as a representative of the Military Order of the Purple Heart
- B. No discussion of partisan questions shall be allowed at any meeting of the Corporation.
- C. No nominations, recommendations, or endorsements for political office shall be made by a member as a representative of the Military Order of the Purple Heart. No lobbying as a representative of the Military Order of Purple Heart will be done before the US Congress without the recommendation of the National Legislative Officer and concurrence of the National Commander, and

WHEREAS Patriots were found to be wearing their MOPH Uniform and/or MOPH logo in a Political event and/or endorsing a candidate, therefore be it

RESOLVED That **ARTICLE XV - TO PRESERVE the INTEGRITY of the**

CORPORATION Section 6 – POLITICS Section 6 Paragraph A be amended to read:

The Corporation's National, Region, Department, or Chapter officers **(elected or appointed) and/or Members** shall not contribute to, otherwise support, or assist any political party or candidate for public office as a representative of the Military Order of the Purple Heart and be it further

RESOLVED That **ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 6 – POLITICS** be amended by adding:

Paragraph D. In accordance with **Article XIV Section 4**, no Member of the Military of the Purple Heart (MOPH) shall wear the MOPH Uniform, in whole or part, and/or any item displaying the MOPH Logo at any campaign event where a political candidate endorsement can be sought. In addition, no member who is the candidate them self, shall wear the MOPH Uniform, in whole or in part, and/or item displaying the MOPH Logo while campaigning for a local, state, or federal elected office (also see Article XIV Section 4). Be it further

RESOVLED that **ARTICLE XIV - UNIFORMS & SUPPLIES Section 4 Uniforms** be amended by adding Paragraph D. In accordance with **Article XV Section 6**, no member of the Military Order of the Purple Heart (MOPH) shall wear the MOPH Uniform, in whole or part, and/or any item displaying the MOPH Logo at any campaign event where a political candidate endorsement can be sought. No member who is the candidate them self, shall wear the MOPH Uniform, in whole or in part, and/or item displaying the MOPH Logo while campaigning for a local, state, or federal elected office. No Member shall wear the MOPH Uniform, in whole or in part, and/or item displaying MOPH Logo at any event where it may be construed that MOPH is supporting or bring discredit to the Military Order of the Purple Heart.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr* Date: 14 Nov 23

ROBERT OLIVAREZ
Chairman, Bylaws Committee

RESOLUTION NO: 2024-10-NFF

COMMITTEE: Bylaws

**Committee's
Recommendation:**

**Approved (7 Yea) (0 Nay)
(0Abstain)**

Convention Action:

RE: Punishments or Abridgement of Membership Rights

WHEREAS ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph A Charges (1) currently reads:

No member or associate member of the Military Order of the Purple Heart of the USA, Inc., may be punished or have any membership rights abridged except for the following reasons:
and

WHEREAS while it is not specifically mentioned in the Bylaws, it has long been held that membership in the Order may not be abridged without the member having the benefit of a Disciplinary Hearing Panel and in which a recommended abridging punishment (suspension or expulsion) is upheld by the NEC between National Conventions or the Supreme Body during National Conventions. Therefore, be it

RESOLVED that **ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph A Charges** be amended to read:

(1) No member or associate member of the Military Order of the Purple Heart of the USA, Inc., shall be punished or have any membership rights abridged without a Disciplinary Hearing Panel and in which a recommended abridging punishment (suspension or expulsion) is upheld by the NEC between National Conventions or the Supreme Body during National Conventions.

(2) Punishments or an abridgement of membership may be imposed for the following reasons

- a) Intentional, willful, and/or malicious violations of the Constitution and/or Bylaws of the MOPH.
b) Misfeasance or malfeasance.

of c) Refusal to comply with the lawful orders-as defined in the Constitution and/or Bylaws-
a Commander or the National Convention [Supreme] Body.

d) Willful misconduct and/or malicious violation of the oath of office.

(1) Repeated violations of the oath of office are considered "willful misconduct" which is chargeable under this sub-section.

used (2) The repeated violations do not have to be from the same part of the oath but can be
to establish a pattern of "willful misconduct."

(3) A claim of ignorance of the bylaws is not a defense against "willfully" violating the "oath of office."

e) Action(s) which brings discredit to the Order.

f) Conviction(s) of a crime involving theft or moral turpitude

The current paragraph A(2) becomes A(3)

Submitted by: Bylaws Committee

Signed: *Robert Olivarez Jr* Date: 14 NOV 24

**ROBERT OLIVAREZ
Chairman, Bylaws Committee**

***NOTE: Should this Resolution be approved, it shall not be enforced retroactively.**

RESOLUTION NO: 2024-11-NFF

COMMITTEE: Bylaws

**Committee's
Recommendation:**

**Approve (8 Yay) (0 Nay) (0
Abstains)**

Convention Action:

RE: Restriction and Suspension

**WHEREAS ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION
Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph E (4)
Restriction** currently reads:

- shall be allowed to remain a Chapter member with a vote but shall have a restriction from being allowed to hold any elected or appointed office at any level for a specific length of time or permanently for life and

WHEREAS in May 2022, it was opined by the National Judge Advocate that members of the National Publications Committee (NPC) and National Finance Committee (NFC) serving on the National Executive Committee (NEC) are NOT Officers and therefore, if a Disciplinary Hearing Panel (DHP) recommendation is Restriction against one of them, the individual is NOT removed from the respective Committee and

WHEREAS there is no set level at which the restriction is monitored and enforced and

**WHEREAS ARTICLE XV - TO PRESERVE the INTEGRITY of the CORPORATION Section 13 -
DISCIPLINE, TRANSFER, and EXPULSION of MEMBERS paragraph E(3) Suspension** currently reads:

- shall remove the member from membership and/or from any office held by them for not more than one year from the date of receipt by the member as determined by the **any shipping service entity** Certified Mail Return Receipt Requested and

WHEREAS it can reasonably opined that that members of the National Publications Committee (NPC) and National Finance Committee (NFC) serving on the National Executive Committee (NEC) are NOT Officers and therefore, if a Disciplinary Hearing Panel (DHP) recommendation is not a suspension of membership, but merely a suspension of holding office, against one of them, the individual is NOT removed from the respective Committee and

WHEREAS there is no set level at which the suspension or is monitored and enforced. Therefore,
be it

RESOLVED that **ARTICLE XV TO PRESERVE the INTEGRITY of the**
CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of
MEMBERS paragraph E(3) be amended to read:

- Any member placed on suspension shall be removed from any elected or appointed Officer or Committee position(s) at all levels AND from membership of the Order for a period of not more than one year from the date of receipt by the member as determined by the **any shipping service entity** Certified Mail Return Receipt Requested. As a suspension is an abridgement of membership, it shall be the responsibility of the National Commander and National Adjutant to ensure the term and conditions of the suspension are enforced and be it further

RESOLVED that **ARTICLE XV TO PRESERVE the INTEGRITY of the**
CORPORATION Section 13 - DISCIPLINE, TRANSFER, and EXPULSION of
MEMBERS paragraph E (4) Restriction be amended to read:

- Any Member placed on Restriction shall be allowed to remain a Chapter Member, with a voice and a vote, but shall be restricted from holding any elected or appointed Officer or Committee position(s) at ALL levels of the Order for a specific length of time or permanently for life. The Member shall have a voice but no vote at the Department, Region, or National levels during the period of restriction. As Restriction is NOT an abridgement of membership, it shall be the responsibility of the Commander and Adjutant at the level in which the restriction was imposed to ensure the term and conditions of the restriction are enforced.

Submitted by: Bylaws Committee

Signed: *Robert Olivarez*

Date: 28 NOV 24

ROBERT OLIVAREZ
Chairman, Bylaws Committee

***NOTE: Should this Resolution be approved, it shall not be enforced retroactively.**

RESOLUTION NO: 2024-12-NFF

COMMITTEE: Bylaws

**Committee's
Recommendation:**

**Approve (8 Yay) (0 Nay) (0
Abstains)**

Convention Action:

Regarding Rules of the National Convention

WHEREAS, Article IX – National conventions Section 5 Rules of the National Convention

WHEAREAS, Article IX – National conventions Section 5 Rules of the National Convention

Paragraph N reads as: Recommendations for consideration and action of the Convention shall be in the form of resolutions as advanced by Chapters, Departments, or official committees.

1) The resolutions shall be signed and dated.

2) The resolutions must be received by the National Adjutant at least thirty (30) calendar days prior to the Convention.

a) A majority of the votes cast by the delegates is required for the resolution(s) to be referred to the Resolutions, Bylaws, Legislative, or Rituals Committee for study, consideration, and/or recommendation.

b) The committee(s) may report with or without a recommendation for approval.

RESOLVED, that Article IX National conventions Section 5 Rules of the National Convention Paragraph N be amended to read:

Article IX National conventions Section 5 Rules of the National Convention Paragraph N. Recommendations for consideration and action of the Convention shall be in the form of resolutions as advanced by Chapters, Departments, or official committees. **Resolutions to amend the Bylaws shall have been first proposed by a Department Convention, Department Executive Committee, the National Bylaws Committee, or the NEC (also see Article XVIII Amendments Section 1 Amendments Paragraph A (1)).**

Submitted by: Bylaws Committee

Signed: *Robert Olivarez, Jr*

Date: **20 FEB 24**

ROBERT OLIVAREZ Chairman, Bylaws Committee

RESOLUTION NO:2024-13 Terms of Office

COMMITTEE: Bylaws

**Committee's
Recommendation:**

**Approve
(Yay 8) (Nay 1) (Abstain 1)**

Convention Action:

RE: Term of Office National Commander, National Senior Vice Commander and National Junior Vice Commander

WHEREAS: **Article X – National Officers, Section 4 – Term of Office, Paragraph B.** No National Commander, National Senior Vice Commander, or National Junior Vice Commander shall succeed him or herself by election to a second full term, and

WHEREAS: During the National Convention an election of National Officers takes place with the newly elected officers starting their term per the National Bylaws, Article X - National Officers, Section 4 – Term of Office, paragraph A., to begin at the end of the National Convention, and

WHEREAS: As seen since an amendment to the National Bylaws in 2006 that both Chapters and Department can establish term limits for the elected officers, which has allowed those, especially, that of the Chapter or Department Commander, to follow through with their agenda for the Good of the Order of the Chapters and Departments, and

WHEREAS: Allowing the National Commander, National Senior Vice Commander, and National Junior Vice Commander to serve, by re-election to a second consecutive term, would allow the National Commander, National Senior Vice Commander and National Junior Vice Commander to fulfill their agendas, thus, moving forward the Order and the Good of The Order, and

WHEREAS: If the body of the Order believes that the National Commander, National Senior Vice Commander, or National Junior Vice Commander should be re-elected to serve an additional consecutive one-year term, the body of the Order may re-elect those Officers if nominated. Therefore, be it

RESOLVED: **that Article X – National Officers, Section 4 – Term of Office, paragraph B.** be changed to read:

The National Commander, National Senior Vice Commander or National Junior Vice Commander may succeed themselves by re-election to a second full term. They cannot serve more than two consecutive terms, if re-elected to a second term. If said National Commander, National Senior Vice Commander or National Junior Vice Commander are considering serving a second term said officer should notify, in writing, by April 1st of the year, prior to the National Convention, through the National Adjutant, who will then notify the body of the Order of said notice by April 5 of said year. Said written notice can be by digital means. Said officers' position for the second term must be nominated from the floor during the nomination procedure at the National Convention.

Submitted by: Department of Texas

Signed: *Michael P. Matthews*
Department Commander

Date: 19 May 2024

Submitted By: Department of California

Signed: *Josephine Kessler*
Department Commander

Date: 7 May 2024

Signed: *Robert Olivarez Jr.*

Date : 28 May 2024

RESOLUTION 2024-14 ARTICLE XVIII Section 1 A Amendments

COMMITTEE Bylaws

**Committee's
Recommendation:**

**Disapprove
(Yay 0) (Nay 9) (Abstain 0)**

Convention Action:

RE: Changes to ARTICLE XVIII - AMENDMENTS SECTION 1 A and 1 A 1) & ARTICLE XII subparagraph 4).

WHEREAS: ARTICLE XVIII Section 1 A 1) provides:

- 1) *The proposed amendment shall have been first proposed by a Department Convention, Department Executive Committee, the National Bylaws Committee, or the NEC, and*

WHEREAS: In Fiscal Year 2023, the National Bylaws Committee proposed seven (7) Bylaws amendments to the NEC for a vote without providing the NEC and all Patriots an opportunity to voice opinions at a hearing, and

WHEREAS: More often than not, the issues being addressed would not have little or any adverse consequences had the amendments been **held** until the National Convention, and

WHEREAS: The intention of the Bylaws Committee that revised the 2017 Bylaws was to allow the Bylaws Committee to submit an amendment of such importance that the consequences of waiting to have them voted on at the National Convention would be **detrimental to the Order**, and

WHEREAS: Two of the Kentucky Patriots who worked on this bylaw amendment that the Kentucky Department Convention passed were members of the 2017 Bylaws Committee, so they are aware of the intents mentioned above, therefore be it

RESOLVED: That ARTICLE XVIII Section 1 A and Section 1 A, 1) be changed to read: **SECTION 1 - AMENDMENTS**

A. These Bylaws may be amended by a roll call of two-thirds (2/3 vote of the votes cast by the National Executive Committee members only in the case of a **dire emergency**. A Dire Emergency is defined as a severe or terrible situation or event which, left unaddressed, would have a detrimental effect on the Order.

1). The proposed amendment will first be proposed by a Department Convention, Department Executive Committee or the NEC. **An amendment emanating from the National Bylaws Committee can only be considered at the National Convention**, therefore be it further

RESOLVED: That ARTICLE XII subparagraph 4) be added to

SECTION 8

4). The Bylaws Committee will not be allowed to propose an amendment for passage by the NEC between conventions. Any Bylaws Committee Amendment must be heard and discussed at the National Convention. The discussion must be open to any Convention Delegate.

Submitted by: Department of Kentucky Convention April 20, 2024



Signed: *Robert Olivarez Jr*

Date: 15 June 2024

2024-15-NFF

Committee: Bylaws

--

Convention Action:

- RE:** Revise the National Public Relations Director responsibilities to include the current responsibilities of the National Publications Committee.
- WHEREAS:** The National Commander shall appoint a Public Relations Director, with the approval of the NEC, and have the Public Relations Director develop a nationwide program of publicity for the Order (Article X, Section 3, 1), Article XI, Section 1, E. 2), and Article XI, Section 1, H, 1)); **AND**
- WHEREAS:** "Public relations is a strategic communication process that builds mutually beneficial relationships between organizations and their publics." Public Relations Society of America (PRSA)
<https://www.prsa.org/about/all-about-pr>; **AND**
- WHEREAS:** The Purple Heart Magazine shall be the official publication of the Military Order of the Purple Heart of the USA, Inc. (Article XII, Section 6, I.) and it is an integral part of the Order's public relations process; **AND**
- WHEREAS:** The National Publications Committee is charged with selecting the Editor of The Purple Heart Magazine, subject to the approval of the NEC, and holding the Editor, through the chairman, for the editing and publishing to ensure the successful administration of The Purple Heart Magazine (Article XII, Section 6, D and F.); **AND**
- WHEREAS:** The National Publications Committee is charged with promoting the Order's social media program and national website in the magazine. (Article XII, Section 6, H.); **AND**
- WHEREAS:** The Public Relations Director is a member of the National Executive Committee with a voice, but no vote (Article XII, Section 1, 8) and the four elected Publications Committeemen are members of the National Executive Committee with a voice and a vote (Article XII, Section 1, A); **AND**
- WHEREAS:** A Social Media Officer/Director is not specifically designated by the bylaws, but the National Commander may appoint Committees and officers not otherwise provided for (Article XI, Section E.) and the current National Commander has appointed a Social Media Director; **AND**
- WHEREAS:** The Order's reputation and public image has deteriorated over the last few years; **AND**
- WHEREAS:** Assigning the responsibilities of the National Publications Committee, and the Social Media Director to the Public Relations Director will provide a more focused effort to improve and then maintain the Order's reputation and public image; **THEREFORE, BE IT**

RESOLVED: Article XI - Duties of National Officers, Section 14 - National Public Relations Director be changed

FROM:

- A. Be responsible for developing and promoting good publicity and public relations for the National Corporation and National Convention.
- B. Perform such other duties incident to the office and such other duties as the Commander may direct.
- C. Assist chapters and departments in developing local public relations initiatives.
- D. Submit an annual budget request through the National Adjutant to the National Finance committee.
- E. Be an ex-officio member of the NEC with a voice and no vote.

BY ADDING:

- F. Select, subject to approval by the NEC, The Purple Heart Magazine Editor.
- G. Determine, with approval of the National Executive Committee, the Order's printed and digital publishing, advertising, and editorial policies for The Purple Heart Magazine, other National newsletters or magazines, and social media channels.
- H. Promote the Order both internally to the Membership and the Auxiliary as well as externally to other Veteran Service Organizations and the general public.
- I. May request the National Commander appoint an Assistant Public Relations Director and Social Media Director as deemed necessary to assist in conducting assigned duties.
- J. Direct, supervise, and coordinate the activities of the Assistant Public Relations Director and Social Media Director, if appointed.

And be it further

RESOLVED: Article XII - National Committees, Section 1 - National Executive Committee, paragraph A be changed by deleting National Publications Committeemen so as to read:

"A. The National Commander, Past National Commanders, National Senior Vice Commander, National Junior Vice Commander, six Region Commanders, National Finance Officer, National Judge Advocate, National Inspector, National Sergeant-at- Arms, Department Commanders, and National Finance Committeemen who shall all have a voice and a vote." **And be it further**

RESOLVED: Article XII - National Committees, Section 2 - Duties of the National Executive Committee, Section F. be changed by adding items 4) and 5) so as to read:

"F. The NEC shall:

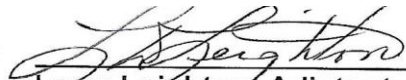
- 1) Run meetings in accordance with Roberts Rules of Order, Newly Revised.
- 2) Be recorded and transcribed by the National Adjutant's office.
- 3) Have the proceedings' minutes presented by the National Adjutant to the National Convention body for consideration and action.
- 4) Approve the editor of The Purple Heart Magazine.
- 5) Approve the Order's printed and digital publishing, advertising, and editorial policies for The Purple Heart Magazine, other National newsletters or magazines, and social media channels." **And be it further**

RESOLVED: Article XII - National Committees, Section 14 -National Publications Committee be deleted.

SUBMITTED BY The Department of Arizona:

Date: 2/29/2024

Signed:


Larry Leighton, Adjutant

RESOLUTION 2024-16-NFF

COMMITTEE: BYLAWS

COMMITTEE'S RECOMMENDATION

DISAPPROVE: 0 Yays 07 Nays

0 Abstain

CONVENTION ACTION

RESOLUTION: Regarding Article V – Meetings of Chapters Section 1.

WHEREAS, Article V – Meetings of CHAPTERS Section1 – REGULAR MEETINGS, Paragraph C currently reads: The Quorum of a regular meeting of the Chapter shall be five members consisting of at least three (3) or more active Patriots of the Chapter and the balance being Associate members.

WHEREAS, Article III – Chapters, Section 2 – Officers Paragraph A reads: The required elected officers of each Chapter shall be a Commander and Finance Officer and Paragraph B reads: The required appointed officer for each chapter shall be an Adjutant.

WHEREAS, A question has been asked as to whether at least one of the three Patriots of a regular or special meeting should be a required Officer of the Chapter. The reasoning to have a required Officer present is to ensure/enforce the strict observance of the bylaws and usage of the Corporation, and all orders from proper authority. THEREFORE BE IT

RESOLVED, ARTICLE V – MEETINGS of CHAPTERS Section 1 – REGULAR MEETINGS Paragraph C be changed to read: The Quorum of a regular meeting of the Chapter shall be five members consisting of at least three (3) or more active Patriots of the Chapter and the balance be Associate members. At least one of the three Patriots shall be a Required Officer of the Chapter to ensure/enforce the strict observance of the Bylaws and usage of the Corporation, all orders from proper authority.

Submitted by Department of Georgia

Signed: John Wilder

26 JUNE 2024

Adjutant, Department of Georgia

