

23rd INFANTRY REGIMENT TOMAHAWK ASSOCIATION

CONSTITUTION

ARTICLE I. DESIGNATION

The name of the organization is the 23rd Infantry Regiment Tomahawk Association (hereafter referred to as Association). It is a non-profit military service organization, established under the guidelines of Department of Defense Instruction 1000.15 and Army Regulation 210-22.

ARTICLE II. OBJECTIVES

The objectives of the Association are to promote morale and high esprit de corps among members of the regiment, provide opportunities and facilities uniting past and present members of the regiment in a program dedicated to the preservation of traditions and history of the 23rd Infantry Regiment.

ARTICLE III. GENERAL PROVISIONS

3.1 LICENSING, CERTIFICATION AND REGISTRATION:

Licensing, certification, incorporation and registration with state and local commissions may be required for engaging in fund raising activities. These activities will be conducted in accordance with state and local laws as well as any installation requirements.

3.2 AUDIT:

The Association's funds will be audited on an annual basis. The Auditor will be appointed by the President and must be a member of the Association.

3.3 MISCELLANEOUS:

The Association will procure necessary insurance coverage, will comply with local and state laws and federal tax laws and will be solely responsible for any liability incurred by the Association. Neither appropriated fund activities nor nonappropriated fund instrumentalities may assert any claim to the assets, or incur or assume any obligation of the Association except as may arise out of contractual relationships.

3.4 DISSOLUTION OF THE ASSOCIATION:

If the Association is dissolved, all assets on deposit and pending deposit at that time will be used to meet any outstanding debts, liabilities or obligations. The balance of these assets will be disposed of on activities as outlined in Article II. Objectives, as determined by the membership. All State and jurisdictions laws will be met during the dissolution process. . Should liabilities exceed assets on dissolution, the members are individually liable on a pro-rated basis. The Association will notify the Installation Commander's representative when dissolution is clearly anticipated, and when dissolution is completed.

3.5 LIABILITY OF MEMBERS

As outlined in AR 210-22, the membership is jointly and severally liable under the laws of the state of Washington and under the Army instructions for organizational debts in the event the organization's assets are insufficient to discharge liabilities. Neither the installation nor the government will have any liability for the Association's actions or debts. Each member must be aware that financial liability incurred by the organization may ultimately result in individual financial responsibility of members. All members are hereby informed that financial obligations incurred by the Association may ultimately result in individual personal financial liability or responsibility, if the Association fails to discharge its obligations or if the members of the Association are involved in negligent acts, even if the Association may have meanwhile dissolved or the members withdrew or resigned.

3.6. DISCLAIMERS:

3.6.1 In accordance with AR 210-22, Association is set up, operated and controlled locally by people with common interests. Association has no formal connections or affiliations with any sanctioning organization.

3.6.2 The Association operates on Joint Base Lewis-McChord only with the written permission of the Director of Family and Morale, Welfare, and Recreation (DFMWR) as the representative of the installation commander. Operation is contingent on compliance with the requirements and conditions of all applicable Army instructions and manuals. The Association is not a nonappropriated funds instrumentality (NAFI), nor is it entitled to the sovereign privileges and immunities given to NAFIs, Army, or federal government.

3.6.3 The Association will not use Army services. This includes legal, audit, transportation, postal, printing, information management services, clerical, financial, copying, management, and procurement services. Neither the installation nor the Government will have any liability for the Association's actions or debts.

3.6.4 The Installation Commander has authority to inquire about activities and enforce compliance by the organization of the conditions enumerated in AR 210-22. The Installation Commander may withdraw the consent for the organization's existence on Joint Base Lewis-McChord if deemed necessary in the interest of the government at any time.

ARTICLE IV. MEMBERSHIP

4.1 Membership is open to any eligible person. There is no limit on the number of members. Members will pay dues and comply with the Constitution and By-Laws.

4.2 The classes of membership are Regular, Associate and Honorary.

4.3 The types of membership are Life and Annual.

4.4 ELIGIBILITY FOR REGULAR MEMBERSHIP: Present or prior honorable service with the 23rd Infantry Regiment or units attached or supporting the 23rd Infantry Regiment.

4.5 ELIGIBILITY OF ASSOCIATE MEMBERS: Spouse, parents, children or siblings of any person eligible for regular membership and any person with a special interest in or an affinity for the 23rd Infantry Regiment.

4.6 ELIGIBILITY FOR HONORARY MEMBERSHIP: As granted by the Advisory Board to individuals interested in and/or supporting the 23rd Infantry Regiment who were not and/or are not members of the 23rd Infantry Regiment.

4.7 No person because of race, color, creed, sex, age, disability or national origin, shall be unlawfully denied membership, excluded from participation, or subjected to unlawful discrimination by the Association. Association activities will not seek to deprive individuals of their civil rights. The Association will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the Government

ARTICLE V. DUES

5.1 Annual membership dues are payable each year prior to October 1, in amounts set forth in the By-Laws.

5.2 Life membership dues are payable at any time in amounts set forth by the By-Laws.

ARTICLE VI. MANAGEMENT

6. GOVERNMENT: The membership is the governing body of the Association. It meets at least once a year at which time officers and trustees are elected to carry out the day-to-day operations of the Association. Each regular member in good standing has one vote in these elections, expressed in person or absentee ballot. All officers are responsible for asset accountability, liability satisfaction, and sound financial and operational management.

6.1 OFFICERS:

6.1.1 ELECTED OFFICERS: Elected officers of the Association are President, Vice-President, Secretary, Treasurer and four (4) Trustees.

6.1.2 APPOINTED OFFICERS: Appointed Officers are Chaplain, Editor of *THE TOMAHAWK* Nominations and Elections Chairman, Historian, Assistant Treasure, Assistant Secretary/Treasurer for each active battalion, representative nominated by each active battalion on the Advisory Board, Constitution and By-Laws Chairman, Membership Chairman, Public Relations Chairman, Historian, Custodian of Memorabilia, Database Administrator, Webmaster/Social Media, and Auditor. Other officers necessary for Association management may be recommended by the President to the Board of Trustees. Appointed officers must be members in good standing at time of appointment. These appointments are made by the President and approved by the Board of Trustees.

6.2 ADVISORY BOARD: Advisory Board will be members in good standing and include the Honorary Colonel, Honorary Sergeant Major and a representative of each active duty battalion who is a member of the Association. The Battalion Commanders will designate the representative.

6.3 TERM OF OFFICE: The term of office for elected officers shall be two years. The President shall be limited to one term. The Vice President and Trustees are limited to two terms.

There is no term limit for the Secretary or Treasurer. A term begins as installed at the Regimental Dinner during the Tomahawk Rendezvous. As an exception, the Treasurer's term of office shall begin on 1 January.

6.4 EXECUTIVE COMMITTEE: The Executive Committee shall consist of all elected officers, except the Trustees.

6.5 BOARD OF TRUSTEES: The Board of Trustees will consist of all elected officers and the immediate Past President

6.6 VACANCIES: In the event a vacancy occurs in an elected office position the following policy will apply:

6.6.1 The office of President will be filled by the Vice President.

6.6.2 Other offices will be filled by Presidential appointment with approval of the Board of Trustees.

6.6.3 Officers filling vacancies will hold office for the remaining term of that office.

6.7 Fiscal Year. The Association fiscal year will begin on 1 January and end on 31 December.

6.8 INSURANCE: The Association will obtain adequate insurance as protection against public liability, claims, property damage claims, or other legal actions arising from Association activities, one or more of the Association's members acting on its behalf, or the operation of any equipment, apparatus, or device under the control and responsibility of the Association. The Association will purchase fidelity bonding for members or employees handling monthly cash flow exceeding \$500.00. Bonding will be equal to the normal maximum amount of cash handled.

ARTICLE VII. ACTIVITIES

The activities of the Association will be determined by the Board of Trustees, in consultation with the Advisory Board and shall be professional and social in nature. Association will reimburse the Army for utility expense, unless use is incidental. Federal Government resources, including personnel, equipment, and property, shall be used by DoD employees for official purposes only.”

ARTICLE VIII. PUBLICATION

THE TOMAHAWK, published quarterly and distributed to all members in good standing, is the official publication of the Association. The publication will be directed by the Editor who shall ensure that the publication conforms to and carries out the spirit of the constitution and in accordance with Army Regulation 210-22. It will keep members informed of Association events, active duty unit activities, veteran's activities as well as history and pertinent information about the 23rd Infantry Regiment.

ARTICLE IX. BY-LAWS

9.1 The Association will have the full power to adopt By-Laws, which are not in conflict with the Constitution. By-Laws may be adopted, ratified, modified or repealed at the Association annual

meetings, or by any special meeting called for that specific purpose under Section I of the By-Laws.

9.2 The rules contained in Robert's Rules of Order, revised edition, shall govern the Association in all cases, which are applicable and are not in conflict with the Constitution and By-Laws of the Association.

ARTICLE X. AMENDMENTS

This Constitution and By-Laws may be amended, altered or repealed by a two thirds (2/3) vote of all regular members and absentee ballots, at an annual meeting, provided notice thereof has been given by publication in one issue of *THE TOMAHAWK*. Proposed amendments may be submitted by any regular member in writing to any elected Association officer. All proposed amendments shall be reviewed by the Board of Trustees and those warranted to be essential will be forwarded by the President to the Constitution and By-Laws Committee for organizing and preparing them for the membership vote.

This Constitution was voted and approved by our membership on 15 August 2013

President

Date

Secretary

Date

Treasurer

Date

The Constitution was amended as follows: