

JAPANESE AMERICAN VETERANS ASSOCIATION

BY-LAWS of the Japanese American Veterans Association

Article I. Qualification as a "Veterans" organization

The Japanese American Veterans Association, hereinafter referred to as JAVA or the Association, qualifies as a tax-exempt "Veterans" organization under Section 501(c)19 of the Internal Revenue regulations (26 Code of Federal Regulations 501(c)19), which prescribes the following requirements:

- At least seventy-five (75) percent of the regular membership must be past or present members of the U.S. Armed Forces, and
- At least ninety-seven and one-half percent (97.5) percent of the regular membership must be past or present members of the U.S. Armed Forces, cadets in college or university ROTC programs or at armed service academies, or spouses, widows, or widowers of persons in the categories specified above.

Article II. Qualification for charitable contribution

Donations made to JAVA are deductible on the donor's Federal income tax return as a charitable contribution, provided at least ninety (90) percent of JAVA's regular membership is comprised of past or present members of the U.S. Armed Forces who have served in such Forces during a period of war, including the Korean and Vietnam conflicts, Desert Storm, and any other time hereafter officially designated as being a period of war.

Article III. Classification of membership

1. Membership categories. In order to maintain JAVA's qualification as a "Veterans" organization and to permit donations thereto, including dues, to be considered as charitable contributions, as well as to enhance its membership base, the Association has the following membership categories:

- **REGULAR MEMBERS:** Past or present members of the U.S. Armed Forces, and others who the Executive Council qualifies for such classification, and spouses, widows, or widowers of such persons who have chosen to be JAVA members
- **ASSOCIATE MEMBERS:** Any person who does not qualify as a Regular Member but who is eighteen (18) years of age, or older, and who supports the objectives of the Association, and satisfies such other criteria as may have been or are hereafter established by the Executive Council, including restrictions on participation in the nominations for, or the holding of, elective offices, appointments to committee positions, or to vote on matters affecting the Charter and/or By-Laws, or to approve business and/or operational transactions of JAVA.

- HONORARY MEMBERS: Any person who is bestowed honorary membership by a two-thirds vote of the Executive Council, at a meeting at which a quorum, i.e., a majority, was present, or by regular or e-mail, such individual, upon acceptance of the honor, to enjoy such privileges and benefits as the Council deems appropriate.
- COMMUNITY MEMBERS: All other American veterans of Japanese ancestry who are past or present members of the U.S. Armed Forces, and cadets, and their spouses, widows, and widowers.

Article IV. Membership Dues

1. Calendar Year. Beginning on January 1, 2002, JAVA shall operate on a calendar year basis.
2. Annual Dues. The schedule of dues for JAVA membership are set forth in an Appendix to these By-Laws, and are subject to change upon action duly taken by the Executive Council.

Article V. JAVA meetings

1. Membership meetings. There shall be at least two general membership meetings each calendar year, the times and places thereof to be decided by the Executive Council, except that in even-numbered years, following the established practice of having the biennial election of officers in July or as soon thereafter as possible, one of the general membership meetings for such years shall be scheduled to accord with this practice. Notices of each meeting shall be provided by mail, e-mail, fax or Newsletter.

2. Executive Council meetings. Meetings of the Executive Council shall be called as deemed necessary and appropriate by the JAVA President in his capacity as Chairperson of the Executive Council. Timely notice of each meeting shall be provided by phone, or by mail, e-mail or fax.

Article VI. JAVA officers

The officers of the Association shall be as follows:

– PRESIDENT – who shall preside at all general membership meetings, Executive Council meetings, and any special meetings, and perform duties pertaining to the office, as prescribed herein and by Robert's Rules of Order. The President shall establish the agenda for the events, functions, and business of the Association in his/her capacity as Chairperson of the Executive Council. The President may authorize expenditures, from time to time, in amounts not exceeding Five Thousand dollars (\$5000) per year, without securing the prior concurrence of the Executive Council. For amounts over this limitation, the President is authorized to propose the expenditure to the Executive Council, doing so by e-mail where possible, or by phone, if necessary. Affirmation of such proposed expenditure shall be presumed, unless a majority of those contacted communicate their objections within three (3) days of the notification. In all cases, the President shall provide prompt e-mail or other advice to the Executive Council about all expenditures that are made.

– VICE PRESIDENT – shall perform the duties and exercise the powers of the President in his/her absence and carry out duties assigned by the President or prescribed by Robert's Rules of Order. The Vice President shall be responsible for administering the membership affairs of the Association, and shall chair a committee formed to assist in addressing such concerns. In consultation with the President, the Vice President shall devote, as part of his/her responsibility for membership, particular attention to the creation and continuance of programs that are likely to enhance Association goals, particularly those calculated to attract new members.

– SECRETARY – shall maintain, as appropriate, records of all general membership meetings of the Association, as well as meetings of the Executive Council. The Secretary shall be responsible for JAVA records, for the official correspondence of the Association, and for carrying out duties as prescribed by Robert's Rules of Order.

– TREASURER – shall be responsible for the membership and financial records of the Association, including the collection of all monies due the Association, as well as their disbursement. The Treasurer shall report on the membership and financial status and condition of JAVA to the Executive Council, and, as appropriate, to the general membership, carrying out his/her duties as prescribed by Robert's Rules of Order.

Article VII. Election of officers

1. Nominations Committee: On or before May 1 on even-numbered years, the President shall appoint a Nominations Committee, which shall be responsible for the preparation of a slate of candidates selected from JAVA's Regular membership. The slate shall be presented to the President no less than three (3) weeks prior the date on which a general election is scheduled to occur. The President shall immediately submit the names of all those being nominated to the Executive Council for concurrence. In the event such concurrence does not occur, the President shall refer the matter back to the Nominations Committee for prompt reconsideration. No election shall be scheduled without the approval of the proposed slate of candidates by the Executive Council.

2. Requirements for election. The following requirements shall apply to JAVA elections:

– Elections shall occur biennially, on even-numbered years, at the first general membership meeting taking place in July, or as soon thereafter as feasible.

– Elections shall be by a majority of the votes cast for each position.

– In any case where a Regular Member is unable, for whatever reason, to attend a general membership meeting at which elections are to be held, such member may vote by proxy, which authorization must be in writing.

– In any case where a Regular Member is unable, for whatever reason, to attend a general membership meeting at which elections are to be held, and notification is timely provided, such Member shall, if he or she does not appoint a proxy, be entitled to vote by absentee ballot, provided there are two or more candidates vying for any one office. In the event a Regular Member who has submitted an absentee ballot later finds that he/she is able to attend the meeting at which elections are to occur, a request for cancellation of the absentee ballot should be made promptly. Failure to do so will negate such Member's right of participation in the elections.

3. Term of office. Each officer shall serve for a term of two years for the office to which he or she was elected, and not more than two consecutive terms in the same position.

Article VIII. Executive Council

1. Role of Council. The principal management and policymaking body for the Association shall be the Executive Council. In the performance of these functions, the Council acts principally as advisor to the President of JAVA, which officer shall serve as Chairperson of the Council.

2. Composition of Council. The membership of the Executive Council shall be comprised of the following persons:

- The then current officers of JAVA; and
- The immediate past President of JAVA; and
- The Board of Directors.

Article IX. Association committees

1. Authority to establish committees. The President shall have the power to form committees for specific purposes. When the work of such committees has been completed, unless the President requests otherwise, they may be deemed dissolved.

2. Membership committee. There shall be a standing Membership Committee, the Chairperson of which shall be the Association's Vice President. The Treasurer shall serve as the Vice Chair. Other members of the Committee shall be appointed by the President. The applications of persons seeking to become a member of JAVA that, on their face, show that the applicants meet the requirements of membership shall be regularly accepted, and information descriptive of such new members shall be provided to the Executive Council. The Council shall be consulted in any case where the Membership Committee is uncertain whether a particular application should be approved.

Article X. Board of Directors

The overall supervisory authority of the Association rests with its Board of Directors, the members of which are appointed by the President, in consultation with the other officers. The Board shall consist of eight (8) to twelve (12) persons, and its term shall be for two (2) years. The President is authorized to fill vacancies, or otherwise to make changes in the Board's membership.

Article XI. Vacancies

1. Vacancy in the office of the President. Should a vacancy occur in the position of JAVA President, or in the event of the President's disability or prolonged absence, the Vice President, with the concurrence of the Board of Directors, shall assume the duties of the President for the remainder of the unexpired term, or for such lesser period as circumstances warrant.

2. Vacancy in other offices. Should a vacancy occur in any of the other three elective positions, such vacancy shall be filled by action of the Executive Council, and persons selected to fill the vacancy shall serve for the remainder of the unexpired term.

3. Interim appointments. The President shall have the authority to appoint interim officers for vacant positions until such time as the Executive Council has acted to fill them, or until such time as the vacancy is filled in regular elections, whichever occurs first.

REVISED and APPROVED:

APPENDIX TO THE BY-LAWS OF THE JAPANESE AMERICAN VETERANS ASSOCIATION

This Appendix sets forth the membership dues of the Japanese American Veterans Association, as approved by the JAVA Executive Council. If the classification and/or the amounts of the dues are hereafter changed by the Council, an updated version of this Appendix shall be issued.

MEMBERSHIP DUES

1. Annual Dues -- The annual dues for JAVA membership, beginning in 2002, shall be as follows:

- REGULAR MEMBERS: Twenty-five (\$25.00) dollars
- MEMBERS ON ACTIVE DUTY: Ten (\$10.00) dollars
- SPOUSES, AS WELL AS SURVIVING SPOUSES, of REGULAR MEMBERS: Fifteen (\$15) dollars
- SPOUSES, WIDOWS/ WIDOWERS OF MEMBERS OF THE ARMED FORCES: Fifteen (\$15) dollars
- ASSOCIATE MEMBERS: Fifteen (\$15) dollars
- COMMUNITY MEMBERS: complimentary

2. Lifetime Dues -- One-time lifetime dues for JAVA membership shall be as follows:

- REGULAR MEMBERS: Two Hundred and Fifty (\$250.00) dollars
- SPOUSES, AS WELL AS SURVIVING SPOUSES, OF REGULAR MEMBERS : One Hundred and Fifty (\$150.00) dollars
- SPOUSES, AS WELL AS, WIDOWS/ WIDOWERS, OF PAST OR PRESENT MEMBERS OF THE ARMED FORCES: One Hundred and Fifty (\$150.00) dollars
- ASSOCIATE MEMBERS: One Hundred and Fifty (\$150.00) dollars