

**SERGEANT AUDIE MURPHY CLUB
UNITED STATES ARMY JAPAN**

CONSTITUTION

USARJ Sergeant Audie Murphy Club

ARTICLE I

NAME AND PURPOSE

Section 1-1. Name. The name of this organization will be the *USARJ Sergeant Audie Murphy Club*.

Section 1-2. Purpose. The purpose of the *USARJ Sergeant Audie Murphy Club* is to improve the installation and the community by advising the *USARJ Command Sergeant Major and the Commanding General on all appropriate matters*.

ARTICLE II

GENERAL PROVISIONS

Section 2-1. Authority. The *USARJ Sergeant Audie Murphy Club* is established as a Private Organization (PO) under the provisions of AR 210-22, and exists on the military installation known as *Camp Zama* by the express consent of the Commander, U.S. Army Garrison-Japan. This consent is contingent upon compliance with the requirements and consideration of all Army regulations and applicable host nation laws. The *USARJ Sergeant Audie Murphy Club* will operate as a PO, by individuals not acting within the scope of their official capacity as soldiers, employees, or agents of the US Government. There is no official relationship between PO activities and official duties and responsibilities of Department of Defense (DoD) personnel who are PO members and participants. Neither the Federal Government nor any of its Nonappropriated Fund (NAF) instrumentalities (NAFIs) will incur or assume any obligations of the PO. The PO will comply with all federal and host nation tax laws.

Section 2-2. Chartering as a PO. The *USARJ Sergeant Audie Murphy Club* is required to be chartered as a PO on *Camp Zama* to be able to operate on the installation. The charter is good for two years and the re-chartering process must be initiated at least 120 days prior to the expiration of the *USARJ Sergeant Audie Murphy Club's* charter. The President of the *USARJ Sergeant Audie Murphy Club* is responsible for ensuring that the *USARJ Sergeant Audie Murphy Club* is chartered as a PO on *Camp Zama*.

Section 2-3. Support from the US Army. The *USARJ Sergeant Audie Murphy Club* is not an instrumentality of the US Army, must be self-sustaining, and may not receive financial (appropriated or NAF) or other assistance from the US Army or *Camp Zama*, except as provided for in Chap 3, DoD 5500.7-R, Joint Ethics Regulation. No seal, insignia, or other identifying device of the local installation or other US military department or service may be utilized, unless the Commander, USAG-J, grants his/her written permission. The

USARJ Sergeant Audie Murphy Club may receive limited support from *Camp Zama* for support of events sponsored in conjunction with the installation. The Commander, USAG-J, or his/her designee, will approve this support in writing. The *USARJ Sergeant Audie Murphy Club* agrees to reimburse the Army for utility expenses unless the use is incidental, and billing costs would exceed the costs of the utility.

Section 2-4. Equal Opportunity. The *USARJ Sergeant Audie Murphy Club* fully supports the US Army's and *Camp Zama's* policies on equal opportunity and will not discriminate on the basis of race, color, religion, national origin, marital status, or gender, or support or associate with people or organizations that do. All activities that the *USARJ Sergeant Audie Murphy Club* conducts will not prejudice or discredit either the US military Services nor any other agency or official of the US Government. The *USARJ Sergeant Audie Murphy Club* agrees that it will neither propagate extremist activities, nor advocate either violence against others, or the violent overthrow of the US Government. The *USARJ Sergeant Audie Murphy Club* will not seek to deprive any individual of their civil rights.

ARTICLE III

FUNCTIONS/ACTIVITIES and OPERATING PROCEDURES

Section 3-1. Liability. All members shall be personally liable for all outstanding debts and liabilities if the assets of the *USARJ Sergeant Audie Murphy Club* are insufficient to discharge such debts and liabilities.

Section 3-2. Knowledge of Constitution (and Bylaws). All members of the *USARJ Sergeant Audie Murphy Club* will read this Constitution (and any Bylaws) as a condition of membership.

Section 3-3. This Constitution (and any Bylaws) was approved by a majority vote of the members present at a Regular (or Special) meeting on *23 October 2013 and signed.*

Section 3-4. The *USARJ Sergeant Audie Murphy Club's* Constitution (and Bylaws) may be adopted, amended, or replaced by the approval of the majority of the members present at a Regular or Special Meeting. Any amendments or changes to the constitution (and Bylaws) of the *USARJ Sergeant Audie Murphy Club* are subject to the final approval of the Commander, USAG-J. The *USARJ Sergeant Audie Murphy Club* will provide proposed amendments or changes to the appropriate USAG-J office within 30 days of their approval by the membership.

Section 3-5. Recommended Changes. Any member of the *USARJ Sergeant Audie Murphy Club* may propose changes to the *USARJ Sergeant Audie Murphy Club's* Constitution (and Bylaws).

ARTICLE IV

MEMBERSHIP

Section 4-1. Membership. Membership is open to all US military personnel (active or retired), DoD civilian employees, DoD contractor personnel, and any adult family member thereof. Membership is strictly voluntary. The majority of the members must have privileges under the Status of Forces Agreement (SOFA).

Section 4-2. Honorary Membership. Honorary membership may be extended to select personnel that fit the image of a SAMC member, but would not normally be allowed to compete. Careful evaluation must be taken by the approving authority to ensure that the spirit and intent of the program is preserved.

Section 4-2-1. Sergeant Morales members in good standing will be extended honorary membership. They will receive a membership card and the opportunity to participate in all SAMC activities. They will not receive a Certificate of Achievement or medallion.

Section 4-2-2. Honorary membership will be granted upon review and approval by the general membership.

Section 4-3. Associate Membership. Non-DoD personnel who are not otherwise eligible to become regular or honorary members, but who support the functions and operating procedures of the SAMC, may be recommended and granted associate membership following the same rules for honorary membership in Article IV, Section 4-2 of this Constitution. Associate members shall be non-voting members.

Section 4-4. Dues. Each member of *USARJ Sergeant Audie Murphy Club* will be assessed an annual membership fee of \$50.00 as a condition of membership.

Section 4-5. Applications, Resignations, and Termination of Memberships. All procedures for applications, resignations, and termination of memberships for the *USARJ Sergeant Audie Murphy Club* will be referenced and adhered to in accordance with *USARJ Regulation 600-25*.

ARTICLE V

OFFICERS AND GOVERNING BODY

Section 5-1. Executive Committee. The establishment, administration, operation, and dissolution of the organization are under the general supervision of the Executive Committee. The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, Public Affairs Officer, and Historian. The President may appoint members to subcommittees (such as Entertainment, Fundraising, or Constitution) to assist the Executive Committee in the execution of their duties.

Section 5-2. Eligibility. All members shall be eligible for office unless they have less than 12 months remaining until ETS or PCS. The office of the President and the Vice President

must come from a different Command/Unit and not come from the same Command/Unit consecutively.

Section 5-3. Term of Office. The members of the Executive Committee shall be elected by the general membership to a term of office not to exceed 1 year. Members of the Executive Committee may be elected to more than one consecutive term of office.

Section 5-4. Recall of an Officer. All Executive Committee officers serve at the behest of the general membership. The general membership, when dissatisfied with a member of the Executive Committee, may recall or terminate this officer's term of office. A recall shall be conducted at a Regular or Special Meeting and will become effective upon a two-thirds vote of the entire general membership, not just two thirds of the present membership. Once an officer has been recalled, a special election will be held at the next Regular meeting to replace the recalled member. In the case of a recall of the President, the Vice President will assume the responsibilities of the President, and the special election will be for a new Vice President. In the case of a recall of the Secretary or Treasurer, the Vice President will assume the duties of the recalled officer until a new officer is elected. In the event of a recall of the Vice President, the Secretary will assume the duties of the Vice President until the election of a new Vice President.

ARTICLE VI

DUTIES OF OFFICERS

Section 6-1. General. To ensure that the *USARJ Sergeant Audie Murphy Club's* objectives are satisfied and the proper direction is maintained, the general membership shall elect an Executive Committee in accordance with Article V of the Constitution.

Section 6-2. President.

Section 6-2-1. Preside over and direct the overall operation of the *USARJ Sergeant Audie Murphy Club*, based on the desires of the general membership.

Section 6-2-2. Perform other duties as may be prescribed by the general membership.

Section 6-3. Vice President.

Section 6-3-1. Fulfill the duties of the President, in the absence of the President or should the President fail to complete his/her term of office.

Section 6-3-2. Fulfill the duties of the Secretary and/or Treasurer, if said officer(s) is/are recalled by the general membership, in accordance with Article V of the Constitution.

Section 6-3-3. Review and certify the Treasurer's Report prior to each Regular or Special Meeting.

Section 6-3-4. Retain signature authority on all financial transactions of the *USARJ Sergeant Audie Murphy Club*.

Section 6-3-5. Perform other duties as may be prescribed by the general membership or the President.

Section 6-4. Secretary.

Section 6-4-1. Fulfill the duties of Vice President until a new Vice President is elected in the event the Vice President is unable to complete his/her term of office.

Section 6-4-2. Take and prepare minutes for all Regular and Special Meetings. Make distribution of the minutes in accordance with Article XII of the Constitution.

Section 6-4-3. Maintain copies of all administrative documents. As a minimum, the following will be kept on file: Copies of the Constitution (and Bylaws), the application for charter, the USAG-J Commander's approval to operate as a PO, minutes of all meetings, Treasurer's Reports, and other pertinent regulations.

Section 6-4-4. Prepare all official and unofficial correspondence for the *USARJ Sergeant Audie Murphy Club*.

Section 6-4-5. Perform other duties as may be prescribed by the general membership or the President.

Section 6-5. Treasurer.

Section 6-5-1. Maintain a single-entry accounting system to account for all revenue earned, and expenditures made, by the *USARJ Sergeant Audie Murphy Club*, to include the maintenance of supporting documents for all revenue and expenditures.

Section 6-5-2. Only expend funds in accordance with Article IX of the Constitution.

Section 6-5-3. Prepare a Treasurer's Report for each Regular and Special Meeting.

Section 6-5-4. Make records available to the Vice President for certification of the Treasurer's Report.

Section 6-5-5. Prepare an annual financial report in accordance with applicable regulations.

Section 6-5-6. Maintain accountability for the bank accounts (savings and/or checking) and ensure that signature cards are current.

Section 6-5-7. Perform other duties as may be prescribed by the general membership or the President.

Section 6-6. Public Affairs Officer.

Section 6-6-1. Coordinate all publicity, advertisements, and protocol for dignitaries.

Section 6-6-2. Conduct liaison with all outside agencies, the general public, and social media.

Section 6-6-3. Perform the function of parliamentarian at all meetings.

Section 6-7. Historian.

Section 6-7-1. Chronical and maintain the history of the *USARJ Sergeant Audie Murphy Club*.

Section 6-7-2. Maintain the SAMC Wall currently located in Building 101, Camp Zama.

ARTICLE VII

ELECTIONS AND VOTING

Section 7-1. The election of officers will be in accordance with Article V of the Constitution.

Section 7-2. The recall of an officer will be in accordance with Article V of the Constitution.

Section 7-3. Resigning officers will submit their resignation, in writing, to the President of the *USARJ Sergeant Audie Murphy Club*. The resignation of the President will be submitted, in writing to the Vice President of the *USARJ Sergeant Audie Murphy Club*. The procedures for filling a vacant officer position will be the same as for filling a vacancy after a recall of an officer (Article V of the Constitution).

ARTICLE VIII

STANDING COMMITTEES

Section 8-1. Finance and Audit Committee.

Section 8-1-1. The governing council will bi-annually appoint a finance and audit committee. The committee will consist of at least 3 but no more than 5 members who hold no office. The audit will be conducted upon election of a new treasurer.

Section 8-1-2. Duties. The committee shall engage and discharge auditors, review audit policies and financial controls, examine audit reports, meet with the organizations financial staff on a regular basis, and review all financial and budgetary matters of the club.

Section 8-1-3. Disbursement. The President and Treasurer shall both be required to sign for release of funds. Use of funds shall be voted on during the general membership meeting.

Section 8-1-4. Bonding. Fidelity bonding will be purchased by the organization for members or employees handling monthly cash flow exceeding \$500.00 IAW AR 210-22.

Section 8-1-5. Taxes. The *USARJ Sergeant Audie Murphy Club* will comply with Federal Tax Laws.

ARTICLE IX FUNDING SOURCES

Section 9-1. Self-Sustaining. The *USARJ Sergeant Audie Murphy Club* is considered to be a self-sustaining, non-Federal entity and its income will be attained primarily through dues, contributions, service charges, and/or special assessment to the members.

Section 9-2. Fundraising.

Section 9-2-1. General. The *USARJ Sergeant Audie Murphy Club* is authorized to request permission to conduct fund-raisers held on, or advertised on *Camp Zama*, when such activities are approved at a Regular or Special Meeting. The Commander, USAG-J, will review and approve, or disapprove, all requests for fund-raisers that are to be held on, or advertised on, *Camp Zama*.

Section 9-2-2. Sale of Alcoholic Beverages. The *USARJ Sergeant Audie Murphy Club* is not permitted to sell any alcoholic beverages at any time. This includes the sale of beer, wine, wine coolers, and alcoholic beverages of any type.

Section 9-2-3. USAG-J Commander Approval. The *USARJ Sergeant Audie Murphy Club* will submit typewritten requests for permission to conduct fundraisers to the appropriate USAG-J office at least 30 days prior to the event; seven days for car washes or bake sales. The appropriate USAG-J office will verify the PO's standing and forward the request to the Staff Judge Advocate (SJA) for review. The request then will be forwarded to the USAG-J Commander for approval/disapproval. The approval/disapproval of the USAG-J Commander will be provided, in writing, to the PO.

Section 9-3. Commercial Sponsorship. The *USARJ Sergeant Audie Murphy Club* is not authorized to solicit commercial sponsorship.

Section 9-4. Bank Accounts. The *USARJ Sergeant Audie Murphy Club* is authorized to open a non-interest bearing, commercial savings and/or checking account at a commercial financial institution (bank or credit union). The bank account will be in the names of the *President and Treasurer*.

Section 9-5. Accounting System. A single-entry accounting system will be utilized to account for all revenues and expenditures.

Section 9-6. Treasurer Reports. The Treasurer will prepare a financial report for all Regular and Special Meetings, reflecting the income and expenses incurred since the previous meeting. The *President* will verify the accuracy of the Treasurer's Report prior to its presentation at a Regular or Special Meeting. Both the Treasurer and the *President* will sign the report.

Section 9-7. Audits. An audit of all funds received or expended by the *USARJ Sergeant Audie Murphy Club* will be conducted every 2 years and upon the change of Treasurer. A copy of the audit will be presented at the next Regular or Special Meeting, and a copy will be provided to the appropriate USAG-J office. Specific requirements for audits are found in AR 210-22.

Section 9-8. Special Audits. The President may direct that the audit of the financial records of the *USARJ Sergeant Audie Murphy Club* be accomplished in accordance with Article IX of the Constitution, and when it is deemed in the best interests of the *USARJ Sergeant Audie Murphy Club*.

Section 9-9. Audit Report. All audit reports will be made, in writing, and signed by the individual(s) conducting the audit. A copy of all audits will be presented at the next scheduled Regular or Special Meeting following completion of the audit. The *USARJ Sergeant Audie Murphy Club* will provide a copy of all audit reports to the appropriate USAG-J office.

Section 9-10. Expenditure of Funds. The expenditure of all funds must be approved by a majority vote of the members present at a Regular or Special Meeting. The President may authorize the expenditure of funds to support events sponsored by the *USARJ Sergeant Audie Murphy Club*, if the expenditure was unexpected and it was impractical to convene a Special Meeting of the membership. The President will report the expenditure of funds at the next Regular or Special Meeting and provide an explanation as to why it was necessary to authorize the expenditure.

ARTICLE X

TAXES

Section 10-1. Tax Liability. The *USARJ Sergeant Audie Murphy Club's* US tax liability depends upon its earning income within the United States. An organization that operates overseas can limit its US tax liability. Utilization of non-interest bearing bank accounts will typically preclude US tax liability for organization operations. The *USARJ Sergeant Audie Murphy Club* is responsible for determining tax liability, if any. The *USARJ Sergeant Audie Murphy Club* will contact the proper tax officials to ensure compliance with all tax laws.

ARTICLE XI
INSURANCE COVERAGE

Section 11-1. Liability Insurance Requirements. The *USARJ Sergeant Audie Murphy Club* will maintain adequate liability insurance.

Section 11-2. Fidelity Bond Requirements. The *USARJ Sergeant Audie Murphy Club* will maintain adequate fidelity bonds.

Section 11-3. Membership Liability. In the event that the assets of the *USARJ Sergeant Audie Murphy Club* are insufficient to cover the costs of a liability claim against the *USARJ Sergeant Audie Murphy Club*, the individual members of the *USARJ Sergeant Audie Murphy Club* are personally liable for any amount not covered by insurance and/or assets.

ARTICLE XII
MEETINGS AND QUORUMS

Section 12-1. Rules. All meetings will be held in accordance with a prescribed order of conduct. Robert's Rules of Order or some other format may be used, as may be decided by a vote of the membership.

Section 12-2. Meeting Order. The following order of business will be followed at all Regular or Special Meetings:

- Call to Order.
- Roll call of officers.
- Reading of minutes from previous meeting.
- Treasurer's Report.
- Introduction of Guests.
- Report of incoming correspondence.
- Subcommittee Reports.
- Old Business.
- New Business.
- Adjournment.

Section 12-3. Meetings.

Section 12-3-1. Regular Meetings. Membership meetings will be held *monthly* to conduct normal business.

Section 12-3-2. Annual Meetings. An Annual Meeting shall be held for the election of

officers and may coincide with a Monthly Meeting, provided there is a quorum of members present. In the event a quorum is not present, a Special Meeting will be scheduled within 30 days of that date to effect elections. If a quorum then is not present, it will be presumed that there is a lack of interest in the organization by its members and the organization may be subject to dissolution.

Section 12-3-3. Special Meetings. The President, with the Secretary sending out notices at least 1 week in advance, may call Special Meetings, as required. Notices shall state the reason for the meeting, the business to be transacted, and who called the meeting.

Section 12-3-4. Executive Meetings. The Executive Committee and special subcommittees may meet in executive sessions to plan and organize activities for the *USARJ Sergeant Audie Murphy Club*. The Secretary will report on all such meetings, with a synopsis of the business conducted, at the next Regular or Special Meeting.

Section 12-4. Minutes. The Secretary will prepare a set of minutes outlining the events that transpired at every membership meeting. The President will review the minutes, and both the President and Secretary will sign the minutes. A copy of the approved minutes will be provided to each PO officer, Financial Management Branch, DFMWR, USAG-J, and any PO member who desires a copy.

Section 12-5. Quorum. A quorum shall be considered either a minimum of 25 percent of the general membership with at least one officer of the *USARJ Sergeant Audie Murphy Club* present or, 10 percent of the members, with three of the four officers present. A quorum for an Annual Meeting is a minimum of 25 percent of the general membership and at least two of the four officers present.

ARTICLE XIII

DISSOLUTION

Section 13-1. Dissolution. Upon receipt of notification from the appropriate USAG-J Commander, or upon agreement of three-fourths of the general membership at a Special Meeting called by the President to consider dissolution, the *USARJ Sergeant Audie Murphy Club* shall be dissolved. The *USARJ Sergeant Audie Murphy Club* will provide a written notice of the dissolution with a notice of the disposition of its assets to the appropriate USAG-J office.

Section 13-2. Disposition of Assets. The disposition of assets upon dissolution of the *USARJ Sergeant Audie Murphy Club* shall be as follows:

Section 13-2-1. Outstanding Liabilities. All members of the *USARJ Sergeant Audie Murphy Club* shall be personally liable for all outstanding debts and liabilities if the assets of the *USARJ Sergeant Audie Murphy Club* are insufficient to discharge such debts and liabilities. All members of the *USARJ Sergeant Audie Murphy Club* are required to read

this Constitution (and Bylaws) as a condition of membership.

Section 13-2-3. Remaining Assets. All remaining assets will be donated to the US Army Japan Installation Morale, Welfare, and Recreation Fund.

ARTICLE XIV

HIRING AND SUPERVISION OF EMPLOYEES

Section 14-1. Employment. Should the need arise, the *USARJ Sergeant Audie Murphy Club* will hire employees in accordance with USARJ employment practices. The *USARJ Sergeant Audie Murphy Club*'s Executive Committee will determine the supervision of the employee(s) in a manner that is fair and equitable.

Section 14-2. Equal Opportunity. In hiring employees, the *USARJ Sergeant Audie Murphy Club* will not discriminate against any applicant based on gender, age, religion, race, color, national origin, sexual preference, lawful political affiliation, labor organization membership, or physical handicap that does not affect performance of duties.

Section 14-3. Conflict of Interest.

Section 14-3-1. Government employees will not be assigned to, or work for, the *USARJ Sergeant Audie Murphy Club* if their employment by the *USARJ Sergeant Audie Murphy Club* would create the appearance of a conflict of interest, or otherwise violate the DoD 5500.7-R, Joint Ethics Regulation.

Section 14-3-2. No member of the *USARJ Sergeant Audie Murphy Club* Executive Committee, or any members of any subcommittees appointed by the President, may be hired as an employee of the *USARJ Sergeant Audie Murphy Club*.

Signed

**President, Sergeant Audie Murphy Club
United States Army Japan Chapter**

Signed

**Vice President, Sergeant Audie Murphy Club
United States Army Japan Chapter**