

Yokota Spouses' Club Constitution

Revised 17 July 2018

Article I – Name and Authority

1. Organization Name

The name of this Private Organization (PO) is the Yokota Spouses' Club, hereafter referred to as the YSC. It is established pursuant to the provisions of Air Force Instruction (AFI) 34-223, and in accordance with all applicable civil and military laws and regulations.

2. Principal Place of Business

YSC operates primarily on Yokota Air Base (AB), Japan, and may be reached at the following mailing address:

Yokota Spouses' Club
374 MSG/FSBO
APO, AP 96326

3. Authority to Operate

YSC operates on Yokota AB only with the consent of the Yokota AB Installation Commander. Operation is contingent upon compliance with the requirements and conditions of all applicable Air Force regulations and Air Force Instructions (AFI), to include AFI 34-223.

Article II – Private Organization Regulations

1. Type of Organization

YSC shall be a private, self-sustaining, nonprofit, independent organization as defined by AFI 34-223. YSC is not a Non-Appropriated Fund Instrumentality (NAFI), and is not entitled to any immunities and privileges afforded to such agencies. It is not a department of the Department of Defense (DoD) or any of its components, and it has no governmental status.

2. Utilization of Base Distribution

YSC may not use base distribution in carrying out any of its activities unless authorized in a current Memorandum of Understanding (MOU) between YSC and the Department of the Air Force. A copy of the MOU must be on file with 374 FSS/FSRPO.

3. Organizational Conduct

This organization shall conduct itself in a manner that is free of discrimination and shall provide equal opportunity and treatment to all members. In accordance with AFI 34-223, Section 10.2, YSC shall not

discriminate in hiring practices or membership policies on the basis of age, race, religion, color, national origin, disability, ethnic group, gender, or sexual orientation.

4. Reporting Requirements

YSC shall submit organization data and reports according to the requirements and schedule identified by 374 FSS/FSRPO.

5. Tax Status

In accordance with the Pacific Air Force Spouses' Club Handbook published as the Directorate of the Staff Judge Advocate, spouse clubs that are outside the United States are not subject to taxation by United States authorities. Therefore, YSC shall not file for exemption or file annual information returns with the Internal Revenue Service (IRS).

Article III – Membership Structure

1. General Membership

All members of YSC shall be considered part of the General Membership.

A. Membership in the YSC is voluntary and limited to members of the DoD community and their family members assigned to or residing near Yokota AB. These individuals include:

1. Spouses of any DoD Active Duty member
2. Spouses of any DoD Civilian employee or contractor
3. Spouses of any DoD Retired personnel
4. Spouses of any member of U.S. Reserve components
5. DoD Active Duty members
6. DoD Civilian employees or contractors
7. DoD Retired personnel
8. Widows or Widowers of any of the above
9. Adult dependents of any of the above

B. All members agree to abide by the Constitution, Bylaws, and all governing documents referenced therein (including all applicable AFIs).

C. Membership dues shall be collected on an annual basis.

D. Military members and U.S. Government civilian employees participating in YSC activities (e.g., fund raisers) will be on leave or off-duty. YSC activities shall not interfere with military or civilian duties.

2. Membership Classification

A. Each member of YSC shall be classified as an Active Voting Member, Active Non-Voting Member, Associate Member, Honorary Member, or Distinguished Honorary Member in accordance with Article III, Section 3 of the Bylaws. Member rights and responsibilities shall vary according to individual membership classification.

B. Pursuant to AFI 34-223, paragraph 9.2 & 10.11, Active Voting Members and Associate Members shall be held jointly and severally liable to pay such debts and liabilities of YSC if adequate funds are not available to cover all outstanding debts and liabilities of the

organization. All members shall be informed of these provisions, which shall be accomplished by the distribution of this Constitution and the Bylaws to all YSC members.

3. Membership Termination

Membership shall terminate or be terminated in accordance with Article III, Section 5 of the Bylaws.

Article V – Administration

1. Parliamentary Authority

Robert's Rules of Order, Newly Revised, shall be the Parliamentary authority in all matters not otherwise specified by any YSC Governing Directives or AFIs referenced therein.

2. Governing Administration

- A. YSC shall be governed by a Governing Board of elected officers (President, 1VP, 2VP, Parliamentarian, Secretary, Welfare Treasurer, and Operations Treasurer), 2 Advisors (Wing Command Spouse and Wing Chief Spouse), and appointed committee chairs. The structure of this Board, including the nomination and election procedures, appointments, duties, vacancies, resignations, and terminations shall be subject to the guidelines established by Article VII of the Bylaws.
- B. Any elected YSC officer authorized to disburse funds must fall into at least one of the following classifications: (1) active duty member, (2) civilian employee, or (3) dependent of the aforementioned with Status of Forces Agreement (SOFA) status.
- C. A roster of YSC officers, email addresses, and phone numbers shall be submitted to FSS/FSRPO on a yearly basis (and as necessary when changes occur).

Article VI – Liability Coverage

1. Liability Insurance

YSC shall maintain liability insurance as follows:

- A. YSC activities are typically administrative in nature and would not normally involve a great degree of risk. However, to the extent necessitated by activities that carry a higher than normal degree of risk, YSC will maintain liability and property damage insurance coverage commensurate with such risk. Such coverage must expressly provide that neither the United States government nor any NAFI will be liable for any claims or judgments against the

organization or its members. The absence of liability insurance places the personal assets of the YSC members immediately at risk in the event of YSC liability.

- B. Special events may arise which greatly increases the insurable risk for such events which will result in the YSC obtaining additional insurance if the current insurance is not adequate to cover the event.
 - C. A copy of all insurance policies purchased by YSC shall be forwarded to 374 FSS/FSRPO.
2. Liability Insurance Waiver
- The requirement to maintain liability insurance may be waived by the installation commander if the organization has extremely low liability exposure. A request must be made in writing to 374 MSG/CC through 374 FSS/FSRPO. The insurance waiver shall be renewed every year from the date of approval, as necessary.

Article VII – Dissolution

1. Reasons for Dissolution

YSC may face dissolution for reasons including, but not limited to the following:

- A. In the event that a NAFI fills a need for which YSC was established, YSC will be dissolved. In that event, all financial transactions of dissolution would be concluded separately and apart from the operation of any activity established as a NAFI. YSC will not combine NAFI and YSC assets.
- B. The 374th Mission Support Group Commander (374 MSG/CC) has the authority to dissolve YSC when it is in the best interest of the Air Force.
- C. If the members decide to dissolve the organization, notice shall be submitted to 374 FSS/FSRPO.

2. Notification of Dissolution

A notification of the termination, discontinuance, or dissolution of YSC shall be prepared along with a plan for the dissolution and forwarded to the PO Coordinator via 374 FSS/FSRPO. After dissolution is approved, a full financial statement shall be prepared and forwarded to 374 FSS/FSRPO.

3. Bank Account Closure

In the event YSC maintains account(s) at the military banking facility, YSC must notify the military banking facility of its pending dissolution.

- A. Account(s) shall be closed prior to completion of the dissolution action. The military banking facility shall be notified by 374 FSS/FSRPO of ineligibility of banking services.
- B. If adequate funds are not available to cover all outstanding debts and liabilities of the organization, the active voting members of the organization are jointly and severally liable to pay such debts and liabilities in accordance with AFI 34-223. All members shall be informed of these provisions by the distribution of this Constitution and the Bylaws.
- C. In the event of a majority of voting members is unable to agree otherwise, upon termination, discontinuance, or dissolution of the organization, all fund remaining in the treasury after satisfaction of all debts, liabilities, or obligations, may be redistributed to 374 AW/JA in accordance with

applicable directives in existence at the time of such dissolution. This organization/agency reflects favorably upon YSC and the Air Force.

Article VIII – Finance

1. Finance Overview

- A. YSC shall operate under an annual fiscal year budget as approved by the Governing Board and General Membership and approved by 374 FSS/FSRPO. The budget may be reviewed by any member at any point throughout the year via written request. Copies of the approved budgets shall be maintained by the 374 FSS/FSRPO.
- B. YSC is financially self-sustaining and there shall be no direct financial assistance from a NAFI in the form of contributions, dividends, or other donations of money or assets.
- C. YSC shall be funded by annual membership dues, fundraising activities, and donations including but not limited to YSC Asian Bazaar(s), YSC Thrift Store, and YSC Cherry Blossom Boutique, in accordance with the guidelines established in Article XIII, Section 3 of the Bylaws.
- D. Income raised by the organization shall not accrue to individual members except through wages and salaries for YSC employees, if any, or as payment for services rendered. YSC shall be responsible for any tax requirements for employees.
- E. Before opening a bank account at a military banking facility, YSC shall obtain written authorization from 374 FSS/FSRPO.

2. Fundraising

- A. All fundraising efforts shall be submitted in accordance with AFI 34-223 and contingent upon approval from 374 FSS/FSRPO. A fundraiser permit shall be supplied by 374 FSS/FSRPO for all approved fundraisers. Fundraising permits shall be prominently displayed at the event location, and external advertising shall only commence after the fundraiser request is approved.
- B. A fundraiser report detailing gross fundraising revenues, expenses, and donations shall be submitted to 374 FSS/FSRPO within fifteen days after each event. Copies of all receipts shall be attached.
- C. All additional fundraising requirements shall be in accordance with Article XIII, Section 3(C) of the Bylaws.

3. Employment Policy

There will be no employment discrimination based on race, color, gender, sexual orientation, marital status, age, religion, ethnic group, national origin, lawful political affiliation, membership in labor organizations, or disability.

4. Audit Requirements

- A. In accordance with AFI 34-223 paragraph 10.7, YSC shall undergo audits and financial reviews as necessary at the expense of the organization.
- B. YSC shall also be subject to audits and financial reviews regardless of gross annual revenue at the direction of 374 MSG/CC or higher.
- C. Copies of internal and external audit reports shall be submitted to 374 FSS/FSRPO no later than ten days after completion. Audit duration shall be four weeks. If an extension is needed, a request must be made in writing to 374 FSS/FSRPO.

Article IX – Certification of Notice to Members of Liability

Pursuant to AFI 34-223 paragraph 9.2 and 10.11, all YSC members shall be made aware of personal financial liability for outstanding financial obligations of YSC and understanding of this liability shall be documented for each member. Such documentation shall be accomplished by the distribution of this Constitution and the Bylaws, and that each member understands his or her personal liability as stated herein. The report shall serve as certification to 374 FSS/FSRPO indicating YSC members have been notified and understand their personal financial liability for obligations of the YSC, as provided by the law.

Article X – Amendments

1. Amendment Process

- A. Revision to this Constitution or its Bylaws can be proposed by the Executive Board or by petition of a majority of the Active Voting and Associate Members at any meeting. Any petition by the General Membership shall be submitted in writing.
- B. Proposed revisions or amendments shall be distributed to the General Membership electronically at least two weeks prior to the date of the meeting. Hard copies of proposed amendments may be made available for examination of members upon written request.
- C. Amendments shall be presented and voted upon at a scheduled General Membership assembly.
- D. Ratification of these amendments requires approval by a majority of the membership present and eligible to vote.

2. Amendment Limitations

Any conflict between provisions of this Constitution or its Bylaws and existing military directives shall be changed administratively with the concurrence of 374 MSG/CC. No amendment shall omit the statement of purpose or delete the provisions pertaining to dissolution of the organization.

3. Amendment Approval

All amendments are subject to final approval by the 374 MSG/CC.

Article XII – Adoption

This Constitution was approved by the majority vote of the Governing Board and approved by the General Membership of the Yokota Spouses' Club on _____ of 2018, and is submitted for approval by the 374 MSG/CC, Yokota Air Base, Japan. The provisions of this Constitution shall become effective upon adoption by the YSC. Upon adoption of this Constitution, the former Constitution will be abolished.

Margaret Riddell
President
Yokota Spouses' Club

Rochelle Skovran
Parliamentarian
Yokota Spouses' Club

Date approved by YSC General Membership: _____