



**Bruce D. Frail**  
**Commander in Chief**  
**Sons of Union Veterans of the Civil War**



**19 Briar Point Ave**  
**Coventry RI, 02816-5601**  
[CinC@SUVCW.org](mailto:CinC@SUVCW.org)

**General Order #26**  
**Series 2022 – 2023**  
**Department of Ohio Proposed Change to C&R**

The Department of Ohio has voted to approve the proposed amendment to the Constitution of the Sons of Union Veterans of the Civil War, as presented by the Special Committee on Membership Qualifications (attached below). In accordance with Article IX of the Constitution of the Sons of Union Veterans of the Civil War this General Order is promulgated to ensure the proposed change is dealt with in the next SUVCW National Encampment.

So Ordered on this 13<sup>th</sup> Day of June 2023

Respectfully In Fraternity, Charity & Loyalty,  
Bruce D. Frail

*Bruce D Frail*

Commander-in-Chief  
Sons of Union Veterans of the Civil War  
Submitted 13 June 2023

Attested By: Benjamin J. Frail  
Chief of Staff

**SUVCW Special Committee to Review Membership Qualifications**  
**Report and Recommendations to National Encampment**  
**February 5, 2023**

Brother Bruce D. Frail  
Commander-in-Chief  
Sons of Union Veterans of the Civil War  
Brother Frail:

Per General Order #8, Series 2021-2022, the three original members (Donald Shaw, PC-in-C, Timothy Klob, and John Conrad) of the committee met monthly by Zoom in March, April, and June to organize, divide research responsibilities, and establish regular monthly meetings. (We did not meet in July and August because of schedule conflicts). We also secured the assistance of Brother Ben Block Jones, PDC, who the C-in-C appointed as an Aide to the Committee. Brother Don Shaw stepped down from the committee in July in anticipation of his election as National Quartermaster. As reported to the 2022 National Encampment, summary of some of the original committee's activities and deliberations was:

- We first reviewed the Charter, Constitution, and Regulations to understand the exact wording and application of qualification for membership in the Order. (Attachment A) We note that there is not consistency in wording of membership requirements between regular, associate, junior, and honorary members, but not in such a way that affects the focus of this committee. (Regular members must be “male blood relatives,” junior and associate members need only be “males,” while honorary members do not have a requirement to be male.)
- General dictionary definitions of who is “male” are generally not helpful. (Attachment B)
- Examples of the confusion in application:
  - A person is assigned as male at birth and now identifies as other than male. Can that person join the SUVCW?
  - A person is assigned as female at birth and now identifies as male. Can that person join the SUVCW?
  - A person is assigned as a hermaphrodite/intersex at birth. Can that person join the SUVCW?
  - A person joined the SUVCW as a male but now identifies their gender as other than male; does that change in self-identification affect their eligibility to continue as a member of the SUVCW?
  - A person has had a sex-change operation. How does that affect their status as eligible or not for membership?
- We divided our workload to review Federal law and policy, state laws and policies, and the approach of other hereditary organizations toward the determination of membership qualification based on sex.
  - We quickly realized that there is no consistency in Federal or state laws and policies as to the definition of “male.”
  - A review of legal analyses also distinguishes between sex (commonly assigned at the time of birth and indicating whether an individual would be able to give birth to a child or not) and gender (the strongly-held self-identification of societal norms). Here again, there is little consistency. For example, different departments of the Federal government treat gender identification differently, and some states allow a person to change the sex designation on a birth certificate. See, for example: [https://drive.google.com/file/d/1K4gWqKK9IsDq\\_6vNACxCuiZ-aiEycuXM/view?usp=share\\_link](https://drive.google.com/file/d/1K4gWqKK9IsDq_6vNACxCuiZ-aiEycuXM/view?usp=share_link)
  - Our limited contact to a few other sex-based hereditary organizations was inconclusive; it seems that most other organizations have not addressed the issue. However, we note that the National Society of the Sons of the American Revolution requires applicants to prove that they were male at birth. NSSAR Official Handbook, Volume III, p. 2: “Pursuant to a vote of the Board of Trustees at the 2017 Spring Leadership Meeting, an applicant for membership will establish his qualification for membership by providing a birth certificate or court order specifying his gender as male.”
  - A thorough review of Federal and state laws and policies will take a great deal of time and analysis.

March was an organizational meeting. The video link is

<https://drive.google.com/file/d/1enjaGPSEGs4r3-X8aRdekjSitDRMEcG4/view?usp=sharing> . The notes of the April meeting and a link to its recording are Attachment C. Only the chair and the aide attended the June meeting; the video link is

[https://drive.google.com/file/d/1zmEvFD4cBqoLYtYUS7pldWDXBVvARr29/view?usp=share\\_link](https://drive.google.com/file/d/1zmEvFD4cBqoLYtYUS7pldWDXBVvARr29/view?usp=share_link) .

At the 2022 National Encampment, the Encampment voted to establish the current committee as a follow-on to the original committee. C-in-C Frail appointed the members as follows: John Conrad (chair), JVC-in-C Kevin Martin, PC-in-C Don Darby, Tim Klob, and Ben Block Jones.

Once the current committee was appointed in late August, the chair provided the committee with a summary of the prior committee’s work and Attachments A-D. and made the following observations:

- Note the distinction between sex and gender identity. Sex is typically a biological identification assigned at birth while gender generally refers to how one views oneself.
- Absent clear legal precedent, our task may come down to whether we use the sex definition assigned at birth (subject to gender reassignment surgery from male to female) or the gender identity definition.

- The Federal government certainly appears to be moving to gender self-identification as the controlling factor as to whether one is male, female, or X.
- I also note that in when our Charter was granted by Congress, the clear definition was the physical sex determined at birth. But I don't think we have ever required a birth certificate (mine from Indiana, incidentally, does not indicate my sex on it)

The Special Committee met in September, October, November, December, and January. Notes of those meetings and video links are attached as Attachments E-I.

**RECOMMENDATIONS:**

Based on its research and due diligence, the Special Committee recommends as follows:

Recommendation 1: The Constitution of the Order is hereby amended as follows:

Article III, Eligibility to Membership, is hereby amended to read as follows:

All male descendants assigned at birth as biologically male, whether through lineal or collateral line of ages lineages specified in Article VII of this Constitution who are blood relatives of soldiers, sailors, marines or members of the Revenue Cutter Service, who were regularly mustered and served honorably in, were honorably discharged from, or died in the service of the Army, Navy, Marine Corps or Revenue Cutter Service of the United States of America or such State regiments as were called into active service and were subject to orders of United States general officers, during the War of the Rebellion between April 12, 1861 and April 9, 1865; who have never been convicted of any infamous or heinous crime; and who have, or whose ancestors through whom membership is claimed have, never voluntarily borne arms against the Government of the United States of America shall have eligibility to membership.

Recommendation 2: The Constitution of the Order is hereby amended as follows:

Article VII, Membership, Section 2, Subsections (a) and (b), are hereby amended to read as follows:

Section 2. Associates. There shall be two classes of Associates.

- (a) Associates are males assigned at birth as biologically male at least fourteen (14) years of age who do not meet the blood relative qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.
- (b) Junior Associates are males assigned at birth as biologically male at least six (6) years of age but less than fourteen (14) years of age who do not meet the blood relative qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.

Recommendation 3: The Constitution of the Order is hereby amended as follows:

Article VII, Membership, is hereby amended to add a new Section 6 to read as follows:

Section 6. A Brother who has been duly elected to membership in the Order shall not be subsequently disqualified from membership or be involuntarily discharged from the Order solely because of that Brother's change in gender or sexual identification.

Recommendation 4: The Regulations of the Order are hereby amended as follows:

Chapter V, Article X, Junior Associates, Section 2 is hereby amended to read as follows:

Section 2. Junior Associates shall be males assigned at birth as biologically male at least six (6) years of age but less than fourteen (14) years of age, who do not meet the ancestor service qualifications stipulated in Article III of the Constitution and Section 200303 of the Articles of

Incorporation but otherwise meet the requirements for membership established by the National Organization.

Recommendation 5: It is recommended that Form 3, Membership Application, be amended so that the declaration in Part II, Application Information and Declaration, be amended to read as follows:

I declare that I am a male, assigned at birth as a biological male, and that this application has been examined by me and to the best of my knowledge and belief is true, correct and complete and, if accepted, I will obey and support the National Constitution of the Order, the Bylaws of the Department and the Bylaws of the Camp.

Processes to Present to the National Encampment

The Special Committee notes that Article IX, Amendments, or the Constitution provides that proposed amendments (Recommendations 1-3):

1. Shall be submitted in writing to the Commander-in-Chief
2. Upon prior approval by some Department
3. Not later than 40 days preceding the meeting of the National Encampment and
4. Shall be published in general orders preceding such meeting
5. Shall be adopted by a two-thirds vote of the members present and entitled to vote at a stated meeting of the National Encampment
6. Must be favorably acted upon and ratified by not less than 50% of the Departments
7. And thereafter proclaimed in general orders.

It is unclear to the members of the Special Committee whether, because the Special Committee was created by the 2022 National Encampment and ordered to present its findings and recommendations to the 2023 National Encampment, the requirement of Article IX that some Department must approve the amendments to be validly presented before the National Encampment controls. If such is the case, the Commander-in-Chief may want to issue a general or special order directing a Department to hold a special encampment to consider the amendments.

The Special Committee further notes that Chapter VI, Article I, Section 2(a) of the Regulations provides that proposed amendments (Recommendation 4):

1. Must be submitted in writing or electronically to the Commander-in-Chief, Chairman of the Committee on Constitution and Regulations and the National Counselor
2. And received by those officers and committee chair no later than 30 days prior to the National Encampment at which they are to be considered.

There does not appear to be a prior notice requirement for Recommendation 5.

3. MMENT: Chapter VI, Article I, Section 2(a) of the Regulations provides: All proposed amendments to these Regulations must be submitted in writing or electronically to the Commander-in-Chief, Chairman of the Committee on Constitution and Regulations and the National Counselor and received by the aforementioned National Officers and Committee Chairman no later than thirty (30) dates prior to the National Encampment at which they are to be considered. Any proposed amendments received less than thirty (30) prior to a National Encampment cannot be considered until the next succeeding National Encampment

Respectfully Submitted,  
Special Committee to Review Membership Qualifications  
John R. Conrad, PDC, Chair  
Kevin L. Martin, JVCinC  
Donald E. Darby, PCinC  
Timothy M. Klob, DC  
Ben Block Jones II, PDC

## **Attachment A: References to Male in Current National Charter, Constitution, and Regulations**

Charter:

§ 200303. Membership

(a) General. Except as provided in this chapter [36 USCS § § 200301 et seq.], eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) Required service. Eligibility for membership in the corporation is limited to male blood relatives of an individual who-- (1) served at any time during the period from April 12, 1861, through April 9, 1865, as a soldier or sailor in-- (A) the United States Army, Navy, Marine Corps, or Revenue-Cutter Service; or (B) a State regiment that was called into active service and was subject to orders of United States general officers during that period; and (2) was discharged honorably from, or died in, that service.

Constitution:

ARTICLE III. Eligibility to Membership

All male descendants, whether through lineal or collateral line of ages specified in Article VII of this Constitution who are blood relatives of soldiers, sailors, marines or members of the Revenue Cutter Service, who were regularly mustered and served honorably in, were honorably discharged from, or died in the service of the Army, Navy, Marine Corps or Revenue Cutter Service of the United States of America or such State regiments as were called into active service and were subject to orders of United States general officers, during the War of the Rebellion between April 12, 1861 and April 9, 1865; who have never been convicted of any infamous or heinous crime; and who have, or whose ancestors through whom membership is claimed have, never voluntarily borne arms against the Government of the United States of America shall have eligibility to membership.

ARTICLE VII. Membership

Section 1. Membership classes.

There shall be four (4) classes of membership.

(a) Members. Males at least fourteen (14) years of age who meet the qualifications stipulated in Article III of this Constitution and Section 200303 of the Articles of Incorporation. Members enjoy all the rights, privileges and responsibilities of membership.

(c) Honorary Members. The Commander-in-Chief, upon recommendation from a Camp, Department, or the Council of Administration and with the approval of the Council of Administration, may grant honorary memberships to persons of acknowledged eminence who are especially distinguished for conspicuous and consistent loyalty to the Constitution and the laws of the United States of America, and who have been active and eminent in maintaining the supremacy of the same and are known not to be eligible for membership in our Order. The National Organization, Departments, and Camps shall not

impose the per capita dues, fees, dues, or any other monetary assessment on Honorary Members. Honorary Members are entitled to a free subscription to the Banner.

(d) Junior Members. Males less than fourteen (14) years of age who meet the qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation.

Section 2. Associates. There shall be two classes of Associates.

(a) Associates are males at least fourteen (14) years of age who do not meet the qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.

(b) Junior Associates are males less than fourteen (14) years of age who do not meet the qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.

Article V Eligibility of Officers

To be eligible for election to the office of Commander-in-Chief, Senior Vice Commander-in-Chief or Junior Vice Commander-in-Chief, a member must hold the rank of Past Department Commander and be a male lineal or collateral descendant of a person who served between April 12, 1861 and April 9, 1865, as a soldier or sailor of the United States Army, Navy, Marine Corps or Revenue-Cutter Service, or of such State regiments as were called into active service and were subject to orders of the United States general officers between the aforementioned dates and were honorable discharged therefrom or died in such service.

Article IX Associates & Juniors

Section 1. Any reference in these Regulations to membership, Member, or Members shall be deemed to mean associate or associates, Juniors or Junior Associates.

Section 2. Camps may provide for Juniors and Junior Associates provided the governing Department has not amended its bylaws to prohibit Juniors and Junior Associates.

Section 3. Juniors shall be males at least six (6) years of age but less than fourteen (14) years of age, who meet the qualifications stipulated in Article III of the Constitution and Section 200303 of the Articles of Incorporation.

Article X Junior Associates

Section 1. Camps may provide for Junior Associates provided the governing Department has amended its bylaws to permit Juniors and Associate.

Section 2. Junior Associates shall be males at least six (6) years of age but less than fourteen (14) years of age, who need not meet the qualifications stipulated in Article III of the Constitution and Section



200303 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.

**Attachment B: Examples of Dictionary Definition of Male**

**Merriam-Webster Dictionary**

**male**

**adjective**

\ 'māl \

**Definition of *male***

(Entry 1 of 2)

**1a(1):** of, relating to, or being the sex that typically has the capacity to produce relatively small, usually motile gametes which fertilize the eggs of a female

**b: having a** gender identity that is the opposite of female

**male**

**noun**

*plural males*

**Definition of *male* (Entry 2 of 2)**

**1a:** a male person : a man or a boy

**b:** an individual of the sex that is typically capable of producing small, usually motile gametes (such as sperm or spermatozoa) which fertilize the eggs of a female

"Male." *Merriam-Webster.com Dictionary*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/male>. Accessed 3 Apr. 2022.

Gender (identity) vs. sex (biology)

Sex: classification of people as male or female at birth

Gender: a person's deeply held sense of their gender

**Britannica Dictionary definition of MALE**

**1**

**a : of or relating to the sex that cannot produce young or lay eggs**

Cambridge Dictionary

**male *adjective* (SEX)**

**B1**

**used to refer to men or boys, or the sex that fertilizes eggs, and does not produce babies or eggs itself:**

male

***adjective*** [ not gradable ]

**US**

/meɪl/

**of the sex that produces a natural substance that can make an egg develop into young:**

**Attachment C: Notes from the April 4, 2022 meeting**

- • Brother John reported on research into the definition of “male” and pointed out the inconsistencies in the C&R in membership requirements for various classes of membership. ○ We may be dealing with different situations: □ A person assigned as male at birth who now identifies as other than male and wants to join the SUVCW.
- □ A person assigned as female at birth who now identifies as male and wants to join the SUVCW.
- □ A member who joined the SUVCW as a male and now identifies as other than male; does that change their eligibility to continue as a member?  
⑩ □ ☯ ○ℳ○ℓℳ□ ◆☯□ ℓℳℳ☯◆ ◆□ ☰□ℳ◆ ☯☯ ☯ ☯ ☯ℳ○☯●ℳ  
☯◆ ☯☯☯☯☯ ☯ℳℳ◆☯☯☯☯☯  
⑩
- ○ As a group, we decided to avoid broader issues and to focus only on sex assignment or gender identification.
- ○ Historical practice is probably of no help because any litigation over membership qualifications would be decided on today’s law, not past practices. Opposition to a person’s dress choices is probably discriminatory.
  - ○ Birth certificates have not been required by the SUVCW to establish eligibility for membership, so in a sense the membership has always been based on gender identification. □ Birth certificates in many states can be changed retroactively to change the gender on the certificate.
  - □ Passports and drivers licenses now allow for self-identification of gender.
  - 
  -
- • Brother Don reported that his review of Federal statutes and policies indicate a patchwork of rules, with little consistency. He is reviewing the rules under DOL, DOD, Homeland Security, DOC. If we can’t get a definitive statement from the Feds, will try to come up with markers that provide some consistency.
- • Brother Tim suggested approaching the SAR and other fraternal organizations to see if they have dealt with this issue yet. Brother John will reach out to the Allied Orders to see if they have addressed the issue. He will also work with Brother Ben to identify the definition of male in state laws.
- • The committee recommends the appointment of Brother Ben Block Jones as an Aide to the committee.
- • Given the amount of work ahead of us and other commitments, we decided to skip a May meeting and an August meeting.

Link to recording of the meeting:  
[https://drive.google.com/file/d/1lec3G\\_2jn38BUPcC5nTKwZaeBx2zjmlJ/view?usp=share\\_link](https://drive.google.com/file/d/1lec3G_2jn38BUPcC5nTKwZaeBx2zjmlJ/view?usp=share_link) .

**Attachment D: U.S. Department of Justice Letter on Gender Identification**

[https://drive.google.com/file/d/1GCaTJ4mLruV3E9\\_2Nq4f2ISAuxAY6\\_N8/view?usp=sharing](https://drive.google.com/file/d/1GCaTJ4mLruV3E9_2Nq4f2ISAuxAY6_N8/view?usp=sharing)

### **Attachment E: Notes from the September 8, 2022 Meeting**

The committee members introduced themselves and their involvement in the Order.

Brother Conrad reviewed the activities of the committee since its creation in February. The deadline for report to the 2023 National Encampment was discussed, and Brother Darby pointed out that the report must be filed at least 40 days prior to the National Encampment, so the committee decided to plan for a submittal on June 1, 2023. The committee also decided to continue to meet on the first Wednesday of each month until then.

Brothers shared their knowledge of other hereditary and fraternal organizations and how they have treated transgender and gender identity issues. Masons in England take the position that once a Mason, always a Mason; Masons in Virginia would expel a member who assumed a female gender identity. Brother Jones pointed out that females dressed as males fought in the Civil War and some became members of the GAR. One GAR member, whose sex was revealed after an accident, was permitted to continue membership in the GAR. However in the 1909 Sons of Veterans Bluebook, it is stated that nothing in the GAR practices applies to the Sons.

Brother Darby pointed out the language of 20 USC Section 1681 (a), which states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance . . .” This section applies to educational institutions and not to fraternal hereditary organizations, but the concern is that, as a 501(c)(3) organization, does the Order’s tax exempt status constitute “Federal financial assistance.”

After some discussion regarding the sex of an individual at birth and the gender identification of that individual after birth, **the committee decided to recommend that the Order consider for purposes of membership eligibility whether the applicant was biologically male at the time of birth.**

[Note that General Order #5, Series 2022-2023, was issued on 23 September 2022 and requires applicants to provide copies of an officially issued state or government birth certificate and an officially issued state or government photo identification card. The committee will discuss the implications of this General Order at its October 5, 2022 meeting.] G.O. 5 and 6 were subsequently withdrawn.

Discussion was had as to what evidence is required to establish sex at birth for application purposes.

There was discussion of chromosomes, which were not identified until 1923 and updated in research in 1956 and 1998. **Brothers Jones and Darby are to research and discuss and make recommendations to the committee.** See research on birth certificates compiled by Brother Jones:

[https://docs.google.com/spreadsheets/d/1PWl8QqYV\\_yVt2AtL12RR4pwwa739XcaN/edit?usp=share\\_link&ouid=103009013118261433684&rtmpof=true&sd=true](https://docs.google.com/spreadsheets/d/1PWl8QqYV_yVt2AtL12RR4pwwa739XcaN/edit?usp=share_link&ouid=103009013118261433684&rtmpof=true&sd=true)

**Brother Conrad was charged with drafting language to amend the Regulations regarding membership qualifications.**

Discussion was had as to a change of gender identity once an individual becomes a member. **The consensus of the committee is that once a Brother becomes a member, he remains a member regardless of a change in gender identity.** Per the Regulations, eligibility for membership is only determined at the time of application, and not subsequent to induction. Reference was made to the

Regulations, page 82, footnote 67, which requires appropriate male business attire for national encampments, and the possibility of extending such requirements to meetings at the Department and Camp level.

The Committee expressed concern that, once a Brother is duly admitted to membership in the Order, subsequently forcing the Brother out of the Order because of a change in sex or gender identification may be viewed as discriminatory.

Link to video of the meeting:

[https://drive.google.com/file/d/12BLuqBN6lve0SEqYBNvOBpy\\_nzItYzzm/view?usp=share\\_link](https://drive.google.com/file/d/12BLuqBN6lve0SEqYBNvOBpy_nzItYzzm/view?usp=share_link)

**Attachment F: DRAFT Recommendations Resulting From the October 5, 2022 Meeting (in Lieu of Notes)**

1. The Constitution of the Order is hereby amended as follows:

Article III, Eligibility to Membership, is hereby amended to read as follows:

All male descendants assigned at birth as biologically male, whether through lineal or collateral line of ages lineages specified in Article VII of this Constitution who are blood relatives of soldier, sailors, marines or members of the Revenue Cutter Service, who were regularly mustered and served honorably in, were honorably discharged from, or died in the service of the Army, Navy, Marine Corps or Revenue Cutter Service of the United States of America or such State regiments as were called into active service and were subject to orders of United States general officers, during the War of the Rebellion between April 12, 1861 and April 9, 1865; who have never been convicted of any infamous or heinous crime; and who have, or whose ancestors through whom membership is claimed have, never voluntarily borne arms against the Government of the United States of America shall have eligibility to membership.

Article VII, Membership, Section 2, Subsections (a) and (b), are hereby amended to read as follows:

Section 2. Associates. There shall be two classes of Associates.

- (c) Associates are males assigned at birth as biologically male at least fourteen (14) years of age who do not meet the blood relative qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.
- (d) Junior Associates are males assigned at birth as biologically male less than fourteen (14) years of age who do not meet the blood relative qualifications stipulated in Article III of this Constitution and Section 5 of the Articles of Incorporation but otherwise meet the requirements for membership established by the National Organization.

*COMMENT: Article IX, Amendments, of the Constitution provides: Amendments to the Constitution shall be submitted in writing to the Commander-in-Chief, upon prior approval by some Department, not later than 40 days preceding the meeting of the National Encampment, and such proposed amendment shall be published in general orders preceding such meeting. Such proposed amendments shall be adopted by a two-thirds vote of the members present and entitled to vote at a stated meeting of the delegates National Encampment, and shall become effective when favorably acted upon and ratified by not less than 50% of the Departments, and proclaimed in general orders, whereupon they shall be and become a part of this Constitution.*

2. The Regulations of this Order are hereby amended as follows:

Chapter III, Article X, Junior Associates, Section 2 is hereby amended to read as follows:

Section 2. Junior Associates shall be males assigned at birth as biologically male at least six (6) years of age but less than fourteen (14) years of age, who do not meet the ancestor service qualifications stipulated in Article III of the Constitution and Section 200303 of the Articles of



Incorporation but otherwise meet the requirements for membership established by the National Organization.

*COMMENT: Chapter VI, Article I, Section 2(a) of the Regulations provides: All proposed amendments to these Regulations must be submitted in writing or electronically to the Commander-in-Chief, Chairman of the Committee on Constitution and Regulations and the National Counselor and received by the aforementioned National Officers and Committee Chairman no later than thirty (30) dates prior to the National Encampment at which they are to be considered. Any proposed amendments received less than thirty (30) prior to a National Encampment cannot be considered until the next succeeding National Encampment.*

3. It is recommended that Form 3, Membership Application, be amended so that the declaration in Part II, Application Information and Declaration, be amended to read as follows:

I declare that I am a male, assigned at birth as a biological male, and that this application has been examined by me and to the best of my knowledge and belief is true, correct and complete and, if accepted, I will obey and support the National Constitution of the Order, the Bylaws of the Department and the Bylaws of the Camp.

Link to video of the meeting:

[https://drive.google.com/file/d/1AVQxlXJgVdbegNAW\\_k1y7cQJPGpz1iD1/view?usp=share\\_link](https://drive.google.com/file/d/1AVQxlXJgVdbegNAW_k1y7cQJPGpz1iD1/view?usp=share_link)

### **Attachment G: Notes of the November 2, 2022 Meeting**

- • The CinC' s response to our inquiry regarding the committee's charge.
- • Confirmation of the committee's recommendation that qualification for membership will be determined by the applicant's male sex assigned at birth.
- • The effect of gender reassignment or identification change after becoming a member of the order. Those undergoing such a procedure will not thereafter be qualified for membership if transitioning from female to male or disqualified from membership those transitioning from male to female.
- • Once a brother is member, he is always a member, unless he is discharged for nonpayment of dues, resignation, death, or a disciplinary dishonorable discharge.
- • Sex/gender identification is not a disciplinary issue and any efforts to discipline a member for their self-identification may be viewed as discriminatory.
- • Further review of the Constitution and Bylaws amendment provisions so the committee understands how it needs to issue its report.
- • Starting a draft of the committee's report.

Link to video of the meeting:

[https://drive.google.com/file/d/1oYl4BeEaBzrAAx5fVml97KxM3DaxDUJm/view?usp=share\\_link](https://drive.google.com/file/d/1oYl4BeEaBzrAAx5fVml97KxM3DaxDUJm/view?usp=share_link)

#### **Attachment H: Notes of the December 7, 2022 Meeting**

- • Brother Jones discussed the ALR article he distributed regarding changing birth certificates to reflect a change in sex.

[https://drive.google.com/file/d/1q3xLwx3hif1m0BqFfwIS\\_Ol1hziUzYef/view?usp=share\\_link](https://drive.google.com/file/d/1q3xLwx3hif1m0BqFfwIS_Ol1hziUzYef/view?usp=share_link)

- • Brother Darby noted that 18 of the 28 states allowing changes to the birth certificate required evidence of sex-change surgery to justify the change, and some of those states also require a court order to change the certificate.

[https://docs.google.com/spreadsheets/d/1e9KzS4oxvCI\\_GFGEQM0jaC03Nmh3Y4Ck/edit?usp=share\\_link&oid=103009013118261433684&rtpof=true&sd=true](https://docs.google.com/spreadsheets/d/1e9KzS4oxvCI_GFGEQM0jaC03Nmh3Y4Ck/edit?usp=share_link&oid=103009013118261433684&rtpof=true&sd=true)

- • Brother Jones also looked at drivers license statutes and noted and the possibility of making changes to the sex designation. It has been a recent controversy in Mississippi. People will go to the Social Security office to make changes in identity, then get their passport changed, then go to the DMV to have the driver license changed, all in support of changing the birth certificate.
- • Brother Darby suggested that the committee has done its due diligence and is ready to submit its report. He believes that the CinC will have to refer the recommendations to the C and R Committee and publish the report 60 days prior to the National Encampment.
- • Brother Klob agreed with Brother Darby.
- • The committee agreed that membership should be determined by whether the individual was a male at birth and that once accepted for membership, a subsequent change in gender identity or sex does not affect the member's standing in the Order.
- • Brother Darby moved to declare the committee finished with its deliberations and submit a report to the CinC states that to include the minutes and videos. The motion passed unanimously.

The chair was charged with drafting the report for review and approval of the committee prior to submission.

Link to video of the meeting:

[https://drive.google.com/file/d/1LdNuNLOsgOfZaRvP73\\_BIVGPMKla6S1G/view?usp=share\\_link](https://drive.google.com/file/d/1LdNuNLOsgOfZaRvP73_BIVGPMKla6S1G/view?usp=share_link)

### **Attachment I: Notes of the January 4, 2023 Meeting**

- • Brothers Conrad, Martin, Darby, and Klob attended the meeting.
- • The members made editorial comments to the draft Report and Recommendations circulated on January 3.
- • It was decided that, after the chair circulates the revised Report and Recommendations to the committee for final review, he will submit it to the Commander in Chief for review and further action.
- • The special committee discussed the process of having the recommendations properly brought before the National Encampment, including the requirement that a Department must approve the Constitutional amendments in advance.
- • Unless called back into session by the chair, it was agreed that this will be the last meeting of the special committee.

Link to video of the meeting:

[https://drive.google.com/file/d/1kj07e0TBAV\\_6TZncaSRefANw8fW7E0u8/view?usp=share\\_link](https://drive.google.com/file/d/1kj07e0TBAV_6TZncaSRefANw8fW7E0u8/view?usp=share_link)