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**General Order #11**  
**Rulings on National Counselor's Opinions 001-2024 and 002-2024**

**Series 2023-2024**

**15 April 2024**

### **National Counselor's Opinion 001-2024**

#### **Background**

On or about 14 March 2024, the Commander of the Department of Pennsylvania contacted this office requesting an Opinion from the National Counselor regarding activities within the Department of Pennsylvania. To wit: 1. Gettysburg Camp 112 has filed two different Form 22 having inconsistencies, lack of an Installing Officer signature, and that three officers that were not elected or installed at the date noted on the form. 2. There are allegations of the co-mingling of funds of a personal nature with those in the Camp bank account by a Former Camp Secretary Treasurer. (A possible violation of the IRS rules concerning 501c3, and normal banking procedures). 3. Officers are not following the SUVCW C,C,& R.

Also with this email was an attachment of a 2 ½ hour ZOOM meeting recording between a former Camp Member, a PDC, and the Department Commander, and members of the Department Council.

During this meeting the PDC brought up the various problems of the Gettysburg 112, noting that while he currently holds the charges against various officers of the Camp 112, he has as yet to file them hoping that the problems could be corrected with-in the Camp.

Apparently, this has not been successful, and the Department has suspended Gettysburg Camp 112 regarding the filing of the two Form 22. It also appears that one of the Form 2's has arrived at the National Headquarters, as I am in receipt of that Form. Once again, no signature of the Installing Officer.

There is also allegations that the officers of Gettysburg Camp 112 are not following the SUVCW Charter, Constitution and Regulations (C,C&R) in the running of the Camp.

#### **Opinion**

As an Opinion can and may have a direct action to the C,C,& R if concurred to by the Commander-in-Chief and left unchallenged by the National Encampment, I will deal with the issue of the alleged co-mingling of funds in this Opinion and then address the other allegations as a matter of C,C,&R violations.

1. National Regulations, Chapter 1, Article VII, Section 5(f) states that the Camp Secretary shall have the duty of “Maintaining a bank account in the Camp’s name for Camp funds.”
2. Monies placed in this account also fall under the cover of being either 501c3 tax exempt, in the case off the Camp, or under taxable monies on the part of the individual’s funds. Meaning that the individual in the co-mingled funds could be declared by the IRS as non-reported income for the entire amount in the account. Probably more importantly the matter could have had a less than favorable impact of the 501c3 status of the Department and the National SUVCW.
3. It is my opinion that the Camp Secretary of Camp 112 was in violation of the SUVCW C,C,&R National Regulations Chapter 1, Article VII, Section 5(f). But, in as much as this matter has been rectified by the transfer of the Camps Funds into a now separate account and that the brother in question has been relieved of his duties the need for charges in THIS matter need not be considered. BUT, I leave that matter to the members of the Camp,
4. Regarding reporting this matter to the IRS, I consulted with Brother PCinC Jim Pahl, an attorney, who advised not to report this closed matter to the IRS.
5. Further I would place before the C,C,&R Committee that National Regulations Chapter 1 Article VII Section 5(f) be stated in stronger language regarding Camp/Department funds. To wit “Maintaining a bank account in the Camp’s name for Camp funds. There will be no co-mingling of SUVCW, SVR or personal monies in this account.”

This concludes the opinion regarding the alleged co-mingling of funds.

Now I will address the over allegations stated in the ZOOM meeting. This is NOT to be construed as a ruling or opinion of National to the actions of a Camp in the Department of Pennsylvania. Decisions made by the Department toward Camp 112 rests solely with the Department and or a Trial Commission if deemed to be warranted.

1. During the ZOOM recording there were reports of the Camp being suspended for the improper filing of the Form 22s with the Department and apparently with National. Those two Form 22, not have the SIGNATURE of the installing officer and having different names. The Department Commander, I believe, was within his rights and power (National Regulations Chapter 1 Camps Section 16 page 33 of C, C&R) to suspend that Camp until this was corrected. I would called the Department and Camp’s attention to footnote 15 of the C, C,&R, page 31. That the Camp cannot function in any manner except to perform those things which would result in the termination of the suspension. Further, footnote 57, page 66 of the C, C&R states that the “Department is NOT required to pay Per Capita to the National Organization for a Camp under suspension. However, once the Camp has forwarded its reports and Per Capita and the Department Commander has lifts the suspension, the Department is obligated to forward the required Per Capita to the National Organization.” I say this only as it is nearing the time for the submission of reports and payments to National.
2. Also during the ZOOM meeting, there were allegations that the Camp leadership was not following the C, C,& R. I would point out that no charges have been received by the Department in this matter, to date. I would point to footnote 17, page 31 of the C,C,&R, “A department Commander may appoint a Brother or Brothers to re-organize a Camp under suspension when the Camp has not officers willing or able to perform the duties necessary to lift the suspension.” I would caution the Department, that the leadership of the Camp was elected by the members of the Camp and per the Ritual of the Installation of Officers “These

are the Officers who have been chosen by you for the next term. If any Brother present has any valid objection to offer why any of them should not be installed, let him speak now or forever hold his peace.

3. There was also mention regarding the taking of Camp material from the Camp. This can only be done if the Camp charter is revoked by the Commander-in-Chief, and NOT for just a suspension. The Department should avoid any comments that could be construed as threats toward any Brother or the Camp as a whole. State the violation, state the C, C, & R, move forward. This is business, not personal.
4. Until such time as charges have been filed, the Department's hands are tied to action EXCEPT for the Form 22 issue.

## **National Counselor's Opinion 002-2024**

### **Background**

Over the past several months the Sons of Union Veterans of the Civil War has received several inquiries regarding the Life Membership requirements of those Life Members to pay Camp and/or Department dues following their approval/acceptance as Life Members.

The following are examples of these inquiries:

1. Department of Massachusetts: The Department of Massachusetts and L.A. Tift Camp 15 have a dilemma regarding one of our Brothers XXX recently regained his membership after many years, rejoined Camp 15 and obtained his Life Membership. He has had a difficult time communicating with his brothers in the camp and most recently after requesting and being given the address to send his camp dues has further requested no further contact and to be removed from all camp and department email lists. I had suggested that national membership at large might be the best option, but he seems adamant that he wants no further contact with anyone from Massachusetts. My question is how does this effect (sic) his membership with the camp and with the SUVCW overall? He is a member in good standing until his camp dues are unpaid. Massachusetts does not require department dues. If Camp 15 drops this brother for non-payment of dues, does he remain a life member? Does he become a national member at large automatically? Will national alert him to the possibility of at-large membership?
2. Department of California/Pacific: I need a little help, maybe more..depending on who you ask. We have a Dual member (Department of California and Department of Ohio). He became a Life Member listing his Ohio Camp on his Life Membership Application. So that will relieve him of National dues in the Department of Ohio and maybe Department dues depending on their policy. He will still need to pay all required for the Department of Calif., correct? National, Depart., and Camp. He will need to become a "Dual" Life member, a life member in both departments to be relieved of paying any National dues. Thanks for some input.
3. 3. Unknown Department: Apparently Brother XXX has refused to pay Camp and Department dues for the past couple of years and the General RHG Minty Camp has covered his Camp and Department per capita until this year. They wish to clear up their rolls and have issued an Honorable discharge (See attached Form 30 HD). How do we handle this? I assume he is still a Life Member of the SUVCW but he is not a member of any camp that we are aware and by our Department By-laws permit Brothers at Large.

4. Unknown Camp: Brother David, my local camp has 2 Life Members that have not remitted their camp or department dues for 2024. After multiple newsletter announcements, emails and personal notices, these brothers have failed to reply nor make remittance. The camp hates to automatically drop life members, who are exempt national per capita, but subject to camp and department dues. What are our options?
5. There are similar concerns from the Department of Florida and Alabama on this subject, but the queries were not provided.

## **Opinion**

1. As the Sons of Union Veterans of the Civil War (SUVCW) Charter, Constitution, and Regulations (C, C, & R) is mute on the matter of discipline of Life Members, this Opinion as with other Opinions will require the concurrence/approval of the Commander-in-Chief (CinC). The ruling of the CinC being in effect upon that concurrence/approval until if and when the National Encampment takes up that matter. If the National Encampment does not take up the matter, then it becomes “the law of the law” to be entered into the C, C, & R.
2. There are several issues in this matter. (a) non-payment of dues. (b) types of discharges regarding non-payment of dues (c) Must a Life Member maintain membership in a Camp, Department, Department at Large, or National Membership at large to maintain membership in the Order (d) Suspension of Membership for non-payment of dues Order wide.
3. Life Members ARE REQUIRED to pay annual Department and Camp level dues. This is clearly pointed out in the 2<sup>nd</sup> paragraph of the Life Membership Application (Form 9). If the Life member fails to pay camp dues by 1 March of every year he can be dropped from the Order (National Regulations, Chapter 1, Camps, Article II, Membership, Section 3(a), page 35 of the C, C, & R.) If the brother is dropped by the Camp, he cannot apply to any other camp or membership at Large unless he has received the concurrence of the Camp that dropped him. Repayment of dues can still be required prior to reinstatement IN ANY CAMP.
4. Footnote 25, C,C, & R further states that is a Camp has paid dues on behalf of the Brother, in anticipation of that Brother later paying such dues, along with associated fines, and which the brother is subsequently dropped for failure to pay, CANNOT be considered as prior indebtedness for the purposes of rejoining the SUVCW.
5. If the Camp decides to suspend the brother rather than drop him from the Order, the suspension is Order-wide. 125<sup>th</sup> National Encampment page 17-18 labeled (pages 31-32 to print out) NC Robert Grim, “Basically, if a member is under a disciplinary proceeding (suspension) in one Department and holds a dual (sic) membership in a second Department, I have ruled that the discipline applies throughout the Order and is not just limited to the Department where the person is being disciplined. My Opinion was that the discipline applies throughout the Order. And that was endorsed by the Commander-in-Chief.” The National Encampment did not overturn the Opinion nor the Ruling.
6. As the SUVCW has long been a “from the bottom(camps) to top (National) Organization it is reasonable that in order to maintain a membership a brother (Life Member) would be required to maintain his status as a “membership in good standing” at the Camp level. Footnote 6 page 26 of the C, C, & R, states” A Brother cannot be a member-at-large to the National Headquarters, if he resides in a state served by a Department (CinC Orr, General Order 18, 117<sup>th</sup>, 110). In case 1 above, I would maintain that the brother in question, for all practicable purposes by default, asked for a SUVCW Transfer Form (Form 4). He

would then have 1 year in which to present the Form 4 to a Camp/Department more to his liking. If he fails to present the Form 4 within 1 year he is honorably discharged. A brother thus discharged can be admitted to membership again only in the same manner as an applicant for original membership (C, C, & R, National Regulations, Chapter 1, Camps, Article II, Membership, Section 5, pages 36-37) Once again bottom to top. He would then forfeit his Life Membership and fees associated therewith.

7. And as stated in paragraph 5 above, disciplinary action by a Camp, Department is Order-wide.

In summary, Yes a Life Member is REQUIRED to pay Camp and Department dues. A Camp/Department can waive these payments if they desire. If the Life member fails to pay required dues the Camp/Department can take disciplinary action against the Life Member just like any other member of the Order. Either by dropping him with a General Discharge or suspending him until such dues are paid (National Regulations Chapter 1, Camps, Article II Membership Sections 3 (a) through Section 6).

Yes, the Life Member is required to maintain his membership in a Camp. He cannot be a member of the National Membership-at-large if his state is served by a Department.

In Case 1 above, I would suggest that the Department issue a Transfer Form 4 (Form 4) and mail it to the NATIONAL SECRETARY and that the NATIONAL SECRETARY inform the brother that he has 1 year in which to submit the Form 4 to another Camp more to his liking. I only suggest going through the National Secretary as the brother in question does not want contact with the Department.

In Case 2 above, First Article VII Membership Section 1, Membership classes (b) does not list “Dual Life Member” as a class. The Camp/Department can do one of two things, drop the brother from the roles of the Department and inform him that in order to rejoin the Camp/Department he will need to pay past dues, and the reinstatement fee and issue a General Discharge. OR suspend him and thereby hold his membership in limbo throughout the Order until such time as he pays the dues owed the Camp/Department.

In Case 3, According to Footnote 24, page 36 of C, C, & R, as noted above, dues that were paid by the camp cannot be considered prior indebtedness. So the Camp can only collect dues for this year. IF the camp issues a discharge, it will be a “General Discharge” NOT an “Honorable Discharge.” (Regulations, Chapter 1, Camps, Article II, Membership, Section 3(a)).

In Case 4 the Camp must decide how it wishes to proceed looking to pages 35 through 38 that I have previously mentioned.

- 1. In the above Opinions 001-2024 and 002-2024, I am in agreement and rule that these Opinions are well taken, and further explain/interpret the Sons of Union Veterans of the Civil War (SUVCW) Charter, Constitution, and Regulations. These Opinion and Ruling are in effect from this date forward or until action of a future National Encampment.**

Ordered on the 15th day of April 2024

Respectfully In Fraternity, Charity & Loyalty,

*Peter J. Hritsko Jr*

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Commander-in-Chief

Sons of Union Veterans of the Civil War

attest:

Daniel W. Murray, PDC

National Secretary

Sons of Union Veterans of the Civil War