

**UNITED STATES COAST GUARD  
FEDERAL ASIAN PACIFIC AMERICAN COUNCIL  
(FAPAC-USCG)**

**CONSTITUTION & BYLAWS**

FAPAC-USCG  
2703 Martin Luther King Jr. Ave SE Stop 7331  
Washington, DC 20592-7331

## CONSTITUTION

### ARTICLE I - NAME

**Section 1:** The name of this organization shall be the United States Coast Guard Federal Asian Pacific American Council (FAPAC-USCG).

### ARTICLE II - GOALS AND OBJECTIVES

The purpose of this Chapter (FAPAC-USCG) shall be to implement the goals and objectives of the national-level entity Federal Asian Pacific American Council (FAPAC) as set forth in the National bylaws and the USCG Diversity Objectives.

**Section 1:** To assist the Federal governments in promoting, establishing, and maintaining an effective and equitable participation of Asian American and Pacific Islanders (AAPI) in the work force.

**Section 2:** To promote overall awareness of the impact of AAPI cultures, contributions, work ethic, and behavior as related to government employment.

**Section 3:** To promote a better understanding of, and to seek solutions for, the particular problems, including equal employment opportunity, of AAPI in the Federal government and United States Coast Guard (USCG).

**Section 4:** To establish and maintain channels of communication and goodwill between AAPI and other individuals and organizations in the Federal, State and District of Columbia Governments and the community in general.

**Section 5:** To promote the career development and advancement of AAPI in the Federal government and the USCG and to do so through such vehicles as scholarships, AAPI Heritage observances and developmental workshops.

### ARTICLE III - ORGANIZATIONAL POLICIES

**Section 1:** FAPAC-USCG does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring and firing of staff, selection of volunteers and vendors, and provision of services. We are committed to providing an inclusive and welcoming environment for all members of our staff, clients, volunteers, subcontractors, vendors, and clients.

FAPAC-USCG is an equal opportunity employer. We will not discriminate and will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the bases of race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender

identity or gender expression.

**Section 2:** FAPAC-USCG shall be a nonprofit, nonpartisan, and noncommercial organization.

**Section 3:** Except as part of a duly administered FAPAC-USCG internship and scholarship program, no part of the net earnings of the FAPAC-USCG shall inure to the benefit of or be distributable to its members, officers or any other private persons except that the FAPAC-USCG shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501(c)(3) purposes.

**Section 4:** FAPAC-USCG shall be organized to conduct activities of interest common to its interagency members and shall expend its funds for that purpose.

**Section 5:** No substantial part of the activities of FAPAC-USCG shall be the dissemination of propaganda or otherwise attempting to influence legislation, and the FAPAC-USCG shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to any candidate for public office. Notwithstanding any other provisions of this Section, the FAPAC-USCG shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

**Section 6:** FAPAC-USCG shall have power to draft its own constitution and bylaws, provided that such constitution and bylaws shall be in compliance with the National FAPAC constitution and bylaws and are approved by FAPAC. Any subsequent amendments of the constitution and bylaws shall be approved by the FAPAC-USCG BOD as long as they are in harmony with the FAPAC Constitution and Bylaws

## ARTICLE IV - MEMBERSHIP

**Section 1: Membership.** Membership shall be open to all USCG employees who are currently employed or previously employed in the Federal and District of Columbia (DC) governments and who wish to make a positive contribution to the achievement of the FAPAC-USCG goals and objectives. Non-federal Government employees are eligible to join as other membership categories described under Section 2 below. To be qualified as a good standing member of the FAPAC, an individual must complete and submit an application together with annual membership payment of appropriate dues. Membership dues are for FAPAC's fiscal year, which starts on 01 October and ends 30 September.

**Section 2: Categories of Individual Membership.**

**Regular Member:** Any current employee of the Federal and DC governments, who agrees to abide by the goals and objectives of FAPAC-USCG, may become a Regular Member of this organization by submitting an application and paying the annual membership dues. All members are required to join FAPAC and pay annual membership dues as applicable. However, one-third (1/3) of the dues for each member will be reimbursed to FAPAC-USCG.

Associate Member: Any individual who is in accord with the principles, policies and objectives of FAPAC-USCG may become Associate Member by submitting an application and paying the annual membership dues as applicable. Associate Members are not eligible to run for office.

Honorary Member: Any individual who is in accord with the principles, policies and objectives of FAPAC may become Honorary Member via nomination by the FAPAC-USCG President, no annual fee is required. Honorary Members are not eligible to run for office nor have the right to vote.

**Section 3: Membership Rights.** Regular members will have all the rights and privileges including nomination and seek election as a FAPAC Officer. Candidates whose names are nominated for elective office in the month of July must be a Regular member during the last twelve (12) months and in good standing. If a duly elected officer separates from the government during his or her term of office, the office will become vacant at the first day of the month following the effective date of separation. Associate and Honorary members will have all the rights and privileges; however they are not eligible to hold elective office.

**Section 4: Organizational Membership.** Organization membership is open to all employee organizations of AAPI of the Federal and DC governments upon payment of the annual dues.

## ARTICLE V - OFFICERS

**Section 1:** The officers of FAPAC-USCG shall be a President, Vice-President, Executive Secretary, and Treasurer.

**Section 2:** There shall be three positions for Senior Advisors to the FAPAC-USCG officers. These Senior Advisors will consist at a minimum of an USCG Senior Officer, Enlisted Person, and Government Service Employee.

**Section 3:** FAPAC-USCG may create as necessary position of a Legal Advisor for the FAPAC-USCG to ensure legal issues are mitigated.

**Section 4:** Only regular members shall be eligible to hold office in the FAPAC-USCG.

## ARTICLE VI - FAPAC-USCG BOARD OF DIRECTORS

**Section 1:** The BOD shall consist of the elected officers: President, Vice-President, Executive Secretary, Treasurer, the immediate past President, and Senior Advisors.

**Section 2:** The presence of a majority of the FAPAC-USCG BOD shall constitute a quorum at any meeting of the BOD. The BOD may conduct voting via e-mail or teleconferences as appropriate.

## ARTICLE VII - ELECTION AND TERMS OF OFFICERS AND AUDITOR

**Section 1: Officers.** All Officers shall be elected annually during October to be conducted via

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telecommunication and email. The term of Office begins on 1 January and ends 31 December, a total of 24 months is considered one term. The limitation of total term of Office shall be no more than two consecutive terms.

**Section 2: *Installation of Officers and Auditor.*** The installation of newly elected officers shall be held prior to taking the office in October.

### ARTICLE VIII - AMENDMENTS

**Section 1:** The Constitution may be amended by a two-thirds vote of current members while the Bylaws can be amended by simple majority vote of the FAPAC-USCG BOD.

**Section 2:** No amendment to the Constitution shall be put to a vote unless written notice thereof, stating the proposed amendment, shall have been emailed or delivered personally, to each current member at least thirty (30) days prior to the vote on the proposed amendment is to be taken.

**Section 3:** Any amendment to the Constitution shall take effect on 1st day of the subsequent month after its passage.

### ARTICLE IX - DISSOLUTION

**Section 1:** FAPAC-USCG shall be dissolved only upon approval by ballot of not less than two thirds (2/3) of the current members.

**Section 2:** Upon dissolution of the FAPAC-USCG, its assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future tax code, or shall be distributed to the Federal or to DC governments for a public purpose.

## BYLAWS

### ARTICLE I - DUTIES OF OFFICERS AND COMMITTEES

**Section 1: PRESIDENT.** It shall be the duty of the president, as chief executive officer, to:

- a. Prepare the agenda and preside at all FAPAC-USCG meetings;
- b. Have overall responsibility for the coordination of all of FAPAC-USCG activities;
- c. Serve as the official representative and spokesperson for FAPAC-USCG;
- d. Appoint committee chairpersons (as recommended by the Vice President) and act as an ex-officio member of all committees except the Nomination and Election Committee;
- e. Sign and execute agreement(s) and obligation(s), as approved by majority vote of the membership; and
- f. Transfer necessary documents to newly elected president no later than 01 December after

he/she is sworn-in.

**Section 2: VICE-PRESIDENT.** It shall be the duty of the Vice-President to:

- a. Keep FAPAC-USCG current regarding activities involving AAPI;
- b. Advise and assist the president in the execution of his or her responsibilities;
- c. Serve as “acting as” President at the request of the President or upon resignation of the President; and
- d. Transfer the necessary documents to the newly elected Vice-President no later than 01 December, after he/she is sworn-in.

**Section 4: EXECUTIVE SECRETARY:** It shall be the duty of the Executive Secretary to:

- a. Keep minutes of all meetings;
- b. Maintain all official correspondence and documents of FAPAC-USCG;
- c. Prepare such reports and correspondence as may be assigned by the President;
- d. Notify the membership of all meetings and functions;
- e. Circulate minutes, agendas, and other pertinent documents;
- f. Establish and maintain membership and other records as needed;
- g. Assess the need for a Recording Secretary and make recommendations to the President as to candidates for appointment; and
- h. Transfer the necessary documents to the newly elected Executive Secretary no later than December 1, subsequent to when he/she is sworn-in.

**Section 5: TREASURER:** It shall be the duty of the Treasurer to:

- a. Receive and collect all funds payable to FAPAC;
- b. Pay all financial obligations of FAPAC, as duly authorized by the NBOD;
- c. Prepare and submit an annual budget in December;
- d. Keep a clear and accurate record of all of FAPAC-USCG receipts and disbursements; and
- e. Present a report on the financial status of FAPAC-USCG to the BOD at monthly meetings.

**Section 6: LEGAL ADVISOR (optional):** The Legal Advisor is not an officer, but is an independently elected position. It shall be the duty of the Legal Advisor to: conduct an impartial and independent audit/review of FAPAC-USCG financial records, outgoing correspondence, memorandums, and other legal issues that may arise for accountability and legality.

**Section 7: *Removal of Members, Officers, and Legal Advisor.*** The FAPAC-USCG Members, Officers, Senior Advisors, and Legal Advisor may be removed for malfeasance, misfeasance or nonfeasance in office by a vote of two- thirds of the current members after due notice and process. Prior to any vote on a removal, an Ethics Committee shall be formed consisting non executive members and must provide the member(s) with a thirty (30) days written notice of the specific acts or omissions which support a specific charge. The member(s) so charged must be provided with an opportunity of no less than seven (7) business days in which to respond to the Ethics Committee’s charges.

**Section 8: *Standing Committees, Special Committee and Appointments.*** The President may appoint all standing members to a standing committee, special committee and/or appointment. The term of office for all appointed positions and committees shall be concurrent with that of the

appointing authorities, unless otherwise specified at the time of appointment. In no case will the term of an appointment extend beyond the term of the appointment authority.

A. Chairpersons of Standing Committees shall have the authority to establish subcommittees and make special appointments within their committee for the purpose of conducting committee business.

B. All standing committee members shall be selected from the general membership. The standing committees shall include: Finance, Program and Planning, Communication and Public Relations, and Membership.

1. **Finance.** The Finance Committee shall be responsible for the financial accountability of FAPAC-USCG.
  - a. This committee will be responsible for, but not limited to, determining the cost of the FAPAC-USCG's programs and reporting to the general membership the feasibility of implementing these programs.
  - b. This committee will be responsible for fundraising.
  - c. The Finance Committee will report directly to the Treasurer.
2. **Program and Planning.** The Program and Planning Committee shall plan and implement all events and activities related to the annual Asian American Heritage Event in the month of May of each year and any other conferences under the general guidance of the Executive Board.
3. **Communication and Public Relations.** The Communication and Public Relations Committee shall be responsible for the development and printing of all published documents of FAPAC-USCG.
  - a. The committee shall publicize all special programs, coordinate outreach programs, projects and major events sponsored by FAPAC-USCG.
  - b. The primary purpose of this committee is to assure public exposure of FAPAC-USCG as approved by the Executive Board and/or membership.
  - c. All public statements shall be in accordance with USCG policies.
  - d. The Communication and Public Relations will report directly to the Vice-President and Legal Advisor.
4. **Membership.** The Membership Committee shall be responsible for developing and implementing programs for membership drives.
  - a. The committee shall receive and screen membership applications, and any other functions deemed necessary by FAPAC-USCG or Executive Board.

C. **Special Committees:** The FAPAC-USCG President may establish special committees to perform specific functions as required and develop duties according to the needs of FAPAC-USCG. These Special Committees shall serve at the discretion of the President as to the composition, duties, and length of service. The special committees shall include but not be limited to: Audit, Nomination, and Election.

1. ***Audit Committee.*** This committee will serve as the audit committee for audits required by law, or any other reason.
  - a. An audit that must be conducted shall report the results at the next Monthly Chapter meeting.
  - b. This committee will have access to all financial records necessary to complete the audit.
  - c. No officers can be member of this committee when performing audit functions.
  - d. The Audit Committee will report directly to the Legal Advisor.
  
2. ***Nomination & Election Committee.*** The Nominating Committee shall be composed of at least three (3) members for the general membership and shall be appointed by the President.
  - a. The committee shall consist of the immediate past President, and other appointees selected by the Committee Chairperson.
  - b. Prepare a slate of eligible candidates for presentation to the Chapter at a meeting determined by the membership.
  - c. Prepare an official ballot of eligible candidates for each office.
  - d. Conduct the actual election of officers in conjunction with the slate officers presented by the Nominating Committee.
  - e. Present the election results to the membership; provide certification in writing of the results to the Chapter Secretary.

D. Appointments.

1. **Parliamentarian.** The Parliamentarian is appointed by the President and shall give parliamentary opinions upon request. Perform such other duties as may be required by the Executive Committee.
  
2. **Historian/Librarian.** The Historian/Librarian shall be appointed by the President and shall retain custody of any collections of books, printed matter or any other documentation related to the Chapter and Federal Asian Pacific American Council; and compiles a narrative and pictorial account of the Chapter's Activities for the year which will become a permanent part of the Chapter's history.

**ARTICLE II - NOMINATION AND ELECTION OFFICERS AND AUDITOR**

***Section 1:*** The election of Chapter officers shall take place in September of the election year.

***Section 2:*** All officers shall be elected for a term of two (2) years.

***Section 3:*** Nominations shall start in August when the list of eligible voting members and candidates is available until September 31. The committee shall send to the membership the ballot electronically with a slate of candidates.

***Section 4:*** All eligible members (except the members of the Nomination and Election Committee) shall have the right to be nominated for office or as Auditor. Only eligible nominees,



who consent personally, or in writing shall be declared valid candidates.

**Section 5:** Elections shall be conducted electronically or in person by secret ballot and plurality vote. The votes shall be taken in the following sequence: President, Vice-President, Executive Secretary, and Treasurer.

**Section 6:** Nominations by any member of FAPAC-USCG shall be sent to the Committee prior to 01 July or date to be determined by the membership. Only current members can vote in the election of Officers and Auditor as stated in the membership rights.

**Section 7:** Members of the Nomination and Election Committee cannot run for any office.

**Section 8: Special Elections.** Within 30 calendar days after a vacancy occurs in an elected Office, the Nominations and Election Committee will receive nominations from any member. A written notice of special election, including the list of nominees, should be sent to all current members at least one week prior to the voting date. Election shall be in accordance with Article II, Section 9 below.

**Section 9:** The Election for officers shall be conducted using the process given below:

- a. The election process will be coordinated by the Vice President and chaired by the Nominations and Election Committee Chairperson;
- b. The process begins by the announcement that any FAPAC-USCG member eligible to vote can nominate any eligible FAPAC-USCG member for an Office. There will be no discussion or debate regarding such nominations, except to ascertain whether the nominated person agrees to have his/her name placed in nomination;
- c. After all the nominations have been made by the announcement deadline; a final slate of candidates will be announced;
- d. Each of the candidates will be given an opportunity to provide a write-up (single space, 12-point font, and 1-inch margin also known as a biography) to the chairperson of the Nomination and Election Committee (NEC) for distribution with the electronic ballot to current members eligible to vote;
- e. After the ballots have been tallied, the NEC Chair will announce the results. In doing so, number of votes received by each candidate will be declared by the NEC Chair.
- f. Whoever gets a plurality of votes for an Office will be declared winner for that office;
- g. In the event of a tie for any Offices, a runoff election will be scheduled for the next meeting without changing the eligible voting members.
- h. In the event that the same person wins election to two (2) separate Offices, he/she will assume the highest ranking office of a tie for any Offices; a runoff election will be

scheduled within 30 days without changing the eligible voting members. For the purposes of the FAPAC-USCG election only, the Officers are priority-ranked as follows: President, Vice President, Executive Secretary, and Treasurer.

### **ARTICLE III - MEETINGS**

**Section 1: General Meetings.** A general body meeting will be held during Annual Conference of FAPAC in May.

**Section 2:** The Executive Secretary shall finalize and provide the meeting notice to current members. The Agenda will be included in the notice.

**Section 3:** A majority of all attending current members of FAPAC-USCG shall constitute a quorum authorized to transact any business duly presented at any meeting of FAPAC-USCG.

**Section 5: BOD Meetings:** There shall be monthly meetings conducted by the BOD, The meetings shall take place at a time and place designated by the Executive Secretary. Half of BOD members shall constitute a quorum of the BOD.

**Section 6: Committee Meetings.** All committee meetings shall be subject to the call of their respective chairpersons.

### **ARTICLE IV - FUNDS AND ASSETS**

**Section 1:** All funds of the organization in excess of \$25.00 shall be kept in the name of FAPAC-USCG in a federally insured financial institution selected by the Executive Board. The Treasurer and the President shall be the only officers empowered to write checks on behalf of FAPAC-USCG and the signature of either shall be sufficient on the check. All funds not kept in the federally insured financial institution shall be retained in the petty cash fund administered by the Treasurer. The Treasurer shall reimburse duly authorized persons for all necessary expenses. The FAPAC-USCG BOD shall have the authority to approve all expenditures in the budget and all legitimate expenditures. Unbudgeted expenditures exceeding \$500 must have the approval of the BOD. Such approval shall be recorded in the official minutes of the BOD meetings. The Treasurer shall turn over all financial records to the Executive Board, Legal Advisor, Senior Advisors, and BOD after the first meeting conducted by the newly elected BOD. Upon request, the Treasurer shall make any and all financial records available to the elected officers and any external auditors hired by the BOD.

**Section 2:** No part of the net earnings of FAPAC-USCG shall inure to the benefit of, or be distributable to its members, officers, or any other private persons, except that the FAPAC-USCG shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501(c)(3) purposes.

**Section 3:** No substantial part of the activities of FAPAC-USCG shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the FAPAC-USCG shall not participate in, or intervene in (including the publishing or distribution of statements) any political

campaign on behalf of or in opposition to any candidate for public office.

Notwithstanding any other provisions of this Section, the FAPAC-USCG shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

#### **ARTICLE V - PARLIAMENTARY AUTHORITY**

**Section 1: Rules.** Except as otherwise specified in this Constitution, Robert's Rules of Order current revised edition, shall constitute the parliamentary authority for FAPAC-USCG. The President shall appoint someone from the general membership to serve as Parliamentarian at such meetings.

**Section 2: Authority.** Parliamentarian will rule on questions of parliamentary procedure. The decision of the Parliamentarian can only be reversed by a majority vote of the active members in attendance.

#### **ARTICLE VI - ORDER OF BUSINESS**

FAPAC-USCG shall adopt the following "Order of Business" at its meetings:

1. Call to order
2. Approval of minutes of the prior meeting
3. Report of the Treasurer
4. Report of the President
5. Reports of the Standing committees
6. Reports of Special Committees
7. Unfinished business
8. Announcements
9. New Business
10. Adjournment

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In witness whereof, the undersigned, being duly elected officers of FAPAC-USCG have executed this Constitution and Bylaws on 01 October 2015.

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Date

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Frank S. Lim, President