

APPENDIX

SECTION 4

National Constitution - The American Legion Official

The National Constitution of The American Legion as set out herein, is in full force and effect and represents action taken by National Conventions, being the Constitution adopted at the First Annual Convention, Minneapolis, Minn., November 10-12, 1919, and as amended at the Second Annual Convention, Cleveland, Ohio, September 27-29, 1920; Fourth Annual Convention, New Orleans, La., October 16-20, 1922; Fifth Annual Convention, San Francisco, Calif., October 15-19, 1923; Sixth Annual Convention, St. Paul, Minn., September 15-19, 1924; Seventh Annual Convention, Omaha, Neb., October 5-9, 1925; Ninth Annual Convention, Paris, France, September 19-22, at Ratification Convention, New York, N.Y., October 19-22, 1927; Twelfth Annual Convention, Boston, Mass., October 6-9, 1930; Fifteenth Annual Convention, Chicago, Ill., October 2-5, 1933; Nineteenth Annual Convention, New York, N.Y., September 20-23, 1937; Twentieth Annual Convention, Los Angeles, Calif., September 19-22, 1938; Twenty-first Annual Convention, Chicago, Ill., September 25-28, 1939; Twenty-second Annual Convention, Boston, Mass., September 23-26, 1940; Twenty-third Annual Convention, Milwaukee, Wis., September 15-18, 1941; Twenty-fourth Annual Convention, Kansas City, Mo., September 19-21, 1942; Twenty-fifth Annual Convention, Omaha, Neb., September 21-23, 1943; Twenty-seventh Annual Convention, Chicago, Ill., November 18-21, 1945; Twenty-eighth Annual Convention, San Francisco, Calif., September 30-October 1-4, 1946; Twenty-ninth Annual Convention, New York, N.Y., August 28-31, 1947; Thirtieth Annual Convention, Miami, Fla., October 18-21, 1948; Thirty-first Annual Convention, Philadelphia, Pa., August 29-September 1, 1949; Thirty-second Annual Convention, Los Angeles, Calif., October 9-12, 1950; Thirty-third Annual Convention, Miami, Fla., October 10-13, 1955; Thirty-eighth Annual Convention, Los Angeles, Calif., September 3-6, 1956; Fortieth Annual Convention, Chicago, Ill., September 1-4, 1958; Forty-second Annual Convention, Miami Beach, Fla., October 17-20, 1960; Forty-eighth Annual Convention, Washington, D.C., August 30-September 1, 1966; Fifty-second Annual Convention, Portland, Ore., September 1-3, 1970; Fifty-fourth Annual Convention, Chicago, Ill., August 22-24, 1972; Fifty-fifth Annual Convention, Honolulu, Hawaii, August 21-23, 1973; Fifty-sixth Annual Convention, Miami Beach, Fla., August 20-22, 1974; Fifty-eighth Annual Convention, Seattle, Wash., August 24-26, 1976; Fifty-ninth Annual Convention, Denver, Colo., August 23-25, 1977; Sixty-first Annual Convention, Houston, Tex., August 21-23, 1979; Sixty-ninth Annual Convention, San Antonio, Tex., August 25-27, 1987; Seventy-second Annual Convention, Indianapolis, Ind., August 28-30, 1990; Seventy-third Annual Convention, Phoenix, Arizona, August 30-September 5, 1991; the Seventy-seventh Annual Convention, Indianapolis, Ind., September 4-6, 1995; and the Seventy-ninth Annual Convention, Orlando, Florida, September 2-4, 1997.

The By-Laws as adopted at the Fourth Annual Convention, New Orleans, La., October 16-20, 1922, and as amended at the Fifth Annual Convention, San Francisco, Calif., October 15-19, 1923; Sixth Annual Convention, St. Paul, Minn., September 15-19, 1924; Eleventh Annual Convention, Louisville, Ky., September 30-October 1-3, 1929; Fifteenth Annual Convention, Chicago, Ill., October 2-5, 1933; Nineteenth Annual Convention, New York, N.Y., September 20-23, 1937; Twentieth Annual Convention, Los Angeles, Calif., September 19-22, 1938; Twenty-first Annual Convention, Chicago, Ill., September 25-28, 1939; Twenty-second Annual Convention, Boston, Mass., September 23-26, 1940; Twenty-third Annual Convention, Milwaukee, Wis., September 15-18, 1941; Twenty-seventh Annual convention, Chicago, Ill., November 18-21, 1945; Twenty-ninth Annual Convention, New York, N.Y., August 25-28, 1952; Thirty-ninth Annual Convention, Atlantic City, N.J., September 16-19, 1957; Fifty-second Annual Convention, Portland, Ore., September 1-3, 1970; Fifty-eighth Annual Convention, Seattle, Wash., August 24-26, 1976; and Fifty-ninth Annual Convention, Denver, Colo., August 23-25, 1977.

*Robert W. Spanogle,
National Adjutant*

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our association in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I: NAME

Section 1. The name of this organization shall be THE AMERICAN LEGION.

Section 2. The National Headquarters of The American Legion shall be located at the site of the Indiana World War Memorial in the city of Indianapolis, Indiana.

ARTICLE II: NATURE

Section 1. THE AMERICAN LEGION is a civilian organization; membership therein does not affect nor increase liability for military or police service. Rank does not exist in the Legion; no member shall be addressed by his military or naval title in any convention or meeting of the Legion.

Section 2. THE AMERICAN LEGION shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III: ORGANIZATION

Section 1. THE AMERICAN LEGION shall be organized in departments and these in turn in posts. There shall be one department in each state, in the District of Columbia, and there may be one Department in each territory and insular possessions of the United States. The National Executive Committee may establish posts in the territorial and insular possessions of the United States and foreign countries, and shall designate the Department under whose jurisdiction they shall function, but this shall in no way affect the status of departments already established.

ARTICLE IV: ELIGIBILITY

Section 1. Any person shall be eligible for membership in THE AMERICAN LEGION who was a member of the Army, Navy, Marine Corps, Coast Guard, or Air Force of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; February 28, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the cessation of hostilities as determined by the government of the United States; all dates inclusive, or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or unqualified service.

Section 2. There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life.

Section 3. No person may be a member at any one time of more than one post.

Section 4. No person who has been expelled by a post shall be admitted to membership in another post without the consent of the expelling post, except that where such consent has been asked for and denied by such post, he may then appeal to the Executive Committee of the department of the expelling

post for permission to be admitted to membership in another post, and shall be ineligible for membership until such permission is granted.

ARTICLE V: NATIONAL CONVENTION

Section 1. The legislative body of THE AMERICAN LEGION shall be the national convention, except as otherwise provided in the Constitution and By-Laws.

Section 2. The time and place of the annual conventions shall be determined by the National Executive Committee, which shall have authority to change such time and place for sufficient reasons to it appearing.

Section 3. In the national convention each department shall be entitled to five delegates and one additional delegate for each one thousand members, or major fraction thereof, whose current dues have been received by the national treasurer 30 days prior to the meeting of said convention, and whose registration fees, as fixed by the National Executive Committee, for its total authorized delegate strength, have been paid; and to one alternate for each delegate. The delegates shall be chosen not less than two weeks before the national convention at department conventions or in any other manner specified by any department constitution.

Section 4. Each duly registered delegate shall be entitled to one vote. The vote of any registered delegate absent and not represented by an alternate shall be cast by the majority of the registered delegates present from his department. Alternates for registered delegates shall have all the privileges of registered delegates, except that of voting. A registered delegate is one who has received his credentials after his regulation fee has been paid.

Section 5. A quorum shall exist at national convention when sixty percent of the departments are represented as provided above.

Section 6. The National Executive committee shall provide a Uniform Code of Procedure for the orderly organization and operation of National Conventions with continuing power of revision, and said Code shall be applicable at all National Conventions unless it is amended, suspended, or repealed by a majority vote of the total authorized representation at a National Convention.

ARTICLE VI: NATIONAL OFFICERS

Section 1. The national convention shall elect a national commander, and five national vice-commanders, who shall serve without seniority. No two vice-commanders shall be chosen from the same department. No persons shall be eligible for re-election to the office of national commander or national vice-commander.

Section 2. Such officers shall serve until the adjournment of the succeeding national convention following their election and thereafter until their successors are chosen. Vacancies in these offices occurring between national conventions shall be filled by election by the National Executive Committee, and any member of THE AMERICAN LEGION, in good standing, shall be eligible for election to such vacancy. Provided, however, that no Past National Commander, or Past National Vice-Commander shall be elected to fill any vacancy in these respective offices.

Section 3. The National Executive Committee at its first meeting following the national convention shall appoint the national adjutant, national treasurer, national judge advocate, national chaplain, and national historian, such officers to hold office at the pleasure of the appointing power. All persons having the custody of funds shall give adequate bonds which shall be approved by the National Executive Committee.

Section 4. All past national commanders, while in good standing in their respective posts, shall be members for life of the National Executive Committee, without vote, and shall also be life delegates to all national conventions of THE AMERICAN LEGION, with vote, to be exercised by them with their respective departments.

ARTICLE VII: NATIONAL EXECUTIVE COMMITTEE

Section 1. Between national conventions, the administrative power shall be vested in the National Executive committee, which shall be composed of the national commander, the national vice commanders, and one National Executive committeeman and one alternate from each department to be elected as such department shall determine, the alternate to act only in the absence of the committeeman.

Section 2. The term of office of such National Executive Committeemen and alternates shall be two years. The term of office of each National Executive committeeman and alternate shall commence immediately upon the adjournment of the national convention next ensuing after their election and shall end at the adjournment of the second next succeeding annual convention. Section 3. Members of the National Executive Committee shall be delegates to the national convention with vote, which vote shall be exercised with their respective departments, except that the vote of the National Commander shall be exercised only in his capacity as chairman of the national convention.

ARTICLE VIII: DEPARTMENT ORGANIZATION

Section 1. Departments shall be chartered by the National Executive Committee and shall be composed of the posts within their respective areas, and such other posts as the National Executive Committee may approve. Each department charter shall be signed by the national commander and national adjutant.

Section 2. Each department shall have a department commander, one or more department vice-commanders, a department adjutant and a department executive committee, and may have a chaplain and such other officers as the department shall determine.

Section 3. Departments shall have authority to create intermediate bodies between the posts and department to act as a liaison between such organizations and for the purpose of promoting the program of THE AMERICAN LEGION.

Section 4. The department executive committee shall define the powers of such intermediate groups, but in no event shall such powers invade the prerogatives now vested either in the post or department or national organization.

Section 5. Such intermediate bodies now existing within the departments and heretofore authorized or recognized by such departments are hereby officially recognized to the extent of the powers herein granted.

ARTICLE IX: POST ORGANIZATION

Section 1. Those who desire to form a Post shall make application for a temporary charter to the Commander of the Department in which they reside. The temporary charter shall be issued by the National Commander and National Adjutant upon receipt of the application properly executed by the charter members of the projected Post, but only when such application is approved by the Commander of the Department or by the Department Executive Committee.

Section 2. The minimum membership of a Post shall be determined by the Executive Committee of the Department in whose area it lies.

Section 3. No Post shall be named after any living person.

Section 4. A temporary charter shall be granted and shall state it is granted on the recommendation of the Department and on the following terms and conditions:

1. All acts heretofore duly and properly taken for the formation of the above named Post are recognized and confirmed by the National Executive Committee.

2. The above named Post shall uphold the declared principles of THE AMERICAN LEGION and shall conform to and abide by the regulations and decisions of the Department and of the National Executive Committee, or other duly constituted national governing body of THE AMERICAN LEGION.

3. This charter is subject to revocation by the National Executive Committee on the recommendation of the Department, or by such authority that may hereafter be established by the National Convention.

Section 5. After a temporary charter has been in effect for a probationary period of at least ninety days, application for a permanent charter may be made. Such probationary period shall not exceed one year upon the termination of which the Department shall determine whether or not a permanent charter shall be issued or denied and the action of the Department shall be final.

Section 6. All charters shall be countersigned by the Commander and the Adjutant of the Department.

Section 7. Each department may prescribe the constitution of its Posts. Permanent charters may be suspended, cancelled or revoked by the Department Executive Committee as provided in the By-Laws.

ARTICLE X: FINANCE

Section 1. The revenue of THE AMERICAN LEGION shall be derived from annual membership dues and from such other sources as may be approved by the National Executive Committee.

Section 2. The amount of such annual dues shall be determined by each national convention for the ensuing year.

Section 3. The annual dues shall be collected by each post and transmitted promptly through the department to the national treasurer. Departments are designated agents for collection for The American Legion with respect to such annual dues and upon the receipt thereof shall remit them promptly to The American Legion. In no event shall the period transpiring between the receipt of such annual dues by a department and the remittance thereof to The American Legion exceed thirty (30) days.

Section 4. Annual dues shall be payable October 20 of each year, for the succeeding calendar year.

ARTICLE XI: DISCIPLINE

Section 1. The National Executive Committee, after notice and a hearing before a subcommittee as hereinafter provided, may cancel, suspend or revoke the charter of a department for any good and sufficient cause to it appearing.

Section 2. The National Executive committee may designate, appoint and authorize a subcommittee to hear and try and make written findings of fact and recommendations with reference to the matter of the cancellation, suspension or revocation of the charter of any department of THE AMERICAN LEGION after said department shall have received due and proper notice of said hearing and trial. Said subcommittee shall make its written findings and recommendations to the National Executive Committee for its approval or rejection, and the action of said National Executive Committee upon such findings and recommendations shall be final and conclusive.

Section 3. The hearing and trial of any cause involving the cancellation, suspension, or revocation of the charter of any department in THE AMERICAN LEGION shall be had and held under rules of procedure to be adopted by the National Executive Committee.

Section 4. Upon suspension of the charter of any department of THE AMERICAN LEGION, the National Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all of the records, property and assets of and belonging to such department, and to provide for the government and administration of such department during said suspension.

Section 5. Upon cancellation or revocation of the charter of any department of THE AMERICAN LEGION, the National Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all of the records, property and assets of such department, and to take all necessary and proper steps and proceedings to wind up and close the affairs of such department, and said National Executive Committee may provide for such continued recognition and activities of posts in said departments as it may deem proper.

ARTICLE XII: CHANGE OF RESIDENCE

Section 1. Any member in good standing in a post removing from his department shall be entitled to a certificate from his post stating his membership and the duration thereof.

ARTICLE XIII: AUXILIARIES

Section 1. THE AMERICAN LEGION recognizes an auxiliary organization, known as the "American Legion Auxiliary."

Section 2. Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, granddaughters, great-granddaughters, and grandmothers of members of THE AMERICAN LEGION, and to the mothers, wives, daughters, sisters, granddaughters, great-granddaughters, and grandmothers of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; February 28, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who, being citizens of the United States at the time of their entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods, and died in the line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in THE AMERICAN LEGION.

Section 3. The auxiliary shall be governed in each department of THE AMERICAN LEGION by such rules and regulations as may be prescribed by the National Executive Committee and thereafter approved by such department of THE AMERICAN LEGION.

ARTICLE XIV: RATIFICATION

Section 1. All acts performed and charters heretofore granted by the temporary organization to THE AMERICAN LEGION.

ARTICLE XV: AMENDMENTS

Section 1. The constitution may be amended at any national convention by a vote of two-thirds of the total authorized representation thereat, provided that the proposed amendment shall have been submitted through the national adjutant to the several departments and members of the National Executive Committee by mailing same to them at least twenty (20) days prior to the convening of the next national convention; any such proposed amendment may be amended without further notice by a two-thirds vote of the total authorized representation thereat, provided it does not increase the modification proposed by the amendment and it has received the approval of the Convention Committee on Constitutional Amendments; and, provided further, it may be amended by unanimous vote at any convention without notice.

Section 2. That no proposed amendment shall be submitted through the National Adjutant to the several departments and members of the National Executive Committee, as provided in Section 1 of this article, unless said proposed amendment shall have been first submitted by a Department Convention, Department Executive, or the National Executive Committee.

ARTICLE XVI: NATIONAL INCORPORATION

This Constitution is adopted conformably to the Act of Congress of the United States of America of September 16, 1919, and all amendatory acts thereto.

ARTICLE XVII

In the event the Congress of the United States shall amend the eligibility clause in the Act creating THE AMERICAN LEGION, this Constitution shall be deemed amended in conformance therewith, but subject to all consistent limitations and restrictions in this Constitution contained.

BY-LAWS OF THE AMERICAN LEGION

ARTICLE I: NATIONAL EXECUTIVE COMMITTEE

Section 1. In case of death, resignation or removal by his respective department of any national committeeman or alternate to the National Executive Committee, the successor shall be selected as such department shall determine and shall serve for the remainder of such unexpired term.

Section 2. The National Executive Committee shall meet within twenty-four hours before and after each National Convention and within forty-five days following its adjournment, provided however, that the National Commander shall have authority to extend said forty-five day period for sufficient reasons to appearing, upon approval by the National Executive Committee, and in May of each year. Special meetings may be held upon reasonable notice at the call of the National Commander. The National Commander shall call a meeting of the National Executive Committee upon the written request of National Executive Committeemen from fifteen or more Departments.

Section 3. Twenty-five members shall constitute a quorum of the National Executive Committee.

Section 4. The National Commander shall name such committees as he shall deem advisable, subject to ratification by the National Executive Committee at its next meeting succeeding the appointment.

Section 5. The National Executive Committee shall appoint, upon nomination by the National Commander, a National Finance Commission to be composed of seven (7) members. Of the seven members appointed following the national convention (1945) at which this amendment is adopted, two shall be appointed to serve for a term of one year, two shall be appointed to serve for a term of two years, and three shall be appointed to serve for a term of three years; thereafter each succeeding appointee shall serve for a term of three years or until removed by the majority vote of the National Executive Committee. The National Commander and the National Treasurer shall be ex officio members of said commission and the National Adjutant shall be ex officio secretary of the said commission. The National Finance Commission shall be charged with the preparation of the yearly budget and the handling of funds under that budget, and such other duties as shall be prescribed by the National Executive Committee, subject to the approval of the National Executive Committee.

Section 6. There shall be the following standing commissions: National Americanism Commission, National Commission on Children and Youth, National Convention Commission, National Economic Commission, National Finance Commission, National Foreign Relations Commission, National Internal Affairs Commission, National Legislative Commission, The American Legion Magazine Commission, National Public Relations Commission, National Veterans Affairs and Rehabilitation Commission, National Security Commission.

The commissions shall consist of such number of members of THE AMERICAN LEGION as the National Executive Committee may from time to time determine. Appointments to such commissions shall be made by the National Executive Committee upon nomination by the National Commander. The National Executive Committee is empowered to assign duties and responsibilities to all standing commissions and committees and to group standing committees with commissions for the purpose of efficient supervision and coordination of activities.

Section 7. The National Executive Committee shall provide for the appointment and employment of such subordinate officers and employers as may be needed for the administration of the affairs of THE AMERICAN LEGION, and prescribe their duties and emoluments.

Section 8. All questions affecting the election, eligibility and conduct of national officers shall be referred to and determined by the National Executive Committee. All questions affecting the election, eligibility and conduct of the national committeeman from any department, or of department officers, or members of department executive committees shall be referred to and determined by the executive committee of the Department involved, which shall be the final authority thereon.

ARTICLE II: DUTIES OF OFFICERS

Section 1. NATIONAL COMMANDER: The National Commander shall be the executive head of THE AMERICAN LEGION with full power to enforce the provisions of the National Constitution, National By-Laws, and the will of the national convention. He shall be the chairman of the national convention and the National Executive Committee. He shall perform such duties as are usually incident to the office.

Section 2. NATIONAL VICE-COMMANDERS: The National Vice-Commanders shall act as representatives of the National Commander on all matters referred to them by him, and shall, on his request, preside over the meetings of the national convention or National Executive Committee, and perform such other duties as are usually incident to the office.

Section 3. NATIONAL ADJUTANT: The National Adjutant shall be charged with the administration of the policies and mandates of the national convention, the National Executive Committee, and of the National Commander. He shall perform such other duties as are usually incident to the office. He shall also be authorized, in event of the death or resignation of the National Commander, to summon the National Executive Committee for the election of a successor, and in event the National Adjutant shall fail, refuse or neglect, within fifteen days after said death or resignation, to issue a call for said meeting of the National Executive Committee to be held within thirty days after said death or resignation, then said meeting for the purpose of electing a successor may be held upon the written demand therefore signed by representatives from fifteen or more departments, giving fifteen days notice thereof.

Section 4. NATIONAL TREASURER: The National Treasurer shall be the custodian of the funds of the national organization. He shall sign all checks disbursing the funds of the national organization, and shall make reports upon the condition of the national treasury when called for by the National Commander. The National Treasurer shall furnish a surety bond as hereinafter prescribed. He shall perform such other duties as are usually incident to the office.

Section 5. NATIONAL JUDGE ADVOCATE: The national judge advocate shall advise the national officers and the National Executive Committee on all legal matters, including the construction and interpretation of the national constitution and by-laws, and shall perform such other duties as are usually incident to the office.

Section 6. NATIONAL CHAPLAIN: The National Chaplain shall perform such divine and nonsectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by national headquarters from time to time.

Section 7. NATIONAL HISTORIAN: The National Historian shall collect from year to year all records and data of value and interest for the national headquarters of THE AMERICAN LEGION, and shall compile during his term of office a complete history of the year's activities. He shall also assist department and post historians so as to coordinate and unify the work of these officials, and shall have such other duties as the National Executive Committee shall prescribe.

ARTICLE III: CHARTERS

Section 1. **The Department Executive Committee may suspend, cancel or revoke a Post Charter. The action taken by the Department Executive Committee shall be final and conclusive unless an appeal is taken to the National Executive Committee within thirty days from the date of said suspension, cancellation or revocation. The action taken by the National Executive Committee upon appeal shall be final.**

Section 2. Any post failing to meet the obligations imposed upon it by the Constitution and By-Laws, or ceasing to function for six months as an American Legion Post, or voluntarily ceasing to function as a post, or merging with one or more other Posts, or refusing to pay the Department and National per capita dues, or under such other conditions as might make such action necessary shall upon order of the Department Executive Committee, surrender its charter for cancellation. Upon failure to surrender such charter, immediate steps may be taken for its revocation, suspension or cancellation.

Section 3. Upon revocation, cancellation or suspension of the charter of a Post in any Department of THE AMERICAN LEGION, said post shall immediately cease operations and upon revocation or cancellation shall turn over its charter to its Department Commander or Department Executive Committee, and the Department Executive Committee is authorized, empowered and directed by and through its duly authorized agent to take possession, custody and control of all the records, property and assets of said Post; provided, however, that nothing herein shall be construed as requiring any Department to take over or assume any financial responsibility as to such property. Said Department Executive Committee may provide for the transfer of the members in said Post to other Posts of their choice, subject to the approval of such other Post.

Section 4. The National Executive Committee shall provide a uniform code defining the procedure to be followed in the revocation, cancellation or suspension of post charters and providing for a method of appeal and further providing a code of procedure for the revocation, cancellation or suspension of Department charters with continuing power to revise said code, provided, however, that the procedure now in effect shall continue until such code is so adopted.

ARTICLE IV: DISCIPLINE OF POST AND POST MEMBERS

Section 1. Each post of THE AMERICAN LEGION shall be the judge of its own membership, subject to the restrictions of the Constitution and By-Laws, except that no person who is a member of an organization which has for its aim the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become or remain a member of THE AMERICAN LEGION.

Section 2. Members may be suspended or expelled from the Legion only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of THE AMERICAN LEGION. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his membership until given a fair trial by the Post or Department in such manner and form as the department by-laws and department executive committee shall prescribe.

Section 3. Any member who has been suspended or expelled has the right of appeal to his department executive committee, or to the department convention, according to the provisions in the by-laws of such department. The decision of the department shall be final.

Section 4. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February, he shall be suspended from all privileges. If he is still under such suspension on June thirtieth of such year, his membership in THE AMERICAN LEGION shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the post and payment of current dues for the year in which reinstatement occurs. Provided, however, that the posts, departments, and the National Organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

ARTICLE V: MEMBERSHIP

Section 1. Membership in THE AMERICAN LEGION is membership in the national organization of THE AMERICAN LEGION by affiliation with posts.

ARTICLE VI: MONIES AND COLLECTIONS

Section 1. All national, department and post officials handling American Legion monies shall be properly bonded with a good and solvent bonding and surety company, as surety, to cover double the average amount of money handled in a single year. In case of delinquencies in the payments of amounts due department or national headquarters, action shall be taken at once by the proper officials to bring

about a speedy and complete settlement. The bonds provided by national officials shall be approved by the national judge advocate and the National Executive Committee, and those provided by the department officials shall be approved by the Department Judge Advocate and the Department Executive Committee, and those provided by the Post officials shall be approved by the Post Legal Officer and the Post Executive Committee, or such other official or officials as the Department may designate.

Section 2. National headquarters shall, should it be deemed advisable, detail special auditors to investigate the membership roll and financial statement of any department, and should that department so desire, assist in a similar audit of posts within that department.

ARTICLE VII: TRANSFER OF POSTS

Section 1. Posts of THE AMERICAN LEGION formed within units of the army, navy, marine corps or other organizations liable to transfer from one place to another, and which are organized under the department in which they are then located, may transfer to another department in a manner similar to the transfer of individuals from one post to another.

Section 2. Any existing Post in the territorial or insular possession of the United States or in foreign countries, which is not under the jurisdiction of a present existing Department, shall within one year following the adoption hereof, unless extended by the National Executive Committee, request the National Executive Committee to place it under the jurisdiction of a Department to be selected by such Post. Said request shall have attached thereto the formal consent of such Department. Should a Post fail or refuse to make such request or be unable to obtain the consent of a Department, then the National Executive Committee shall designate the Department.

ARTICLE VIII: AMENDMENTS

Section 1. These By-Laws may be amended at any national convention by a vote of two-thirds of the total authorized representation thereat, provided the proposed amendment shall have been submitted through the national adjutant to the several departments and members of the National Executive Committee by mailing same to them at least twenty (20) days prior to the convening of the next national convention; any such proposed amendment may be amended without further notice by a two-thirds vote of the total authorized representation thereat, provided it does not increase the modification proposed by the amendment and it has received the approval of the Convention Committee on Constitutional Amendments; and provided further, it may be amended by unanimous vote at any convention without notice.

Section 2. That no proposed amendment shall be submitted through the National Adjutant to the several departments and members of the National Executive Committee, as provided in Section 1 of this article, unless said proposed amendment shall have been first submitted by a Department Convention, Department Executive Committee, or the National Executive Committee.

Appendix to the Constitution and By-Laws

Amendments to the Charter of THE AMERICAN LEGION enacted by Congress, October 29, 1942, Public Act 767; July 9, 1946, Public Act 495; December 28, 1950, Public Act 895; June 26, 1953, Public Act 80; July 26, 1955, Public Act 178; September 1, 1966, Public Act 89-550; December 27, 1974, Public Act 93-557; August 18, 1978, Public Act 95-346; December 21, 1979, Public Act 96-155; November, 20 1997, Public Act 105-110.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to Incorporate THE AMERICAN LEGION," approved September 16, 1919 (41 Stat. 285, title 36, U.S.C., 1940 edition, sec. 43), is hereby further amended to read as follows:

ORIGINAL SECTION

Sec. 3. That the purpose of the corporation shall be: To promote peace and good will among the peoples of the United States and all nations of the earth; to preserve the memories and incidents of the

Great War of 1917-1918; to cement the ties of love and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country.

AMENDED SECTION

“Sec. 3. That the purpose of this corporation shall be: To uphold and defend the Constitution of the United States of America; to promote peace and good will among the peoples of the United States and all the nations of the earth; to preserve the memories and incidents of the two World Wars and the other great hostilities fought to uphold democracy; to cement the ties and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country.”

That section 5 of such Act of September 16, 1919 (41 Stat. 285, title 36, U.S.C., 1946 edition, sec. 45) as amended, is hereby further amended to read as follows:

ORIGINAL SECTION

Sec. 5. That no person shall be a member of the corporation unless he served in the naval or military service of the United States at some time during the period between April 6, 1917, and November 11, 1918, both dates inclusive, or who, being citizens of the United States at the time of enlistment, served in the military or naval services of any of the governments associated with the United States during the Great War.

AMENDED SECTION

“Sec. 5. That no person shall be a member of this corporation unless he served in the naval or military services of the United States at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; February 28, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the cessation of hostilities in the Persian Gulf; all dates inclusive, or who, being a citizen of the United States at the time of entry therein, served in the military or naval service of any of the governments associated with the United States during said wars or hostilities: PROVIDED HOWEVER, that such person shall have an honorable discharge or separation from such service or continues to serve honorably after any of aforesaid terminal dates.”

NEW POSTS

How to Form a Post

Some Legionnaire or eligible veteran must take the lead if a new post is to be successfully launched. There must be a definite need for a post and there must be an interest developed among the ex-servicemen and women that The American Legion can best meet this need.

When the department-prescribed minimum number of eligible veterans have decided upon forming a new post, and have the go-ahead from the county or district and department organizations, the time and place of an organizational meeting should be determined. It is important editors of local papers be informed of the meeting some time in advance and proper publicity obtained. Handbills may be printed and posted to advertise the meeting.

Post Charter

Application forms for chartering a new post of The American Legion may be obtained from department headquarters. (Directions for organizing a new post will be found below.) A temporary charter is issued at first. When the founders have demonstrated their ability to maintain a post over a period of not less than 90 days and have developed an efficient organization for furthering the work and

ideals of The American Legion, they are eligible to receive a permanent post charter. Application forms for permanent charter may be obtained from department headquarters.

A post name must be adopted before a charter can be issued to a new post. It is customary to adopt the name of some departed comrade and no more fitting memorial could be devised.

If the members do not wish to decide on a permanent name at the time the post is organized, it is suggested that a temporary name be adopted (for instance, the name of the town or county); this can be changed by resolution of the post body at the time application is made for permanent charter. (Copy of the resolution, attested by the commander and the adjutant, should be attached to each copy of the application for permanent charter).

When a post adopts a new name after it has received its permanent charter, a new permanent charter bearing the new name may be obtained upon written request through department headquarters. Such request should be accompanied by duly attested copies of the resolution adopting the new name and by surrender of the old charter.

If a post loses its permanent charter through fire or other cause, a new one may be obtained by a written request to the department headquarters. The request should include an explanation of the facts surrounding the loss and should be signed by the post commander and attested by the post adjutant.

Charters for Incorporated Posts

Departments or posts, which have incorporated since issuance of their original charters, need to receive supplemental charters in their corporate capacity upon application to National Headquarters through regular American Legion channels. This brings in to conformity the legal incorporated status of the post with its charter status so that the post which has incorporated may avoid the issue of what is the proper name when dealing with the Internal Revenue Service.

Eligibility for Membership

See Article IV of the National Constitution (see "Constitution, National" in the index). Also see Simplified Eligibility Guide. Questions on eligibility matters may be referred to department headquarters.

Organizational Meeting

A tentative draft should be made of a post constitution before the organization meeting. (See "Post Constitution" in index) The person best fitted for the purpose among the organizers should call the meeting to order and outline its purposes, and should bring out the following facts:

(a) This meeting is called to organize a local post of The American Legion.

(b) The American Legion has posts in most county seats in America and many countries in the world.

(c) It is formed of the veterans of World Wars, the Korean War, Vietnam, Lebanon, Grenada, Panama, and the Persian Gulf.

(e) Any soldier, sailor, marine, airman, nurse, WAC, WAVE or SPAR of the United States who served honorably between April 6, 1917, and November 11, 1918; December 7, 1941, and December 31, 1946; June 25, 1950, and January 31, 1955; February 28, 1961, and May 7, 1975; August 24, 1982, and July 31, 1984; December 20, 1989, and January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States; and men and women whose service began during one of those periods and remain in service, are admitted.

(f) Fifteen members are usually required for the formal application for a charter; however, the actual minimum is set by each department.

(g) Dues should be set sufficiently high to cover anticipated administrative expenses and collected either before or at the organizational meeting. Dues are collected annually and include national, department and, on occasion, district assessments.

The organizer should then call for nominations for a temporary chairman and secretary. These officers, being elected, will take charge of proceedings.

The suggested constitution should be discussed and the approved form adopted. Then the temporary chair should name a committee to consider a name for the post. (No post may be named in honor of a living person.) It is customary, but not necessary, to adopt the name of some local person who died in the World Wars, the Korean War, the Vietnam War, Lebanon, Grenada, Panama, or in the Persian Gulf; or use the names of a deceased veteran of each war.

A list should be taken of those present, including their full name, name of last organization with which they served (not a casual company), date of separation from the service and present local address; these facts to be kept for the permanent adjutant when elected.

The committee on a name for the post should then report and a name be adopted. The temporary chair should then ask for nominations for the following officers:

| | |
|----------------------|-----------------------|
| Post Commander | Post Finance Officer |
| Post Vice-Commander | Post Historian |
| Post Adjutant | Post Chaplain |
| Post Service Officer | Post Sergeant-at-Arms |

The newly-elected officers should then assume their duties and the new commander should name at once the standing committees. The Membership Committee should be instructed to canvas for new members and should secure application blanks. All the original members, as well as new ones, should fill out these blanks as soon as they are available. Standard membership application blanks can be secured from the departments or National Headquarters, if desired.

The original (white sheet) only of the application form for charter should then be signed by the minimum required by department constitution. These forms may be secured from any Legion post and from department headquarters. It is preferable to have the officers sign first, in the order above named. When done, the form should be turned over to the newly-elected adjutant for recording the same names and addresses by typewriter on the remaining two copies. All three copies should then be signed by the post commander, attested by the adjutant, and, together with an amount covering the dues of the department and the national organization for all names appearing on the application, be forwarded to the department headquarters of the state.

Adjournment.

Post Officers

The keynote of The American Legion is progress. Upon the post depends the progress of the Legion, and upon the post officers depends the progress of the post. It is urged all post officers fully realize this, and seriously familiarize themselves with the duties, responsibilities and opportunities of their position. Suggestions for their guidance are incorporated in this handbook.

An American Legion Activity Center

In most cases it is desirable that a post have its own activity and service center in its own building. The first step is to establish a building fund, which once started should be added to constantly by systematic planning. In some towns there are not enough buildings to accommodate present and anticipated needs for business, shops, apartments, etc. You may wish to consider the needs of your town and fashion a building plan to include sound provisions for rentals, club privileges, etc., which may pay off a loan in a reasonable length of time.

As a rule, building operations may be started when the fund accumulated is sufficient to pay for the site, clear of encumbrance, plus 10 percent of construction costs. This varies with credit conditions in the building trades; however, it is not advisable to start construction with less than that amount. Do not take on more than can be handled and remember that the larger the loan, the more interest required. The post will do well to consult with financiers of integrity and be guided by their advice on both funding and building plans.

Where feasible under existing laws and regulations, posts have found it an advantage to incorporate and market stock on a conservative plan. This method should never be used without complete investigation.

Properly planned, an American Legion service center, post home or club will include features that make it a creditable community asset. The Auxiliary unit should be taken into consideration when building plans are approved.

The possession of a home is one of the best guarantees of permanence and progress an organization can have. It establishes the prestige of the organization in the community. It holds old members and attracts new ones. Soundly financed, it constitutes a source of revenue as well as a site of service and social activities. Once established in its own home, a Legion post is in a position to benefit the community in many ways.

(See "American Legion Buildings, Centers" in index)

Suggested Form for Post Constitution

(Section 7, Article IX, National Constitution of The American Legion provides each department may prescribe the Constitution of its posts. Consequently, posts should ascertain whether or not the department has adopted a uniform Constitution for all posts in that department. If such Constitution has been approved by the department, it should be followed.)

Constitution of (Post Name and Number).

Department of

Preamble

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

Article I—Name

Section 1. The name of this organization shall be (Post Name and Number), The American Legion, Department of

Article II—Objects

Section 1. The objects and purposes of this post shall be to promote the principles and policies as set forth in the foregoing preamble, and the national and departmental Constitutions of The American Legion.

Article III—Nature

Section 1. This post is a civilian organization and membership therein does not affect or increase liability for military or police service. Sec. 2. This organization shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

Sec. 3. Rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of this post.

Article IV—Membership

Section 1. Eligibility to membership in this post shall be as prescribed by the National Constitution of The American Legion.

Sec. 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the post Executive Committee.

Sec. 3. All applications for membership shall be acted upon at the next post meeting following the making of such application, and shall at such meeting, be accepted, rejected or referred for further investigation and consideration. If a majority of the members cast their vote against the acceptance of said application, then such application shall be recorded as rejected.

Sec. 4. Any member of this post may be expelled for cause by a two-thirds vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same.*

Sec. 5. A member who has been expelled or suspended from this post for any cause may be reinstated to membership by a two-thirds vote of the membership present in post meeting, and the payment of current dues for the year in which the reinstatement occurs.

Sec. 6. No person who has been expelled by a post shall be admitted to membership in this post, without the consent of the expelling post, except that where such consent has been asked for and denied by such post, may then appeal to the state Executive Committee of the department of the expelling post for permission to apply for membership in this post, and shall be ineligible for membership until such permission is granted.

*Before proceeding under this section, posts should make inquiry as to whether or not the department Constitution and By-Laws has provided a different procedure which should be followed.

Article V—Officers

Section 1. The administrative affairs of this post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee which shall consist of members in addition to the officers of the post. The term of office of members of the Executive Committee shall be for one year. This post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Sec. 2. The officers of this post shall be a commander, a vice-commander, an adjutant, a finance officer, a post historian, a post chaplain, post service officer and a sergeant-at-arms, and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

Sec. 3. All officers and executive committeemen shall be elected annually, and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or executive committeeman may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to effect such removal.

Sec. 4. Every member of this post in good standing shall be eligible to hold office in this post.

Sec. 5. The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided in the By-Laws.

Article VI—Finance

Section 1. The revenue of this post shall be derived from membership or initiation fees, from annual membership dues and from such other sources as may be approved by the post Executive Committee.

Sec. 2. The amount of such membership or initiation fees and the amount of such annual post dues shall be fixed and determined by this post.

Sec. 3. The post shall pay to departmental headquarters the National and departmental annual membership dues for every member of the post.

Article VII—Charter Members

Section 1. Members who joined this post prior to November 11, 1919 (or members who joined this post prior to the issuance of charter) shall be known as charter members.

Note—The matter of charter members for the permanent charter is left to the decision of the post members.

Article VIII—American Legion Auxiliary

Section 1. This post recognizes an auxiliary organization to be known as the Auxiliary Unit of (Post Name and Number), The American Legion.

Sec. 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

Article IX—Amendments

Section 1. This Constitution is adopted subject to the provisions of the national Constitution of The American Legion and of the department Constitution of the Department of, The American Legion. Any amendment to said National Constitution or department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Sec. 2. This Constitution may be amended at any regular post meeting by vote of two-thirds of the members of said post attending such regular meeting, providing the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post, and providing, further, written notice shall have been given to all members at least days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

Suggested Form Of Post By-Laws

Article I

Section 1. The post existing under these By-Laws is to be known as (Post Name and Number), The American Legion, Department of

Sec. 2. The objects of this post are as set forth in the Constitution.

Article II—Management

Section 1. The government and management of the post is entrusted to an Executive Committee of members, to be known as the “Executive Committee.”

Sec. 2. The Executive Committee shall consist of members in addition to the officers of the post and together with the other officers of this post shall be elected annually on and take office at the meeting next following that of the election. All elections of officers and executive committeemen shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

Sec. 3. All vacancies existing in the Executive Committee, or in any office of the post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer who succeeded. A vacancy shall exist when a member or officer is absent from the post for a continuous period considered detrimental to the interest of the post by the Executive Committee.

Article III—Post Executive Committee

Section 1. The post Executive Committee shall meet for organization and such other business as may come before it at the call of the post commander within 10 days after the installation of the new officers. Thereafter the post Executive Committee shall meet at the call of the commander at least every and as often as said commander may deem necessary. The commander shall call a meeting of the post Executive Committee upon the joint written request of three or more members of said post Executive Committee, members of the committee shall constitute a quorum thereof.

Sec. 2. The post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having the custody of post funds; shall hear the reports of post committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this post.

Article IV—Duties of Officers

Section 1. *Duties of post commander.* It shall be the duty of the post commander to preside at all meetings of the post and to have general supervision over the business and affairs of the post, and such officer shall be the chief executive officer of the post. The Commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the department adjutant. The Commander shall perform such other duties as directed by the post.

Sec. 2. *Duties of vice-commander.* The vice-commander shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the post commander.

Sec. 3. *Duties of post adjutant.* The adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the post.

Sec. 4. *Duties of the finance officer.* The finance officer of the post shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Executive Committee the condition of the finances of the post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the post. The Finance Officer shall sign all checks disbursing the monies of the post, and shall furnish such surety bonds in such sum as shall be fixed by the post Executive Committee.

Sec. 5. *Duties of post historian.* The post historian shall be charged with the individual records and incidents of the post and post members, and shall perform such other duties as may properly pertain to the office as may be determined by the post or the Executive Committee.

Sec. 6. *Post chaplain.* The post chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the national or department headquarters from time to time.

Sec. 7. *Duties of sergeant-at-arms.* The sergeant-at-arms shall preserve order at meetings and shall perform such other duties as may be from time to time assigned by the post Executive Committee.

Article V—Delegates

Section 1. Delegates and alternates to a department convention shall be elected by ballot by the post at a regular meeting of the post to be held at least 20 days prior to the date of such convention.

Article VI—Appointments

Section 1. The post commander, immediately upon taking office each year, shall appoint the following standing committees: Americanism, Ceremonials, Children and Youth, Economic, Finance, Foreign Relations, Graves Registration and Memorial, House and Entertainment, Legislative,

Membership, Public Relations, Veterans Affairs and Rehabilitation, National Security, Sons of The American Legion and Visiting or VAVS. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the post commander.

Sec. 2. *Americanism Committee.* The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

Sec. 3. *Ceremonials Committee.* The principal duty of the Ceremonials Committee is to insure all new members are properly initiated. The committee also concerns itself with proper presentation of other rituals outlined in the Manual of Ceremonies—burial detail and the wearing of Legion regalia.

Sec. 4. *Children and Youth Committee.* Shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "no child of a war veteran shall be in need of the necessities of life" and "a square deal for every child."

Sec. 5. *Economic Committee.* The post Economic Committee is primarily concerned with local employment programs, Veterans preference, government employment and re-employment rights.

Sec. 6. *Finance Committee.* The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all post funds.

Sec. 7. *Foreign Relations.* This committee has become active as America has recognized its responsibility as a world leader. Maintaining and securing world peace and friendship abroad through community endeavors have become as essential as any aspect of treaty law.

Sec. 8. *Graves Registration and Memorial Committee.* The duties of this committee involve recording of grave sites and complete information on veterans burial in cemeteries assigned to the post. Special assistance can be given the service officer in providing flags, headstones or proper interment in national cemeteries.

Sec. 9. *House and Entertainment Committee.* The House and Entertainment quarters promotion of club advantages and arrangement for social activities.

Sec. 10. *Legislative Committee.* The Legislative Committee needs to have a knowledge of what is going on in Congress—what we favor or oppose, and should be ready to initiate action in support of our position when requested by the national or department organization.

Sec. 11. *Membership Committee.* The Membership Committee shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatements and eligibility of members.

Sec. 12. *Public Relations Committee.* The Public Relations Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with The American Legion Magazine, department and national Legion news service and by local publicity of post programs and activities.

Sec. 13. *Veterans Affairs and Rehabilitation Committee.* The Veterans Affairs and Rehabilitation committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state government, employment, relief, etc.

Sec. 14. *Security Committee.* The Security Committee shall work with and coordinate Legion efforts with the Local Civil Defense Council on matters pertaining to national, civilian and home defenses. It shall assist the armed forces of the United States in recruiting efforts and in every way be active in community activities for the defense of the nation and the security of the American home.

Sec. 15. *Sons of The American Legion Committee.* This committee shall have supervision over the operations of the post's squadron of the Sons of The American Legion.

Sec. 16. *Visiting or VAVS Committee.* This committee is charged with visiting and comforting members and their families when sick or bereaved, and with visiting ex-service personnel in hospitals.

Article VII—Resolutions

Section 1. All resolutions of state or national scope presented to this post by a member or reported to this post by a committee shall merely embody the opinion of this post on the subject and copy of same shall be forwarded to the department headquarters for its approval before any publicity is given or action other than mere passage by the post is taken.

Article VIII—Meetings

Section 1. The regular meeting of the post shall be held at the club rooms on, at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the post.

Sec. 2. The post commander or a majority of the Executive Committee shall have power to call a special meeting of the post at any time.

Sec. 3. Upon the written request of members, the committee shall call a special meeting of the post.

Sec. 4. members shall constitute a quorum.

Article IX—Notices

Section 1. Every member shall furnish the post adjutant with an address for mailing.

Sec. 2. The post adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.

Article X—Rules of Order

Section 1. All proceedings of this post shall be conducted under and pursuant to Roberts' Rules of Order, except as herein otherwise provided.

Article XI—Limitations of Liabilities

Section 1. The post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other post, subdivision, members of The American Legion, or other individuals, corporations or organizations.

Article XII—Amendments

Section 1. These By-Laws may be amended at any regular post meeting by a vote of two-thirds of the members of said post attending such regular meeting: Provided That the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post: and, Provided, Further, That written notice shall have been given to all members at least days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the By-Laws is to be voted upon.

Delinquency, Resignation and Transfer

A concise statement of the national policy with reference to delinquency, resignation, transfer, etc., based upon the Constitution, By-Laws, national policy and decision of national judge advocates.

Delinquency

1. Legion membership is annual, the Legion year being from January 1 to December 31. Dues are payable October 20 in advance.

2. If dues are not paid by January 1 of each calendar year, the member becomes delinquent. If dues have not been paid by February 1, the member is suspended, but nevertheless a member with no privilege except that of reinstatement by vote of the post and payment of dues; and dues not being paid, such membership continues for a period of five months, to June 30, at which time the member is dropped from the roll by constitutional mandate and the membership forfeited.

Resignation

1. A member may resign from the post at any time while dues are paid and can thereafter join another post as a new member, in which event the continuity of Legion membership is broken, and upon resignation the post is not required to rebate any part or portion of the member's dues.

Transfer

1. The only method of transferring from one post to another so the continuity of the membership in the Legion is not broken is by formal transfer, which is available only to members in good standing.

2. A member of a post may not move the membership to another post and retain continuous membership without the formality of a transfer. Being a member of more than one post at one time is a violation of the Constitution.

3. The right to transfer does not carry the right to be accepted by any post.

4. On transfer there shall be no transfer of funds derived from dues, etc. The accepting post shall recognize the fact of dues having been paid to the post from which the transfer is effected and shall make no charge therefore, excepting only if the dues of the post accepting the member are in excess of those from which the transfer is sought; then the accepting post may collect from the transferring member the excess dues prorated from the date of the acceptance to the end of the current year.

5. In all instances where a member of The American Legion during a current year transfers from one post to another after payment of the current year's dues, the transferring post shall retain said dues and shall have credit for such membership during the remainder of such year for which said dues were collected, but said transferred member shall be entitled to all of the benefits and assume all of the responsibilities of membership in the post to which transfer is made, after such transfer is effected. (See "Transfer of Membership" in index)

Simplified Eligibility Guide

National policy requires that eligibility inquiries be submitted through the department.

There is only one class of membership—honorary memberships are not authorized. In all doubtful cases, consult your judge advocate.

Constitutional Eligibility Requirements

ALL WHO SERVED IN THE ARMY, NAVY, MARINE CORPS, COAST GUARD OR AIR FORCE OF THE UNITED STATES ARE ELIGIBLE ONLY IF THEY HAVE THE FOLLOWING CONSTITUTIONAL QUALIFICATIONS:

"Any person shall be eligible for membership in The American Legion who was a member of the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; February 28, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States; all dates inclusive . . . provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided, further, that no person shall be

entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or unqualified service.”

(The language “or continued honorably after any of said periods” has reference to those remaining in service after the date terminal at which time eligibility may be established by all veterans having honorable active service during such periods, regardless of whether they have been discharged or stay on in the service).

Constitution Requirements with Reference to Allied Armies

“Any person shall be eligible for membership in The American Legion . . . who, being a citizen of the United States at the time of entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any said periods; . . . provided, however, such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or unqualified service.”

(The word “citizen” requires full citizenship and one who had only made application for citizenship and had what is commonly known as “first papers” was not admitted to full citizenship at the time of entry into the service and therefore is not eligible. Only full citizenship prior to service with an allied army entitles one to membership. The attainment of U.S. citizenship subsequent to such service does not fulfill the requirement).

(Service in the allied forces is not restricted to the initial dates as given for service in U.S. Forces, but may have been at any time after the declaration of war by the particular government.)

(NOTE: Section 1, Article IV, of the National By-Laws provides:

Each post of The American Legion shall be the judge of its own membership, subject to the restriction of the Constitution and By-Laws, except that no person who is a member of an organization which has for its aim the overthrow of the United States Government, by force or violence, or who subscribes to the principles of any group opposed to our form of government shall be eligible to become or remain a member of The American Legion.)

Dishonorable Discharge

When a veteran has proper wartime service, with honorable discharge, but received a discharge other than honorable by reason of a subsequent enlistment, if the later enlistment was outside to the ending dates of eligibility set forth in Article IV of the National Constitution of The American Legion, the person in question would be eligible, based on the first period of service which met the constitutional requirement. (The question of his acceptability being a matter of the post under Section 1, Article IV, National By-Laws.)

If the subsequent enlistment was during a period of eligibility set forth in Article IV of the National Constitution of The American Legion and ended on other than a honorable discharge, would permeate the entire service for that period and would not be eligible for membership based on service for that period.

World War II

The Kansas City National Convention of The American Legion, held September 1942, and the Chicago National Convention, November 1945, authorized the amendment of the National Charter to include the eligibility dates covering World War II service (December 7, 1941, to September 2, 1945). Public Laws 767 and 495, approved October 29, 1942, and July 9, 1946, respectively, effected the change. The Miami Beach National Convention, August 1974, authorized the amendment of the National Charter to change the terminal eligibility date for World War II service to December 31, 1946, and Public Law 93-557, approved December 27, 1974, effected.

WORLD WAR II

| SERVICE | OPINION |
|--|---------------|
| Acceptability (See Membership)..... | Discretionary |
| Active Duty (honorable discharge, constitutional period)..... | Eligible |
| Aliens (Honorable active duty, U.S. Armed Forces)..... | Eligible |
| Allies, Service with (If citizen of U.S. at time of entry therein)..... | Eligible |
| If U.S. citizenship acquired subsequent to service)..... | Ineligible |
| American Field Service (Civilian status)..... | Ineligible |
| American Volunteer Group, Chinese Air Forces (Civilian status)..... | Ineligible |
| Annapolis (See Naval Academy)—Midshipmen..... | Eligible |
| Armed Guard (Navy)—(Naval personnel manning defense ordinance, merchant vessels..... | Eligible |
| Army Corps, Women's (See WAC's) (If active duty, honorable discharge)..... | Eligible |
| Army Auxiliary Corps, Women's (WAAC's)..... | Ineligible |
| Army Reserve (Unless active duty)..... | Ineligible |
| Army Specialist Corps (Uniformed civilians; abolished)..... | Ineligible |
| Army Transport Service: (unless granted veteran status)..... | Ineligible |
| Masters and crews, civilian employees..... | Ineligible |
| Administrative group comprised of military personnel on active duty for purpose of administering troops being carried thereon..... | Eligible |
| Army, United States (Honorable active duty)..... | Eligible |
| Associate Membership (See Membership)..... | Prohibited |
| Aviation Cadet (If active duty)..... | Eligible |
| Bad Conduct Discharge..... | Ineligible |
| Blue Discharge..... | Ineligible |
| Canadian Forces, Service with (If active duty, honorable termination, constitutional period and U.S. citizenship time of entry)..... | Eligible |
| Certificate of Service, Army of the United States (Form No. 280)..... | Eligible |
| Chinese Air Forces, American Volunteer Group (civilian status..... | Ineligible |
| Civil Air patrol (Civilian status)..... | Ineligible |
| Civilian Technical Corps, The (Civilian status)..... | Ineligible |

Digest of Eligibility Opinions

| SERVICE | OPINION |
|--|------------|
| Coast Guard (Active duty, honorable termination, constitutional period)..... | Eligible |
| Coast Guard Academy (Cadets)..... | Eligible |
| Coast Guard Beach Patrol (CGR)-(If active Duty)..... | Eligible |
| Coast Guard, Industrial Guards (Reserve temporary)..... | Ineligible |
| Coast Guard Reserve (Unless active duty)..... | Ineligible |
| Coast Guard Reserve (Temporary-Unless full-time active duty with pay)..... | Ineligible |
| Coast Guard Reserve, Volunteer Port Security Force..... | Ineligible |
| Coast Guard, Women's Reserve (SPAR's) – (If active duty)..... | Eligible |
| Conscientious Objectors..... | Ineligible |
| Constitutional Period, Service Without..... | Ineligible |
| Continuous Service, Subsequent Cessation Hostilities..... | Eligible |
| Disability, Discharged (If active duty, honorable termination)..... | Eligible |
| Discharges: | |
| Bad Conduct..... | Ineligible |
| Blue..... | Ineligible |
| Certificate of Service, Army of the Disability (If honorable)..... | Eligible |
| Dishonorable..... | Ineligible |
| Good..... | Eligible |
| Honorable (Active duty)..... | Eligible |
| Inaptitude: | |
| Naval—Honorable conditions..... | Eligible |
| Army—Honorable..... | Eligible |
| Army—Blue..... | Ineligible |
| Indifferent..... | Eligible |
| Ordinary (Under honorable conditions..... | Eligible |
| Over-Age..... | Eligible |
| Special Order (Under honorable conditions)..... | Eligible |
| Transfer to Enlisted Reserve Corps..... | Eligible |
| Undesirable..... | Ineligible |
| Unfavorable..... | Ineligible |
| Unsuitability (Under honorable conditions)..... | Eligible |
| Employment, discharged to accept..... | Eligible |
| Enemy Nations..... | Ineligible |

WORLD WAR II

| SERVICE | OPINION |
|---|---------------|
| Enlisted Reserve Corps (Unless active duty)..... | Ineligible |
| Field Service, American (Civilian status)..... | Ineligible |
| Good Discharge..... | Eligible |
| Guards, Industrial..... | Ineligible |
| Honorable Discharge (Active duty, constitutional period)..... | Eligible |
| Honorary Membership..... | Prohibited |
| Inaptitude Discharge (if honorable conditions)..... | Eligible |
| Indifferent Discharge..... | Eligible |
| Industrial Guards..... | Ineligible |
| Length of Service (Not a prerequisite)..... | Eligible |
| Marine Corps, United States..... | Eligible |
| Marine Corps Reserve (Unless active duty)..... | Ineligible |
| Marine Corps, Women's Reserve (If active duty)..... | Eligible |
| Marine Officers' Training School..... | Eligible |
| Maritime Service (Non-military)..... | Ineligible |
| Membership: | |
| Acceptability..... | Discretionary |
| Associate..... | Prohibited |
| Honorary..... | Prohibited |
| Posthumous | Prohibited |
| Merchant Marine(unless granted Veteran status)..... | Ineligible |
| If service between December 7, 1941-August 15, 1945, and have a discharge from the Coast Guard, Navy or Army showing honorable service within the delimiting dates..... | Eligible |
| Merchant Marine Reserve (USNR)—(Unless active duty naval service)..... | Ineligible |
| West Point, Annapolis, Coast Guard Cadets..... | Eligible |
| National Guard (Unless active duty)..... | Ineligible |
| Naval Academy (Annapolis) – Midshipmen..... | Eligible |
| Naval Reserve, United States (Unless active duty)..... | Ineligible |
| Naval Transportation Service (Unless granted Veteran status)..... | Ineligible |
| Navy (Active duty)..... | Eligible |
| Navy, "Armed Guard" (Naval personnel manning defensive ordinance, merchant vessels)..... | Eligible |
| Nurses, Army and Navy..... | Eligible |
| Officers' Candidate Schools (If member Armed Forces)..... | Eligible |
| Officers' Reserve Corps (Unless active duty)..... | Ineligible |

Digest of Eligibility Opinions

(continued)

| SERVICE | OPINION |
|---|------------|
| Ordinary Discharge (Under honorable conditions—Active duty)..... | Eligible |
| Over-Age (Discharged for)..... | Eligible |
| Philippine Scouts..... | Eligible |
| Police, Auxiliary Military (Civilian status)..... | Ineligible |
| Posthumous Membership (See Membership)..... | Prohibited |
| Post Membership Honor Rolls—See NEC resolution, #11 May 1967..... | Authorized |
| Public Health Service, U.S. (Civilian status)..... | Ineligible |
| (If assigned active duty Armed Forces)..... | Eligible |
| Reserve Corps Enlisted (Unless active duty)..... | Ineligible |
| Reserve Officers (unless active duty)..... | Ineligible |
| Seabees (If active duty)..... | Eligible |
| Separation, Honorable (If active duty)..... | Eligible |
| Shipyards Workers (Civilian status)..... | Ineligible |
| SPARS (Coast Guard, Women's Reserve) —(If active duty)..... | Eligible |
| Special Order Discharge (Under honorable conditions—if active duty)..... | Eligible |
| Transfer (Discharge for, to Enlisted Reserve Corps)..... | Eligible |
| Transport Service, Army: Masters and crews, civilian employees..... | Ineligible |
| Administrative group, comprised of military personnel on active duty for purpose of administering troops being carried thereon..... | Eligible |
| Undesirable Discharge..... | Ineligible |
| Unfavorable Discharge..... | Ineligible |
| Unsuitability Discharge (Held issued under honorable conditions—If active duty)..... | Eligible |
| WAAC's (Women's Army Auxiliary Corps)—(Civilian status—Abolished)..... | Ineligible |
| WAAC's (Women's Army Auxiliary Corps) If served on or after May 1942..... | Eligible |
| WAC's (Women Army Corps)—(If active duty)..... | Eligible |
| WASP (Women's Air Force Service Pilots) If Service between Sept. 10, 1942-Dec. 20, 1944..... | Eligible |
| WAVES (Women Accepted for Volunteer Emergency Service)—(Naval Reserve-If active duty)..... | Eligible |
| West Point (Military Academy—Cadets)..... | Eligible |

ELIGIBILITY OF MERCHANT MARINE DECEMBER 7, 1941 - AUGUST 15, 1945

A January 19, 1988, decision of the Secretary of the Air Force granted veteran status, not just veterans benefits, to its members of the Merchant Marine and certain employees of the Army and Navy during the period December 7, 1941, to August 15, 1945. The Federal Government now considers such service to be "active duty" service. Affected individuals must apply for a Discharge or Certificate of Release. A DD Form 214 record of service will be issued which will show service in the Army, Navy or Coast Guard, depending on the service of the individual. In this case the individuals would be eligible and no action is needed by The American Legion. Often such DD Form 214's will also show Merchant Marines as a component of one of the Armed Forces (e.g. Army, Navy, Coast Guard, Army Air Corps now Air Force, or Marines). Since The American Legion has never looked beyond active duty in one of the Armed Forces, the particular component does not affect membership eligibility.

Korean War

The Los Angeles National Convention, The American Legion, October 1950, and the Washington, D.C., National Convention, August 30-September 2, 1954, authorized the amendment of the National Charter to include the eligibility dates covering the Korean War (June 25, 1950, to July 27, 1953). Public Laws 895 and 178, approved December 28, 1950, and July 26, 1955, respectively, effected the change. The Miami Beach National Convention, August 1974, authorized the amendment of the National Charter to change the terminal eligibility date for Korean War Service to January 31, 1955, and Public Law 93-557, approved December 27, 1974, effected to change.

Area where service performed is not a determining factor.

The two weeks' annual training periods do not fulfill eligibility requirements, as such training periods represent nothing more than similar active duty excursions demanded from component branches of the Army during peacetime as well as during the period of hostilities.

One who was ordered to active duty for purposes of undergoing physical examination, subsequently returned to his home, reverting to inactive status, is not eligible.

Discharge Data

(November 1951)

FORMS FOR ARMY, NAVY, MARINE CORPS AND AIR FORCE

| | |
|---|--------------|
| DD 256 (A) or (N) or (MC) or (AF) (White) Honorable | Eligible* |
| DD 257 (A) or (N) or (MC) or (AF) (White) General | Eligible* |
| DD 258 (A) or (N) or (MC) or (AF) (White) Undesirable | Not Eligible |
| DD 259 (A) or (N) or (MC) or (AF) (Yellow) Bad Conduct | Not Eligible |
| DD 260 (A) or (N) or (MC) or (AF) (Yellow) Dishonorable | Not Eligible |
| DD 214 Report of Separation from the Armed Forces of the United States | Eligible* |
| (If released to a civilian status, although still in the Reserves) | Eligible* |
| DD 217 Certificate of Service (Reserve) | Eligible* |
| DD 156A Honorable Discharge Armed Forces USA (Reserve) (Unless active duty) | Ineligible |

*Honorable service during periods of eligibility.

Vietnam War

The 48th National Convention of The American Legion, August 30-September 1, 1966, Washington D.C., and the 56th National Convention of The American Legion, August 20-22, 1974, and the 59th National Convention of The American Legion, August 23-25, 1977, authorized the amendment of the National Charter to include the eligibility dates covering the Vietnam War (August 5, 1964, to May 7, 1974), and Public Law 89-550, approved September 1, 1966, and Public Law 93-557, approved December 27, 1974, and Public Law 95-346, approved August 18, 1978, effected the change.

During the 61st National Convention in Houston, Texas (August 21-23, 1979), the convention passed a resolution to amend the Vietnam War dates to begin on December 22, 1961, pursuant to Congressional approval.

On December 21, 1979, President Carter signed into law S-1874. This became Public Law 96-155, which changes American Legion eligibility for the Vietnam War to be December 22, 1961-May 7, 1975.

The National Charter of The American Legion was amended by the delegates at the 79th National Convention, September 2-4, 1997, Orlando, Florida. This amendment requested a change to the beginning eligibility date for American Legion membership for the Vietnam War period to February 28, 1961. In late-November, 1997, United States Congressional approval through Public Law 105-110 effected this change.

Lebanon and Grenada

The 72nd National Convention of The American Legion, August 28-30, 1990, Indianapolis, Indiana, authorized amendment of the National Charter to include the eligibility dates covering the United States operations in Lebanon (August 24, 1982, to July 31, 1984) and Public Law 101-478, approved October 30, 1990, effected the change. This time period included operations in Grenada.

Panama

The 72nd National Convention of The American Legion, August 28-30, 1990, Indianapolis, Indiana, authorized amendment of the National Charter to include the eligibility dates covering the United States operations in Panama (December 20, 1989, through January 31, 1990) and Public Law 101-478, approved October 30, 1990, effected the change.

Persian Gulf

The 73rd National Convention of The American Legion, September 3-5, 1991, Phoenix, Arizona, authorized amendment of the National Charter to include the eligibility dates covering Persian Gulf Operations and Public Law 102-179, approved December 3, 1991, effected the change. The time period for Persian Gulf operations, as stated in the National Constitution, is “August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States.” When the date of cessation of hostilities is determined by the United States Government, The American Legion expects to be informed and will transmit the information.

Place of Service Not a Consideration

As in the past, place of service is not a consideration in the determination of eligibility. Although reference is frequently made to the Vietnam veteran, service in Vietnam is not a requirement of membership.

Active Duty Is Required

Since the language used in changing the Legion’s Charter and National Constitution was exactly the same as used in the past, the basic requirement as a condition of eligibility has not changed in any respect since World War I—active duty in the military forces during a defined period of hostilities. This requirement was stated succinctly by then National Judge Advocate Robert A. Adams in a letter dated March 20, 1925;

“...service is the test, subject to the fact that the ex-serviceman was not dishonorably discharged.”

This statement was made in connection with a ruling made by the Judge Advocate at that time that those enrolled in the United States Military Academies during World War I were eligible for American Legion membership without regard to whether any other service was performed, or even whether the individual completed training at the Academy. In the specific case in which this ruling was made, the individual had terminated training at the Military Academy by a letter of resignation. The Judge Advocate’s decision at that time was supported by a statement made by the Judge Advocate General of

the Army three years earlier that “service at the military academy is service in the Army.” The Judge Advocate General of the Army had cited as his authority the case of U.S. vs. Morton, 112 U.S. 1. Thus, from the very beginning of The American Legion, the test of eligibility has been whether the individual was actually in military service on active duty during defined periods and whether that service was either terminated honorably or continued after the period of hostilities had ended.

Length of Service Not a Requirement

There is no requirement as to length of service. National Judge Advocate B. G. Davis, in a letter dated October 26, 1966, wrote:

“...there is no limitation placed on the length of the individual’s service. If the individual served one day on active duty as a member of the Armed Forces on or after August 5, 1964 (now February 28, 1961), and has received an Honorable Discharge or separation; or served on active duty as a member of the Armed Forces during any of the delimiting periods set forth in Article IV, Section 1 of the National Constitution, and is still on active duty, he is eligible for membership in The American Legion.”

A minimum of 90 days’ service is necessary to qualify for some veterans’ benefits, and 181 days for others. However, eligibility for veterans’ benefits is *not* a criterion of eligibility for American Legion membership.

Status of Those in Service Defined

With the establishment of a terminal date for Vietnam War service, eligibility for American Legion membership is extended to the individual who served on active duty during the Vietnam War (February 28, 1961, to May 7, 1975), and remained on active duty after the terminal date. (See Article IV, Section 1, National Constitution: “...or continued honorably after any of said periods...”)

National Guard & Reserve Eligibility

The National Guard and Reserves are required to meet the same eligibility requirements as the full time federal active veterans. To be eligible, the National Guardsman/Reservist **must have served at least one day on federal active duty during any of the delimiting periods** set forth in Article IV, Section 1 of the National Constitution, and either have an honorable discharge or currently be serving either in the Guard/Reserve or on federal active duty.

The key to determining if a Guardsman/Reservist has been on or currently serving on federal active duty is the “**Authority Line**” on the activation orders of the Guardsman/Reservist. In both cases “Title 10, Subsection 672 or 12301” are orders from the Secretary of Defense and are federal orders.

The authority the Governor uses to activate the National Guard as an individual or unit is “Title 32” orders, i.e. Weekend Drills and Annual Training. These are **not** federal orders. The Reserves have similar reserve orders which are “Title 10, Subsection 270.” This authority code gives the reserve component the authority to activate the reserves for Weekend Drills and Annual Training.

Use the chart below when determining eligibility for National Guard and Reserves.

| | ELIGIBLE | NON-ELIGIBLE |
|----------------|--------------------------------------|-------------------------|
| National Guard | Title 10 Subsection 672 or 12301* | Title 32 |
| Reserves | Title 10 Subsection 672 or 12301* | Title 10 Subsection 270 |

This information was taken from Military Law Chapter 39.

*This Subsection was created following Desert Storm to replace 672.

Note: A DD-214 will be issued for the time on federal active duty or a DA-1059 for a completion of a school will be issued with a character type of discharge. All Reserve components send their service members to "Basic Training" using Title 10, Subsection 672/12301 orders.

Clemency Discharges

In response to a recommendation submitted by the 1974 National Conference of Department Commanders and Adjutants, National Judge Advocate B. G. Davis issued the following opinion:

"After having reviewed the Proclamation of the President of the United States released on September 16, 1974, it is my opinion that a clemency discharge will not satisfy the eligibility criteria for membership in The American Legion. Article IV, Section 1, of the National Constitution requires that the individual seeking membership in The American Legion must, inter alia, have an honorable discharge or honorable separation from military service or his service must have continued honorably after any of the delimiting periods set forth in the above cited article and section. A clemency discharge does not meet this criteria."

Temporary Duty

During the Vietnam War, it was the practice of the Air Force to call members of the Air National Guard to duty for temporary periods, frequently for no more than 10 days. The call is made with the consent of the individual and of the Governor of the state concerned. The duty usually involves flying Air Force cargo from the United States to Southeast Asia. Correspondence with the Chief of the National Guard Bureau, Washington, D.C., has established that duty of the type outlined herein is included in the term of "active duty," in the sense that it is full-time duty in the active military service of the United States. Upon the completion of such duty, as evidence by the issuance of a Form DD-214 or other evidence of honorable separation, the individual is eligible for membership in The American Legion, provided, of course, that any part of the duty occurred between December 22, 1961, and May 7, 1975.

Discharge Data

(Vietnam War) and (Later Periods)

| | FORMS NOS. | ARMY | AIR FORCE | COAST GUARD | MARINE CORPS | NAVY | | |
|---|---------------|------|--------------|----------------|-----------------|--------|----------|--|
| Honorable | DD256 (A) | or | (AF) | or (CG) | or (MC) | or (N) | (White) | Eligible * |
| | | | | Reg. & Res. | | | | |
| (UHC) (under Honorable conditions) | DD257 (A) | or | (AF) | or (CG) | or (MC) | or (N) | (White) | Eligible* |
| (UTH) (under other than Honorable conditions) | DD258 (A) | or | (AF) | or (CG) | or (MC) | or (N) | (White) | Not Elig.* |
| Bad Conduct | DD259 (A) | or | (AF) | or (CG) | or (MC) | or (N) | (Yellow) | Not Elig.* |
| Dishonorable | DD260 (A) | or | (AF) | or (CG) | or (MC) | or (N) | (Yellow) | Not Elig.* |
| Certificate of Service | DD217 | | (AF) | | | | | Eligible |
| (REPORT OF TRANSFER (OR DISCHARGE (ARMED FORCES OF THE (UNITED STATES | DD214 (A) | or | (AF) | | (MC) | or (N) | | Eligible |
| | | | | | | | | (if released to a civilian status, although still in the reserves) |

*Honorable service during periods of eligibility.

U.S. Military, Naval, Air Force or Coast Guard Academies

Bertram G. Davis, National Judge Advocate, ruled on March 6, 1978, that “Cadets who served at the U.S. Military, Naval, Air Force or Coast Guard Academies during any of the delimiting periods set forth under Article IV, Section 1 of the National Constitution and whose service has been honorably terminated those individuals are eligible for membership in The American Legion.” Chapter 1, Section 101 (21) Title 38, United States Code provides as follows: The term “active duty” means service as a cadet at the U.S. Military, Air Force or Coast Guard Academies or as a Midshipman at the U.S. Naval Academy.

Eligibility Matters Not Covered

Questions of eligibility not covered in the foregoing should be referred by Post Commanders to the Department Adjutant or the Department Judge Advocate. Should the Department Adjutant or the Department Judge Advocate be in doubt, an opinion and ruling may be requested from the National Judge Advocate.

Discharges Are Not Infallible

Discharges are not infallible as a test for membership, for many discharges were erroneously issued, and if clearly so, may be corrected on application to the appropriate department in Washington.

If the discharge has been lost, an abstract of service may be procured from the appropriate department.

PARLIAMENTARY PROCEDURE

- I Order of Business
- II Motions
- III Amendments
- IV Nominations and Elections
- V Courtesies in the Assembly
- VI Parliamentarian
- VII Authorized Business

Procedure

PARLIAMENTARY PROCEDURE is the application of parliamentary law to the conduct of an organization. It is wise for all leaders to familiarize themselves with the accustomed technique of conducting a meeting. While it is important that the members understand the fundamental rules of parliamentary procedure, this knowledge should be used only to insure order, to expedite business, and to develop an organization that will cleave to the objects for which it was organized. For a member constantly to raise points of order and to insist upon the strict observance of every rule in a peaceable assembly where there are members ignorant of these rules and customs is but to defeat the opportunity of gradually accustoming the membership of the proper observance of parliamentary procedure.

THE CONSTITUTION AND BY-LAWS of an organization contain specific rules for the conduct of its business. General rules and customs for orderly procedure in addition to these specific rules are commonly known as parliamentary law. These rules are needed to guide the deliberations of an organization in order to do the right thing in the right way at the right time, and to secure the best results with the least expenditure of time and effort. The underlying principles of parliamentary law are justice and courtesy to all, one thing at a time, the rule of the majority, and the right of the minority.

PARLIAMENTARY AUTHORITY—It is important for every organization to adopt some authority on parliamentary law, and for the members to be familiar with both the specific and the general rules of the organization. A copy of the by-laws should always be on the commander’s desk. Excellent books and small leaflets on parliamentary procedure have been written in simplified form and are available, but Roberts’ Rules of Order Revised is the accepted authority for The American Legion.

I. ORDER OF BUSINESS (IF NOT OTHERWISE PROVIDED IN BY-LAWS)

1. **CALL TO ORDER**—The commander taps once with the gavel and says, “The meeting will come to order (follow ritual; roll call). The adjutant will please read the minutes of the preceding meeting.”

2. **MINUTES**—After the minutes have been read by the adjutant, the commander asks, “Are there any corrections?” If none is made, “The minutes stand approved as corrected.”

3. **TREASURER OR FINANCE OFFICER’S REPORT**—The commander then calls for the treasurer’s report. After it has been read, the commander says, “If there are no questions or corrections, the report will be filed for auditing.” The Auditing Committee reports at such times as the by-laws provide.

4. **EXECUTIVE COMMITTEE REPORT**—In some organizations much of the routine business is taken care of by the Executive Committee. This committee submits a report of its meeting at each regular meeting of the organization for adoption by the membership. The Executive Committee may transact only such business as the membership authorizes, except where the by-laws give the committee power to act. This report might include the outstanding points in communications and committee reports submitted at the Executive Committee meeting, and presented to the organization for the information or the action of the group.

5. **COMMUNICATIONS**—These may include letters received, notice of the next meeting, and any matters of general interest to the organization, read by the adjutant.

6. **STANDING COMMITTEE REPORTS**—Standing committees are usually provided for in the by-laws and function throughout the year. The commander should have a list of the standing committees and call on each chair by name for reports according to plans previously made. If a report is made which contains merely a statement of opinion or facts, the commander says,

“If there are no objections, the report is accepted.” If it contains resolutions or recommendations for future action, a motion should be made by the reporting member “to adopt the resolutions or recommendations which may be amended in exactly the same manner as any main motion.”

7. **SPECIAL COMMITTEE REPORTS**—Special committees are appointed for special purposes and are automatically discharged when the special duties for which they were created are completed and their final report made to the organization. If there are any special committees to report, the commander says, “We will now hear the report of the special committee appointed to ***.” A motion to adopt the resolution or recommendations of the committee opens the report to discussion and amendment.

8. **UNFINISHED BUSINESS**—The commander next brings before the meeting any business postponed from the previous meeting, or nay matters introduced at that meeting on which the action of the organization was not completed. A list of these unfinished matters should have been prepared from the minutes of the last meeting by the adjutant. Only when the unfinished business has been disposed of may new business be brought forward.

9. **NEW BUSINESS**—The commander then says, “Is there any new business to come before the meeting?” Communications and motions calling for action by the organization may then be presented and necessary action taken. This closes the business part of the meeting.

10. **THE PROGRAM** is then presented.

11. **ADJOURNMENT**—Members should remain seated and in order until the meeting is declared adjourned. The commander may, if desired, use the “common consent” motion to adjourn, etc., “If there are no objections, the meeting stands adjourned.” Formal adjournment is usually followed by a social hour. (Follow ritual.)

II. MOTIONS

Business is introduced by a motion, or by a resolution. The steps in making a motion and voting on it are as follows:

1. **OBTAIN THE FLOOR**—The member rises and addresses the presiding officer, as Mr. or Madame Commander, as the case may be and gives own name unless known by the commander. If the

member is entitled to the floor, the chair repeats the name of the member. This recognition gives the member the right to speak.

It is out of order for another member to stand before the member speaking has finished, or to remain standing after another has been given the floor.

2. **MAKE THE MOTION**—The member then states the motion or offers a resolution; for example, “I move that we take action to secure a playground for this community.” In order to state a motion properly, members of the organization should become accustomed to using the words “I move that” when introducing a motion.

3. **SECOND THE MOTION**—If anyone wishes the matter discussed and voted upon, a member says, “I second the motion,” without rising or addressing the Chair. If no member seconds it, immediately the Chair, except in small assemblies, repeats the motion and asks, “Is the motion seconded?” In small assemblies, where every member has evidently heard the motion, instead of repeating the motion, the Chair may say, “You have heard the motion; is it seconded?” If the motion is not then seconded, the Chair may say, “There being no second, the motion is not before the assembly.”

(Note: Consult your parliamentary authority for the motions that do not require a second.)

4. **STATE THE MOTION**—After the motion is seconded, the Chair then states the motion; for example, “It has been moved and seconded that we take action to secure a playground for this community.” As this motion is debatable and amendable, the Chair should then immediately ask, “Are you ready for the question?” or “Is there any discussion?” If the motion is not debatable or amendable (consult your parliamentary authority on this point if in doubt), the Chair should then immediately put the question to vote.

5. **DISCUSSION**—After a motion has been stated by the Chair, it is before the assembly for consideration and discussion. Speakers to the motion must (1) be entitled to the floor, (2) address their remarks to the presiding officer, (3) be courteous in their language and department, and avoid all personalities. The maker of the motion has the right to open and close the debate.

Speakers must observe the rules of the organization as to the number of minutes and number of times they may speak on a question. The maker of a motion may vote against, but not speak against, the motion. Discussion must relate to the immediately pending question.

(Note: Consult your parliamentary authority for the few exceptions by which a speaker may be interrupted after having been assigned the floor, also for the rules to guide the Chair when more than one person arises at the same time.)

6. **PUT THE QUESTION**—After sufficient opportunity has been given the debate, the Chair repeats the motion and says, “Are you ready for the question?” After waiting a moment, if no one claims the floor, the Chair then says, “All those in favor of the motion as stated, say aye. All opposed, say no.”

7. **ANNOUNCE THE VOTE**—The chair says, “The ayes have it, and the motion is adopted,” or “The noes have it, and the motion is lost,” as the case may be. In the event of a tie, the motion is lost unless the Chair votes in the affirmative in order to carry the motion. A tie loses because every question must be carried by at least a majority. If in doubt as to the result, the Chair calls for a rising vote, first for, and then against, the motion, asks the adjutant to count the votes, and then announces the results.

III. AMENDMENTS

After the question has been stated to the assembly by the presiding officer, it may be desirable to change it in some way. A member may rise, address the Chair, and after being recognized by the Chair, say, “I move to amend the motion by adding the words (with proper supervision) after the word (playground).” After the motion to amend has been seconded, and the motion repeated as it will read if amended so all may understand the effect the amendment will have on the main motion, the Chair then calls for remarks on the amendment.

The discussion is now upon the proposed amendment. After discussion is over, the Chair puts the question and calls for a vote on the amendment. **For example, “The question is on adding the words (with proper supervision) to the motion we take action to secure a playground for this community.**

All those in favor of this amendment please say (aye), those opposed say (no)." After announcing the result of the vote on the amendment, the Chair will then restate the motion before the house, in its original form if the amendment has been lost, or as amended if the amendment has been carried and the vote is then taken upon the question in its final form (if no further amendments are offered).

An amendment may be offered in any of the following forms: "I move to amend by inserting," or "adding" if at the end of the motion; "I move to amend by striking out and inserting," or "by substituting" in case of any entire resolution, by-laws or paragraph.

Only one amendment of the first degree is permitted at a time when a motion or resolution is under consideration, but one amendment of that amendment—that is, an amendment of the second degree—is also in order. While there may be only one amendment of each degree pending at the same time, any number of them may be offered in succession after disposing of the prior amendment. An amendment must relate to the subject to be amended.

The amendment of the second degree, if there is one before the assembly receives first consideration. After disposal, unless another secondary amendment is offered, the amendment of the first degree is then pending. After all amendments have been disposed of, the main motion as amended (or in its original form if all the amendments have been lost), is placed before the assembly for action.

WHAT SHALL I DO?

1. To introduce business? Make the main motion.
2. To modify the motion? Amend, commit or refer.
3. To defer action? Postpone to a certain time; make a special order (require a two-thirds vote); lay on table.
4. To suppress or limit debate? Move the previous question (two-thirds vote); limit debate (two-thirds vote).
5. To suppress the question? Object to the consideration (two-thirds vote); postpone indefinitely; lay on the table.
6. To consider a question a second time? Take from the table; reconsider; rescind.
7. To prevent action from becoming final? Reconsider and have entered on the minutes.
8. To reverse the decision of the Chair? Appeal.
9. To make a request for: Parliamentary inquiry; information; permission to withdraw a motion; reading papers; excused from duty; any other privilege. (See Roberts' Rules of Order, 44 to 51.)
10. To correct a mistake? Rise to a point of order.

A motion that's been carried, lost, or postponed indefinitely can't be considered again during the same session except by a motion to reconsider the vote disposing of the question, or to rescind the action taken. The motion to reconsider can be made only by one who voted on the prevailing side. The motion to reconsider must be made on the same day or the calendar day (not counting Sundays or holidays) after the vote which is to be reconsidered was taken. Any member may second this motion. The motion to reconsider, if carried, annuls the vote already taken and brings the motion before the assembly again for action.

A motion to rescind an action may be made if the motion to reconsider is not already pending. The motion to rescind may be made by any member. Its purpose is to undo some action already taken and is identical with the motion to amend by striking out something previously adopted, such as a by-law, resolution, section, or paragraph. If made on the same day, it only requires a majority vote, but on a subsequent day, if without notice of intention to rescind it, requires a two-thirds vote.

In case of doubts as to parliamentary procedure, or if difficult questions arise, such as to lay on the table, to postpone, to limit debate, to reconsider, point of order, etc. consult the parliamentary authority.

MOTIONS CLASSIFIED IN THE ORDER OF PRIORITY

Privileged Motions

- Fix time to Adjourn
- To Adjourn
- **To recess
- Questions of personal privilege
- Call for order of business

Subsidiary Motions

- Lay on table
- Previous question 2/3
- *Postpone to definite time
- *Refer to Committee
- *Postpone
- *Amend Amendment
- *Amend
- Objection to Consideration 2/3

A Main Motion is used to bring before the meeting any particular subject for consideration of the assembly.

NOTE

- *Are debatable—others are not.
- **Debatable only when no other motion pending.
- Those not marked with 2/3 require only majority vote.

IV. NOMINATIONS AND ELECTIONS

The choosing of officers for a Legion group is one of the most important functions. It means the choosing of leaders upon whose faithful service the success of the organization largely depends. Among the qualifications necessary for efficient official leadership is an understanding of the purpose of The American Legion; knowledge of the work and enthusiasm for it; a high sense of justice, fairness and courtesy; open-mindedness, moral courage and the ability to get along with other people.

Officers should be chosen for their ability to perform the work of the office to which they are elected, and not because of their social prestige or because they want the office. Willingness to serve is not enough; fitness to serve must stand above every other consideration.

A Nominating Committee reports to the assembly only nominees approved by a majority vote of the committee. No action is taken on the report of Nominating Committee. Nominations from the floor are always in order after Nominating Committee has reported.

A nomination is only a statement of a preference and does not control the election in any way. When voting by ballot, one may be elected without having been nominated, subject to getting the required number of votes at the election.

The elective ballot alone elects. Mistakes made in nominating do not invalidate elections, as you may vote for whom you please, regardless of nominations.

Members of a Nominating Committee may be nominated for office without resigning from the committee. When printed ballots are used, names presented from the floor as well as the names presented by the nominating committee must be printed on the official elective ballot so there will be no discrimination among the candidates.

NOMINATION BY BALLOT

No nominations are made from the floor when nominations are by ballot, as all have had opportunity to nominate by ballot.

The method of election best fitted to a particular group should be provided in the by-laws. These election rules must be strictly adhered to. If the election rules prove unsatisfactory, amend them. But abide by them as they are, until properly amended.

Before proceeding to an election, it is customary for nominations to be made from the floor or by a Nominating Committee, or by ballot. The by-laws may prescribe the method, but if they do not, then the assembly by motion may choose the method of nominating. This motion is not debatable.

Only members of the organization can make nominations or vote at an election.

The by-laws should provide that no name shall be placed in nomination without the consent of the nominee. This prevents promiscuous nomination and withdrawals.

Nominations from the floor may be made by any voting member. Nominations require no second, but a second is complimentary to the candidate.

NOMINATIONS BY COMMITTEE

If names of candidates are to be presented by a Nominating Committee, this committee should be named at least one month before election day and the by-laws should provide the method of appointing (or electing) the committee. The usual methods are election by the assembly, or election by the Executive Committee or part by the assembly and part by the Executive Committee.

The commander should not appoint the Nominating Committee nor be a member of it.

The Nominating Committee should give thoughtful consideration to the qualifications of each candidate for office and should secure the consent of the candidate before placing the name on the ticket.

CLOSING NOMINATIONS

Nominations from the floor may be closed by a two-thirds vote, or the commander may close nominations by unanimous (common) consent of the assembly (no one objecting). If for any reason it is desired to reopen nominations, it may be done by a majority vote (unless the by-laws limit the time for nominations).

A member may be nominated for more than one office, unless the by-laws forbid. If elected to more than one office, the member must choose immediately on which office to serve. The other office (or offices) shall be filled according to the provisions of the by-laws, if simultaneous service in more than one office is forbidden.

ELECTIONS

Majority vote is necessary to elect if there is no by-law to the contrary. Plurality vote never elects except by special by-laws. **A person ineligible to hold office at the time of election cannot be elected even by unanimous vote.**

The usual methods of election are by voice, or by ballot (a secret vote). The by-laws may provide that election shall be by ballot except when there is but one candidate for office, the election may be by voice. The ballot vote is the fairest vote when there is more than one choice for an office. When the by-laws require the vote to be taken by ballot, it is out of order to move that the adjutant or any other person shall cast the ballot of the assembly, as ballot vote is a secret vote and each voter must cast their own ballot.

ELECTION BY VOICE

The election to office may be by voice, and vote taken on each candidate separately, or the assembly may, by a majority vote, order the vote taken on the ticket as a whole when there is but one candidate for each office.

ELECTION BY BALLOT

Ballots should be given to identified voting members only. The names of candidates for each office may be printed or written on the ballot, or the voter may write the name of choice on the ballot. The

identity of the voter must not be indicated in any way as a ballot is a secret vote. If printed ballots are used, the names from the floor and those proposed by the Nominating Committee must be printed on the official ballot. Printed ballots cannot be used if nominations and elections take place at the same meeting. Instructions may be given to the assembly concerning the method of marking the ballot. An unmarked (blank) ballot is just a scrap of paper and is not counted in elections. The Election Committee has no authority to make any changes in the election ballot or mark it in any way.

The vote cast for each office must be preserved in such manner that if the election is questioned, the voter may be verified by a recount. If printed ballots are used, the Election Committee places the voted ballots in a sealed packet together with its report (signed by at least a majority of the Election Committee), and delivers the packet, sealed, to the adjutant. This sealed packet shall not be opened except by order of the assembly or the board for the purpose of verifying the vote, or destroying the packet.

If slips of paper are used for voting for each separate office, the votes cast for each office must be sealed in a separate packet and delivered to the adjutant in like manner.

The form of the report of the Elections Committee for each office to be filled is as follows (Example): "For commander—Number of votes cast—30; necessary for election—16; Brown received—19; Jones received—10; Green received—1."

After the vote for all the offices has been read (the largest vote for each office stated first), the names of the committee members signing the report are read, the report is handed to the commander, and the reporting member sits. The commander announces who is elected.

In counting the ballots, every name for which a vote has been cast must be reported.

Newly-elected officers take their seats at the time prescribed in the by-laws. If there is no such rule, they are seated following election, or at the time established by usage as a precedent.

When there is more than one vice-commander, they always should be numbered to establish their precedence when acting as commander pro tem.

V. COURTESIES IN THE ASSEMBLY

Members contribute to the success of a meeting when they—

1. Come to order at once when the commander opens the meeting.
2. Give thoughtful attention throughout the business meeting and the program.
3. Rise to address the Chair, and wait to speak until recognized by the Chair.
4. Sit down at once when someone else has been given the floor.
5. Rise to make a motion, but remain seated in small assemblies when seconding the motion.
6. Write a long or involved motion and give to the adjutant, when asked to do so.
7. Rise when a rising vote is requested and remain standing until the vote is taken.
8. Vote on every question.
9. Limit their remarks to their rightful share of the time of the meeting and do not infringe upon the right of others. The floor should be given to one who has not spoken on the question, in preference to one who has spoken, if there is any question as to precedence.
10. Rise to make reports, remain seated during the discussion of the report.
11. Refrain from conversation during the meeting.
12. The courtesy of the floor may be granted to one who is not a member when it is desired to have such one speak during a business session.

VI. PARLIAMENTARIAN

A parliamentarian may be appointed if there is a member of the organization who is well informed on parliamentary law. It must be remembered the function of a parliamentarian is to express an opinion on the point in question when requested to do so. The ruling or decision based upon this advice must be stated by the presiding officer.

VII. AUTHORIZED BUSINESS

Authorized and lawful business which the organization becomes responsible for can only be transacted at meetings regularly or specially called for that purpose at which meetings there is a quorum present.

The notice for a special meeting must state the special business to be transacted, and no other business can be entertained.

If no quorum is present, the motion to adjourn and to provide for an adjourned meeting are the only motions in order.

If additional knowledge of Parliamentary Procedure is deemed necessary, posts should refer to Roberts' Rules of Order. These rules can be purchased from National Emblem Sales, American Legion National Headquarters, P.O. Box 1055, Indianapolis, IN 46206.

VIII. MOTIONS CLASSIFIED IN ORDER OF PRIORITY

1. Privileged Motions: Fix time to Adjourn; To Adjourn; To Recess **; Question of Personal Privilege; Call for Order of Business.

2. Subsidiary Motions: Lay on Table; Previous Question (2/3); Postpone to Indefinite Time *, Refer to Committee *; Postpone *; Amend Amendment *; Amend *; Objection to Consideration (2/3).

3. Main Motion *: A main motion is used to bring before the meeting any particular subject for consideration of the assembly.

NOTE: *Are debatable—others are not.

**Debatable only when no other motion pending.

Those not marked with (2/3) require only majority vote.

Uniform Code of Procedure for the Revocation, Cancellation or Suspension of Post Charters

(Adopted by the National Executive Committee of The American Legion, May 1-2, 1941,
Indianapolis, Indiana—Amended by that body November 6-7, 1941)

I. Charges

Section 1. A charge that any post should, for any good and sufficient cause, have its charter cancelled, suspended or revoked may be initiated by any intermediate body between the post and the department, or by any three posts of the department in which the post accused is located. A charge may be withdrawn only with the consent of the department commander.

Sec. 2. Such charge shall be filed with the department commander at department headquarters.

Sec. 3. Such charge shall be in writing, and signed by the respective commanders and adjutants of the intermediate bodies or posts, as the case may be, and sworn to before any officer authorized to administer oaths.

Sec. 4. Three additional copies of such charge shall be filed with the original. The department commander shall forthwith cause one copy of such charge to be served on the defendant post by delivering a true copy thereof to the adjutant of said post, as hereinafter provided.

Sec. 5. Such charge shall include the following:

- a. A certified or attested copy of the resolution authorizing the filing of such charge.
- b. The full name and address of the post against which the charge is made, as well as the full name and address of the commander and adjutant of such post.
- c. A clear, concise and detailed statement of the facts upon which the charge is based.
- d. The section or sections of the national and department Constitutions and By-Laws alleged to have been violated.
- e. Affidavits or documents substantiating the charge may be attached.

Sec. 6. After a charge has been filed, the department commander shall forthwith cause a full investigation of the facts to be made. After such investigation, the Department Commander shall file a report and recommendation with the Department Executive Committee for its action thereon at its next meeting.

Sec. 7. Proceedings relating to the cancellation, suspension or revocation of a post charter may also originate with either the Department Commander or the Department Executive Committee.

Sec. 8. The action of the Department Executive Committee in rejecting any charge or charges against a post shall be final.

II. Resolutions of Department Executive Committee

Section 1. Should the Department Executive Committee determine by a majority vote that the post should surrender its charter, said Department Executive Committee shall direct the defendant post to surrender its charter for cancellation, and shall pass a resolution that unless the charter is so surrendered, prior to the date therein specified, a hearing and trial be held to determine whether the post charter should be cancelled, suspended or revoked, and said resolution shall include the following:

- a. A statement that the Department Executive Committee has determined that a hearing and trial is warranted.
- b. Authorization and direction to the department commander and department adjutant to sign a formal complaint.
- c. The names and addresses of the members of the subcommittee before which the hearing and the trial is to be held.
- d. The name and address of the department judge advocate or special acting department judge advocate who is to assist the committee.
- e. Authorization to the subcommittee to hire such stenographic or other help as may be necessary and to incur such expense as may be necessary. Said expense, including the cost of stenographic report of the trial when ordered to be transcribed by the subcommittee or the Department Executive Committee, shall be taxed as costs against the department complainants or defendant post in such manner and amount as the Department Executive Committee shall prescribe.
- f. That the subcommittee shall report its written findings of fact and recommendation to the Department Executive Committee at its next meeting, provided, however, that if the hearing or trial is not completed, a partial report shall be made.

III. Complaint

Section 1. In all cases, a formal complaint, in triplicate, shall be drawn by the department judge advocate and signed by The American Legion, through its department commander and department adjutant, setting forth the following:

- a. A clear and concise statement of the facts upon which the charges are predicted.
- b. The origin of the charges.
- c. A copy of the resolution of the Department Executive Committee appointing the subcommittee and its assistants.
- d. A copy of the Uniform Code of Procedure for the revocation, cancellation or suspension of post charters.
- e. The time within which an appearance or answer shall be filed by the post, which shall be not less than 20 nor more than 60 days from the date of the service of a copy of the complaint.
- f. The time and place for the hearing and trial, which shall not be more than 30 days after the date of the expiration of the time for the filing of the answer.

Sec. 2. Any such complaint may be amended by the subcommittee of the Department Executive Committee at its discretion at any time upon such terms as may be deemed just in the opinion of the said subcommittee.

IV. Service

Section 1. The subcommittee shall cause a true copy of the complaint to be served on the defendant post.

Sec. 2. All complaints, orders and other process and papers of the subcommittee or the department organization of The American Legion may be served personally, or by registered mail, or by leaving a copy thereof at the principle office or headquarters of the intermediate body or post, or place of residence of the person or officer to be served. The verified return by the individual serving the same showing service thereof in the manner herein provided, or the registry return receipt shall be proof of service.

Sec. 3. All notices, orders, papers or other process which are to be served on the department headquarters of The American Legion, or the subcommittee appointed to conduct the trial, shall be deemed served if they are served on the department adjutant at department headquarters, said service to be made as herein above provided.

Sec. 4. Witnesses may be summoned by a notice signed by either the special acting department judge advocate, the department judge advocate, or by a member of the subcommittee.

V. Answer

Section 1. The defendant post shall file an answer to said complaint with the department judge advocate at department headquarters within the time specified in the complaint. The answer shall contain a clear and concise statement of the facts which constitute its defense. Any charge or specification in the complaint which is not expressly denied or explained in the answer shall be deemed to be admitted.

Sec. 2. In the event that the complaint is amended during the course of the hearing or trial, the defendant shall be furnished with a copy of such amendment, and may file an amended answer to the said amended complaint within five days thereafter.

VI. Subcommittee

Section 1. The subcommittee to hear and try and make written findings of act and recommendations with reference to the matter of the cancellation, suspension or revocation of the post charter shall be appointed by the Department Executive Committee and shall consist of not less than three (3) members of the Department Executive Committee. No member of the post under investigation shall be a member of such subcommittee.

Sec. 2. Should no member of the subcommittee be a lawyer, opinions on questions of law may be obtained from the department judge advocate.

Sec. 3. A majority of the members of the subcommittee shall constitute a quorum. If for any reason there is less than a quorum, the hearing shall be adjourned until a quorum is present.

Sec. 4. The duties of the department judge advocate or special acting department judge advocate shall be to see that the trial is prompt, complete and thorough, make all arrangements for the hearings, the summoning of all witnesses and the production of all papers. He shall see that all the orders of the subcommittee shall be carried out. He shall examine and cross-examine all witnesses.

VII. Hearing and Trial

Section 1. The rules of evidence prevailing in courts of law and equity shall not be controlling. The subcommittee shall decide all questions arising as to relevancy of the evidence and the regularity of the proceedings.

Sec. 2. The subcommittee may hold its hearings in closed sessions or may open them to the public. The subcommittee shall hear witnesses on oath or affirmation.

Sec. 3. Any party to the proceeding shall have the right to appear at such hearing in person, by counsel or otherwise, subject to such reasonable restrictions as may be placed on this right by the subcommittee, and to examine and cross-examine witnesses and to introduce documentary or other evidence.

Sec. 4. Stipulations of fact may be introduced in evidence with respect to any issues.

Sec. 5. Objection to the conduct of the hearing shall be stated orally together with a short statement of the grounds of such objection and included in the stenographic report of the hearing.

Sec. 6. Any party to the proceedings shall be entitled to a reasonable period at the close of the hearing for oral argument, which shall not be included in the stenographic report of the hearing. Briefs may be filed by the parties within the time fixed by the subcommittee.

Sec. 7. At the discretion of the subcommittee, the hearings may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the chairman or vice-chairman of the subcommittee or by other appropriate notices.

Sec. 8. A stenographic report of the trial shall be made.

VIII. Report of Subcommittee

Section 1. The subcommittee, after it has completed its hearings, shall file the complete report of the proceedings of the trial, together with its written findings of fact and recommendations with reference thereto with the department adjutant not less than five (5) days before the next meeting of the Department Executive Committee, all of which shall be open to the inspection of all members of the Department Executive Committee, as well as representative or representatives of the defendant post.

Sec. 2. The Department Executive Committee shall consider said report and act thereon.

Sec. 3. At the Department Executive Committee meeting at which the report of the said subcommittee is to be considered, one representative of the defendant post may, within the discretion of the Department Executive Committee, be given the privilege of the floor for not more than one hour.

Sec. 4. Should the subcommittee's report be a partial report, the Department Executive Committee may continue the committee and authorize it to hold further hearing and present its final report at the next meeting of the Department Executive Committee.

IX. Appeal

Section 1. Should the Department Executive Committee refuse to cancel, suspend or revoke the charter of the post, such decision shall be final and no appeal can be taken therefrom.

Sec. 2. Should the Department Executive Committee, upon a report of its subcommittee, cancel, suspend or revoke the charter of the defendant post, the defendant post and the national adjutant shall be notified by the department adjutant of the decision of the Department Executive Committee, which notice shall be mailed within five (5) days after such decision has been rendered. Should the defendant post desire to appeal from the decision of the Department Executive Committee, it shall serve its notice of appeal, signed by the post commander and adjutant at department headquarters within thirty (30) days from the date of said suspension, cancellation or revocation.

Sec. 3. Upon receipt of said notice of appeal, the department commander shall immediately notify the national commander of such appeal and shall cause the department judge advocate, or acting department judge advocate, and the subcommittee to submit all the papers and the complete record of the hearings to the national commander. Upon receipt of the notice of appeal, the national commander shall appoint a subcommittee of not more than five (5) nor less than three (3) members of the National Executive Committee for the purpose of hearing the appeal from the action of the Department Executive Committee.

Sec. 4. The national executive committeeman, or alternate, from the department of which the defendant post is a part, shall not be eligible to serve on this committee.

Sec. 5. This subcommittee of the National Executive Committee shall meet at least one day prior to the meeting of the National Executive Committee and to this committee the national commander shall refer the complete record, in writing, of said proceedings with such exceptions thereto as are made by the defendant post.

Sec. 6. This subcommittee may make its recommendations merely from the records, or it may permit representatives of the department or the defendant post to appear and argue the matter before the committee, and it may, as such hearing of such appeal, take further evidence relating thereto under such rules and conditions as it may from time to time adopt.

Sec. 7. This subcommittee shall review the cause and recommend to the National Executive Committee the action to be taken thereon.

Sec. 8. The decision of the National Executive Committee, based upon the report of this subcommittee, shall be final and there shall be no appeal therefrom.

Sec. 9. The costs of the proceeding may be re-taxed as the National Committee shall deem just and equitable.

Practice and Procedure in the Expulsion or Suspension of a Member of The American Legion

(This Practice and Procedure may possibly be revised and changed by subsequent action of the National Executive Committee.)

National Judge Advocate's Note

Many departments and posts of The American Legion have failed to adopt a method of practice and procedure on the suspension or expulsion of a member. The following is not mandatory upon any post or department, but is submitted only as a guide or form to follow. It is approved by the National Executive Committee.

A.

Section 2 of Article IV of the By-Laws of The American Legion is as follows:

“Members may be suspended or expelled from the Legion only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his membership until given a fair trial in such manner and form as the department by-laws and Department Executive Committee shall prescribe.”

I. Process

The first process in all actions of expulsion or suspension against a member of The American Legion in good standing shall be by filing with the adjutant of the post written charges in triplicate, properly verified by affidavit of the accuser or accusers.

II. Writ—When Returnable When Written Charges Are Filed

The adjutant shall issue a writ dated upon the day it shall be issued and sign it, directed to the sergeant-at-arms (or some other member of the post in good standing), commanding that person to summon the accused to appear at the post meeting place at the next regular meeting (providing 15 days have intervened), to show cause why he should not be suspended or expelled (as the case may be).

III. Service—Return

It shall be the duty of the sergeant-at-arms, or the member appointed, to serve the writ so issued, by reading it to the accused and at the same time delivering to the member a verified copy of the charges filed. The person serving the writ shall endorse upon said writ the time and manner of serving it and immediately thereafter file the same with the post adjutant.

IV. Alias Writ

Whenever it shall appear by the return that the accused is not found fifteen (15) days, or more, previous to the regular post meeting, the adjutant, at the request of the accuser, shall issue another writ and so on until service is had.

V. Failure to Make Return

If the sergeant-at-arms, or the member to who a summons is delivered, shall neglect or refuse to make return of same within the time required in Paragraph 4, another summons shall be issued, directed to some other member in good standing for service as herein above set forth.

VI. Service by Publication

Whenever the accuser shall file with the adjutant of the post in which the charges are pending, an affidavit showing the accused has gone out of the state or on due inquiry cannot be found or is concealed within the state so that process cannot be served upon the intended, and stating the place of residence of such accused, if known, or that upon diligent inquiry the place of residence cannot be ascertained, the adjutant of the post shall cause publication to be made in the county where the post is located and if there be no newspapers published in said county, then in the nearest newspaper published in the state containing notice of the pendency of such charges before said post, the names of the accused and the accuser, and the time and place of the hearing of said charges. Within two days of the first publication of such notice, the adjutant of said post shall send a copy thereof by mail addressed to the accused if the place of residence is stated in said affidavit; said notice shall be published at least once each week for three successive weeks.

VII. Charges

The accuser or accusers must be members of the same post as the accused and shall set forth the charges of disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of The American Legion in terms of simplicity and understanding in order the accused may properly prepare a defense.

VIII. Accused to Enter His/Her Appearance in Writing

Before the accused defends in his/her own proper person, or through counsel, he/she shall enter an appearance by filing an answer to said charges on or before the date of the regular meeting to which the accused has been summoned to appear.

IX. Failure to Answer

If the accused fails to answer the charges, in manner and form as herein last set forth, the charges and matters and things therein stated shall be taken as confessed and the prayer for expulsion or suspension granted.

X. Date of Trial

Whenever the accused enters an appearance by filing an answer to the charges preferred, the entire proceedings shall automatically be continued until the next regular post meeting, at which time the trial shall be had.

XI. Continuance

Either party may apply for a continuance before the day set for trial, however, it shall be accompanied by a written motion, supported by affidavit of the party so applying. Good and substantial cause must exist before said motion is granted. The presiding judge advocate shall pass on said motion.

XII. Trial—Post Judge Advocate to Preside

The post judge advocate shall preside at the trial, and shall have the power and authority to pass upon the materiality and relevancy of all the evidence presented, and shall have general power to prescribe the necessary and reasonable rules and regulations for the orderly procedure of said trial.

XIII. Post Judge Advocate Vacancy

In case of death, removal, vacancy, resignation or disability of the post judge advocate, it shall be the duty of the department commander, when duly notified by the post adjutant, to appoint a special judge advocate in the department to fill the vacancy. Such special judge advocate so appointed shall have the authority, right and powers of a duly elected post judge advocate. The post shall bear the expenses of any special judge advocate.

XIV. Post Officers and Executive Committee to Act as Jurors

The post officers and the post executive committee are hereby selected as jurors to ascertain under the guidance of the judge advocate the truth of the charges preferred. Their province is strictly limited to questions of fact, and within that province they are still further restricted to the exclusive consideration of the matters that have been proven by evidence of the interested parties in the course of the trial. Their decision shall be reduced to writing and filed with the post adjutant, who, in turn, shall enter the same in the post records.

XV. Causes of Challenge

If any post officer or any member of the executive committee, or any other member selected as a juror, shall state he/she cannot fairly and impartially render a verdict therein in accordance with the evidence, and the presiding judge advocate shall be satisfied of the truth of such statement, said member or members shall be challenged for cause.

XVI. Peremptory Challenge

Each party shall be entitled to challenge of two jurors without showing cause for such challenge.

XVII. When a Post Has No Executive Committee

When a post has no executive committee, the presiding judge advocate shall direct the sergeant-at-arms to summon five members of the post to sit as jurors in their place.

XVIII. Duty of Sergeant-at-Arms

If any member is challenged peremptorily or for cause, or if any post officer or member of the Executive Committee shall be absent from said trial, the presiding judge advocate shall direct the sergeant-at-arms to summon a sufficient number of members of the post to sit as jurors in their place.

XIX. If Sergeant-at-Arms Not Present, etc.

If the sergeant-at-arms is not present at said trial or upon objection of either party to the cause to the sergeant-at-arms summoning a sufficient number to fill the vacancies, the presiding judge advocate shall appoint a special sergeant-at-arms to summon the necessary persons to act as jurors.

XX. Members Insufficient to Fill Panel

When the membership of the post, through cause or otherwise, is insufficient in number to make a full panel for jury service, the trial shall be continued until the next regular post meeting. The post adjutant, within five (5) days thereafter, shall transmit such information to the department commander, who shall, before the next regular meeting of the post, cause the sergeant-at-arms of said post to summon a sufficient number of members of The American Legion from the body of the county in which the post is located to fill the vacancies.

XXI. Amendments

At any time before a final decision is made by the jury upon the trial of a member upon expulsion or suspension, amendments may be allowed by the presiding judge advocate upon such terms as are just and reasonable.

XXII. Number Necessary to Expel or Suspend

To expel or suspend a member of The American Legion in good standing, two-thirds of the members selected to sit as jurors shall vote in the affirmative.

B.

Section 3 of Article IV of the By-Laws of The American Legion is as follows:

“Any member who has been suspended or expelled has the right of appeal to his Department Executive Committee, or to the department convention, according to the provisions in the by-laws of such department. The decision of the department shall be final.”

I. Time for Appeal

Within forty (40) days after judgment of expulsion or suspension is made and recorded, the accused ONLY may take an appeal in manner and form as set forth in Section 3 of Article IV of the By-Laws last mentioned.

II. Stenographic Report

Either party demanding a stenographic report of the trial shall pay for the same, and when said report is completed, it shall be the duty of the presiding judge advocate, on appeal, to examine the same and if correct, officially certify to the correctness of such report, and the same shall be immediately filed with the department adjutant, who, in turn, shall present the same to the Department Executive Committee or the department convention officials, according to the by-laws of such department. All matters and things contained in such stenographic report shall become a part of the record and shall be considered in the final decision by the department. In addition to the stenographic report, all interested parties shall have the further right of appearing in person, or by counsel, and present further evidence and arguments upon such final hearing.

III. Notice by Department Adjutant Upon Request

When an appeal is taken by accused, in compliance with Section 3 of Article IV of the By-Laws of The American Legion, it shall be the duty of the accused to obtain from the department adjutant the date of the Executive Committee meeting or department convention and the exact time and place of such hearing on appeal. This notice should be given if possible at least ten (10) days before the meeting or convention.

IV. Appeal—Department Judge Advocate to Preside

Upon appeal the department judge advocate shall preside at the trial, and shall have the power and authority to grant a continuance to either party if deemed for the best interest of the Legion; to pass upon the materiality and relevancy of all the evidence presented and shall have general power to prescribe the necessary and reasonable rules and regulations for the orderly procedure of said trial.

V. No Further Appeal

The decision reached by the Department Executive Committee or department convention shall be final.

VI. Effect of Decision

Where an appeal is taken by the accused and the Department Executive Committee or department convention sustains the appeal, the expelled member automatically becomes a member in good standing of said post, and it is mandatory the adjutant reinstate said member upon the post membership roll. Any post failing to comply with this provision is subject to having its charter suspended or revoked.

C.

Section 4 of Article IV of the National Constitution of The American Legion is as follows:

“No person who has been expelled by a post shall be admitted to membership in another post without the consent of the expelling post, except that where such consent has been asked for and denied by such post, he may then appeal to the Executive Committee of the department of the expelling post for permission to be admitted to membership in another post, and shall be ineligible for membership until such permission is granted.”

How to Write a Resolution

Because the resolutions adopted by your membership represent a formal expression of the official opinion or will of the post, extreme care should be devoted to both their preparation and thought content. The following guidelines and suggestions relate primarily to the *form* your post’s resolutions should take, rather than their content. However, when considering resolutions, keep in mind that any proposal transmitted beyond your post and within the organization of the Legion must be “germane”—that is, closely related to the purpose for which The American Legion exists.

Resolutions requiring county, district or department consideration must be prepared and forwarded in accordance with their respective regulations and by-laws. A well-written resolution stands a better chance of getting favorable consideration at your county, district, or department convention than a resolution which is vaguely worded and carelessly formulated.

From the standpoint of the policies and practices of The American Legion as a whole, resolutions are all-important. The National Organization cannot act on a given problem in the absence of a controlling resolution; and, conversely, it must act on a matter when mandated to do so by a resolution which has been properly adopted by the national Convention or National Executive Committee. If your post seeks to be a leader in the policies and practices of The American Legion, it can do so only through the resolution method.

Post Procedures May Vary

In some posts, the member who moves the adoption of a resolution must present it in writing at the time the motion is offered. Other posts follow the practice of assigning one member, or special committee, the task of drafting or editing those resolutions to be sent forward for convention consideration. However, it remains the responsibility of the Post Commander to make sure each resolution truly reflects the sense of the action taken by the post—and is presented in the best possible form.

Except for certain details (noted in the discussion of *resolving* clauses below) the National Organization has not established an official style guide for the preparation of American Legion resolutions. However, the National Executive Committee has expressed (Res. No. 20 and 21, May 1960) certain general considerations are applicable to all resolutions being forwarded for action by the National Organization as follows:

1. A resolution should contain “supporting documents,” and its intent should be clearly defined.
2. A resolution should be free of errors of fact and law.
3. A resolution should have material relevance to the purposes and programs of The American Legion. (On the latter point, the NEC specifically cautions Legion Posts to beware of becoming a channel through which non-Legion organizations seek to achieve their goals.)

A resolution should deal with only one subject. Those which attempt to treat more than one subject are unwieldy to process at conventions, especially if they involve matters which do not fall within the jurisdiction of a single committee of the convention. They are generally rejected or amended to delete reference to more than one subject.

Resolutions have two major parts, a *preamble* and a *resolving section*. Each consists of one or more clauses (sometimes called paragraphs) and the whole is read in its entirety, beginning with the preamble, as one continuous, complex sentence. The preamble sets forth the reasons for the resolution; the resolving section sets forth the intent of the resolution.

Prepare Preamble Last

Although it precedes the resolving section in appearance, the preamble of a resolution should be prepared after the resolving section has been put into final form. Once the intent of the resolution has been clearly stated, it is much easier to decide what statements need to be in the preamble to make clear the reasons for the resolution. Also, during committee or floor debate, a preamble is always amended last because changes in the resolution may require changes in the preamble. The resolving section of a resolution begins with the word “*RESOLVED*,” usually printed in capital letters and followed by a comma. Between this opening word and the statement of the resolution’s intent there should be inserted the following information: (1) identification of resolving authority; (2) the circumstance and place of the action; (3) the date of the action. The first word after this information would be “*That*” with a capital “*T*.”

Example:

“RESOLVED, by Post No., The American Legion, Department of, in regular (or special) meeting assembled in (Place and Date), That . . .”

This clause, referred to as the “resolving clause” (similar to the “enacting clause” of a law), should be uniform for every resolution. For National Convention and National Executive Committee resolutions, the resolving clauses have been standardized as follows:

“RESOLVED, by The American Legion in National Convention assembled in (City and State), (Date), That . . .”

The word “*That*” immediately following the resolving clause introduces the clause which is the object of the verb “*RESOLVED*.” It aids the reader to find the point at which the meat of the resolution begins; it aids the drafter of the resolution to launch a strong and unmistakable statement of intent.

Examples:

“RESOLVED, . . . That The American Legion shall sponsor and support legislation to . . .”

“RESOLVED, . . . That The American Legion is opposed to repeal or weakening of . . .”

Although each resolution should deal with only one subject, it is often necessary or desirable to attach additional clauses (or paragraphs) to a resolution’s resolving section in order to cover matters that are closely related to the main intent. This device is especially useful for spelling out the details of how and by whom the intent of the resolution is to be carried out or accomplished. Example:

“RESOLVED, by (etc.) . . ., That (etc.) . . ., and be it

“FURTHER RESOLVED, That (etc.) . . ., and be it

(add FURTHER RESOLVED paragraphs as required) . . ., and be it

“FINALLY RESOLVED, That (etc.) . . .”

As shown here, the identifying information is stated *only once*, in the first paragraph of the resolving section of a resolution, and is not repeated in subsequent paragraphs. A period is used only once—at the close of the last paragraph of the resolving section.

Construction of Resolution Preamble

The preamble of a resolution is made up of one or more clauses (or paragraphs), each of which begins with “*WHEREAS*.” Two or more of these clauses are joined together by a semicolon followed by “*and*.”

Example:

“WHEREAS, The American Legion is an organization of war veterans who have dedicated themselves to the service of the community, state and nation; and

“WHEREAS, This service is performed through The American Legion’s basic programs; and (etc.)”

Each clause in the preamble should contain a statement of fact which is logically related to the intent of the resolution and explains and justifies the need for the resolution. Note that each clause would stand alone as a complete sentence if the “*WHEREAS*” were removed and a period were used in place of the semicolon at the end.

The final clause of the preamble is joined to the resolving section of the resolution by a semicolon (or colon), followed usually by the phrase “*now, therefore, be it...*” (acceptable variations in common usage are “*therefore be it*”; or simply “*be it*”).

Example:

“WHEREAS, (etc.); and

“WHEREAS, (etc.); and

“WHEREAS, (etc.); now, therefore, be it

“RESOLVED, by (etc.), That (etc.)”

(Note: The “Whereas” may be set out in capital letters, italics, underscored, etc., depending preference. When capitalized, it is usually followed by a comma, and then the first letter of the following word is capitalized.)

There is no formula for deciding how many “WHEREAS” clauses a resolution should have. In general, the fewer the better, provided the reason or reasons for the resolution are adequately stated. Most of the good reasons for a resolution will have been stated during the debate for its adoption. Use them. It is not necessary, however, to refer in the preamble to every fact or circumstance that has a bearing on the intent of a resolution.

Study the resolving section and get the exact purpose of the resolution firmly in mind. Then start writing down statements of fact which relate to this purpose. Organize them into a logical sequence (throwing out the weak or unnecessary ones), and then put a “WHEREAS,” in front of each, a semicolon at the end of each, plus the appropriate connecting word (“and”) or words (“now, therefore, be it”) for joining them to each other and the resolving section. *Do not use a period in the preamble.*

Resolutions are important business to The American Legion. Write them with thought and care.

The American Legion Life Insurance Program

When considering the plans offered through The American Legion Life Insurance Program, it is important to remember these plans are for supplemental coverage only and are not meant to be the only coverage a member has. In addition, these plans are not meant to replace existing coverage. These plans are not designed to compete with individual/private insurance plans or employer benefit plans.

As with any insurance coverage, members should carefully consider these plans and read and understand all materials received including rates, benefits, features, scheduled premium increase or benefit reductions.

The American Legion is now offering a Level Term Life Plan to members, their spouses and dependents. **This includes Sons of The American Legion members and spouses.** The Legion-approved Level Term Life Plan is underwritten by Hartford Life Insurance Company. The ITT Hartford lends additional stability to the Legion-approved Life Plans because of that company’s sound operating performance and consistent high ratings from A.M. Best. The Administrator for the plans is Kirke-Van Orsdel, Inc., located in West Des Moines, Iowa. Eligibility for the plan is members and spouses under age 70. This plan **automatically** terminates at **age 75**.

The American Legion has approved a special life insurance plan for Veterans who are separating from the military. This includes retirees, as well as those separating from one or more tours of active duty. Eligibility for the plan is for members within one year after separation and who are under age 40. This

plan will provide a bridge between the termination of SGLI coverage and the acquisition of coverage from an employer or on an individual basis. However, the coverage can be continued as additional insurance, if desired.

In addition to its low cost, the plan includes a provision that will pay 50% of a covered person's face amount in the event of death caused or contributed to by war or an act of war, declared or undeclared, if the person is serving on active duty. The rates for this plan are very competitive with all associations and lower than many.

Plan is not available in all states. Call Kirke-Van Orsdel, Inc., for details.

KIRKE-VAN ORSDEL, INC.
1776 West Lakes Parkway
West Des Moines, IA 50398
1-800-542-5547

The American Legion Whole Life Insurance Plan

Another plan available to members and spouses is Birthday Life underwritten by Union Fidelity Life Insurance Company, located in Trevoise, Pennsylvania. This plan is a guaranteed-issue, whole life plan combined with accidental death insurance. The benefits do not decrease and premiums paid at entry age do not increase as the insured grows older. No medical exam is required.

Guaranteed renewable for life, Legionnaires and spouses age 45 through age 80 are eligible to enroll in this plan, which builds cash values and offers a loan provision. **The age limit in Washington and New Jersey is lower than age 80. Contact Union Fidelity for details.**

The plan provides a limited death benefit, for the first two years, for death from natural causes and provides full benefits during that period for accidental deaths. Full benefits in any event are payable after two years. For more information, contact Union Fidelity at the following address:

UNION FIDELITY LIFE INSURANCE CO.
ADMINISTRATIVE OFFICES
4850 STREET ROAD
TREVOISE, PA 19049
1-800-523-5758

The American Legion Discount Prescription Program

An important benefit for American Legion and Sons of The American Legion (SAL) members and dependents is The American Legion Discount Prescription Program designed by Seabury & Smith and administered by RxAmerica.

The program was approved nationwide by the National Executive Committee at its October 1995 meeting. **Please note that the program is not available in Maryland. The Department of Maryland has its own prescription program. Contact the Department of Maryland for details.**

The program has two components: a network of retail pharmacies and a mail order service. It's easy to use. Members simply present their current American Legion, SAL or Auxiliary membership card at the pharmacy when purchasing a prescription to receive the discount. For mail service, obtain a mail order request form from the local Post or by calling the toll-free number, 1-800-905-9818, complete the mail order form and send it to: RxAmerica, P.O. Box 960125, Fort Worth, TX 76161-9863. The mail service is guaranteed to be more cost-effective than AARP mail service.

Most of the time members can save as much as 20% or more on prescription purchases. In cases when members appear not to save, it is usually when the drug is already on sale as a loss leader. Loss leaders are drugs priced well below retail, sometimes below cost, to lure customers into the pharmacy. However,

the Legion Discount Prescription Program assures that members pay the lowest price in the network pharmacy for that drug on that particular day—the lesser of the two.

Members have actually experienced an average savings of slightly more than 17% nationally. This amounts to more than \$18 million in savings for Legion, SAL and Auxiliary members thus far. Continued utilization will increase savings even more.

The Discount Prescription Program is providing assistance to members in a highly visible need area and can potentially be one of the most valuable member benefits available.

The American Legion CHAMPUS Supplement Program

The American Legion has approved a National CHAMPUS Supplement Program for active duty and retired military members and dependents.

The program is designed to meet the needs of active duty and retired military members who may be referred to civilian facilities for care. It includes an active duty and retired version. A combined brochure is available from the Administrator. Information on the plan has previously been distributed to Departments.

This program can also provide an important tool for Posts and Departments that desire to recruit members on or near military bases or retired military personnel.

For additional information, questions, or quantities of brochures, call 1-800-542-5547. The American Legion CHAMPUS Supplement Program is underwritten by Allianz Life Insurance Company of North America and Administered by Kirke-Van Orsdel, Inc., of West Des Moines, Iowa.

UNIFORMED GROUPS

The American Legion invented the drum corps, and perfected the beauty, excitement, and preciseness of the modern parade. We've been America's unquestionable leader and staunchest supporter of amateur musical drill units since 1921. It behooves us to maintain this leadership, and we can with proper organization and support at the post level.

Uniformed groups are American Legion "display cases" so to speak. At post, department or national level, they advertise and dramatize The American Legion's size, scope and substance to everyone within sight and sound. They afford everybody involved a sense of accomplishment, and a great deal of satisfaction and enjoyment and, to both, are one of the finest opportunities for post public relations.

Every post can participate in uniformed group activities if it so chooses. Take your choice with categories available, one must surely meet with the approval of your post's membership. If a drum corps or band can't be managed, try a color guard or firing squad. If these don't appeal, go to work on the organization of a chorus, or just a quartet. If the natural bent of your post is toward youth activities, sponsor a junior unit of some type.

There is a national convention competition in the following categories: 1) Senior Color Guard—Military Closed (American Legion Members Only), 2) Senior Color Guard—Military Open (Auxiliary, SAL, Mixed Members), 3) Senior Color Guard—Open Class (Legion, Auxiliary, SAL, Mixed Members), 4) Senior Concert Band Contest.

For further details and rules concerning Convention competition, contact the National Convention Office at (317) 630-1243.

National Emblem Sales

National Emblem Sales has available a wide variety of merchandise including American Legion and Auxiliary decals, uniforms, gifts for outgoing officers, bookkeeping materials, gifts, fashion apparel, etc. National Emblem Sales distributes merchandise catalogs to every Post Commander, Post Adjutant, and Unit President. Additional copies can be obtained by calling National Emblem Sales toll-free at 1-888-453-4466.

Additionally, National Emblem Sales has been delegated, by the National Adjutant, the task of administering use of the emblem on manufactured goods. The name and emblem of The American

Legion are registered service marks in the U.S. Trademark Office and are protected by criminal and civil enforcement provisions of federal law (18 U.S.C. S 705 and 36 U.S.C. SS 44 and 48). However, by authority of May 1947 Resolution Number 71, the National Organization may grant permission to use the name and emblem in accordance with Resolution Number 71, other Resolutions and U.S. Trademark Law. In order for permission to be granted, a request must be submitted in writing, through Department Adjutant who will forward the request to National Emblem Sales. The following information must be included with the request: 1) name and address of requesting post, 2) name and address of manufacturer, 3) description of item to be manufactured, 4) quantity to be manufactured, 5) cost each, 6) assurances that the item is made in the United States, 7) purpose of which item is to be used (must be for post use, not purchased for re-sell). Authority may then be granted on a one-time basis only; additional orders require new authority, and the manufacturer must not produce more items than that being ordered.

National Emblem Sales is pleased to serve you regardless of your requirements. During your continuing activity in The American Legion, you will find this service division of valuable assistance in carrying out the programs of your post. See page 4-49-1 for official form to use.

REQUEST FOR USE OF AMERICAN LEGION NAME OR EMBLEM ON MERCHANDISE

The name and emblem of The American Legion are registered service marks in the U.S. Trademark Office and are protected by criminal and civil enforcement provisions of federal law (18 U.S.C.S. 705 and 36 U.S.C.SS 44 and 48). By authority of May 1947 Resolution 71, the National Adjutant or his designated representative (Director, National Emblem Sales), may grant limited permission to use the name and emblem in accordance with Resolution Number 71, other Resolutions and U.S. Trademark Law. In order to gain permission for limited use of the name or emblem, complete this form and forward it to your Department Headquarters, attn: Department Adjutant. Your Department Headquarters will forward the completed form to National Emblem Sales. Please note that permission must be requested by the member or Post purchasing the merchandise and permission is granted directly to U.S. Manufacturers only.

Any permission given will be granted on a one-time basis for a given quantity. Additional orders will require new authority and the manufacturer must not produce more items than being ordered. Permission will be given with the caveat that all material used will specifically identify the Post. If the merchandise requested is available through National Emblem Sales, you will receive a quote for the merchandise or a one-time limited permission. If the merchandise is not available through National Emblem Sales, you will receive a one-time limited permission or denial of permission. If you are ordering an outdoor sign for the post, the only licensed manufacturer of American Legion Post outdoor signs is the J. M. Stewart Company, 2201 Cantu Court, Suites 217-218, Sarasota, FL 34232, and they can be reached at (800) 237-3928.

The official American Legion form requesting permission to use the name and/or emblem in accordance with Resolution Number 71 follows. Please fill out the form completely and fax or mail it to the Department Headquarters.

**FILL OUT FORM COMPLETELY AND FAX OR MAIL TO
DEPARTMENT HEADQUARTERS**

| Purchaser Information | Manufacturer Information |
|---|---|
| Post Number _____ | Name Of Business _____ |
| Address _____ | Address _____ |
| City _____ State _____ Zip _____ | City _____ State _____ Zip _____ |
| Contact Person _____ | Contact Person _____ |
| Member I.D. # _____ | Telephone # _____ |
| Telephone # _____ Evening _____ | Product in all parts made in U.S.A.? Yes _____ NO _____ |
| Product Description _____ _____ _____ | If No, Please attach an explanation. |
| Quantity _____ | Imprint Instructions Provide rough sketch below or attach artwork. |
| Price _____ | |
| Purpose/Use of Product _____ _____ _____ _____ _____ | |

DEPARTMENT USE

FOR OFFICE USE ONLY

NATIONAL USE

| | |
|--|---|
| <input type="checkbox"/> Recommend Approval <input type="checkbox"/> Recommend Denial | <input type="checkbox"/> Approved <input type="checkbox"/> Referred <input type="checkbox"/> Denied |
| <hr/> Department Adjutant | <hr/> National Adjutant or Designated Representative (National. Emblem Sales) |

THIS FORM MAY BE REPRODUCED LOCALLY

SURPLUS MILITARY EQUIPMENT

Regulation, procedures, and prices for obtaining blank ammunition surplus rifles, and other military equipment available for donation are subject to change without notice. Major changes have been made by the Department of the Army. Please be advised that all requests for surplus military equipment must first go through the Washington Office to verify the legitimacy of the Post making the request. The Washington Office is only authorized to handle requests from chartered American Legion Posts in good standing. Once verification has been made, requests are sent by the Washington Office to the appropriate agencies for processing. When requests are made to Congressional offices or other military departments, without the proper verification and endorsement, the acquisition process is greatly slowed down. Separate letters must be sent for each type of equipment being requested. If both rifles and ammunition are needed, separate letters must be sent for each type of equipment being requested. If both rifles and ammunition are needed, separate requests should be forwarded to the Washington Office as two different agencies, Rock Island, IL and Warren, MI will be handling the items. This is a change from past handling procedures.

Requests are to be made on Post letterhead and contain the following:

Post name and number

Address (not a P.O. Box number)

Telephone number

Number of members in the Post (another new change)

Request should be signed by the Post Commander.

These are requirements set forth in new policies and procedures established by the Army. Any correspondence lacking any of these items will be returned to the Post causing delay in processing requests.

Posts are reminded that equipment donated by the Department of the Army to American Legion Posts remain the property of the United States Army. Transfer of any equipment obtained through the Surplus Program is unauthorized without the written permission of the United States Army Tank-automotive and Armaments Command (TACOM).

Posts receiving surplus equipment, rifles, static display items, etc. can expect periodic inspections to assure accuracy of information provided by the Donor and compliance with the terms of this Conditional Deed of Gift, proper storage and handling, etc.

This program is to be at no cost to the government and even though Posts have paid for handling, shipping, packaging, crating, etc., the items are really just "on loan" from the Department of the Army.

BLANK AMMUNITION

American Legion Posts needing blank ammunition for ceremonial purposes can be assured of the best possible service on requests, if they comply with the following instructions:

1. Direct a letter of request on Post letterhead with an address (not a P.O. Box number) and a telephone number to: Executive Director, Washington Office, American Legion National Headquarters, 1608 K Street, N.W., Washington, DC 20006. Indicate the type of blank ammunition desired—1305-A222/A224 (for cal. .30 rifles), 1305-A242 (for cal. .30 Krag rifles only). The quantity issued may be one or two boxes containing 960/1200/1240 rounds for .30 rifles, and 1,700 rounds for .30 Krag rifles. The existing stock of 1305-A242 are of 1937 vintage and have not been included in the Surveillance Centralized Reliability Program (SCRIP) for function testing since 1975. As a result of the discontinued testing, functional serviceability can no longer be assured.
2. Enclose a printed Post check, Postal Money Order, or Certified Check made payable to the United States Treasury, for the exact amount of cost handling—\$4.34 per box for code 1305-A222 or A224; \$6.55 per box for code 1305-A242. If using a Post check, it should include Post name, Address including zip code and a telephone number, including area code. The letter should be signed by the Post Commander.

3. At the present time, the only storage facility handling blank ammunition is in Missouri. Orders will be shipped out of Missouri, COD by UPS. You may receive a call from the shipping depot before delivery is made to indicate when shipment is being sent and to verify that someone will be available to sign for delivery. Shipment costs may vary greatly and are only available from the shipper. The cost depends on distance and weight of ammunition requested. The check included in your request is only for handling at the TACOM agency. The shipping costs are usually much more expensive.

Upon receipt of the above information from a Post, the Legion's Washington Office will place an endorsement on the request stating that it is a chartered Post in good standing and eligible to participate in the Veterans' Program. The request, with endorsement, will be forwarded to Rock Island, IL for processing. No further correspondence should be necessary. At the present time, it cannot be estimated how long it will take for ammunition requests to be filled. Requests will be handled in turn as to when received and when ammunition is available.

Please do not put multiple requests (ammunition, rifles, static display equipment) in the same letter as each request must be sent to a different agency.

You can purchase clips through Rock Island, IL with your ammo request. You must state this in your request. The price of the clip is 5 cents each and you must order a minimum of 25 clips for a total of \$1.25 plus 25 cents for shipping and handling. If more than 25 are ordered, the cost is 5 cents per clip plus 10% of the total for shipping and handling.

RIFLES

Under the provisions of Public Law 1028, Title 10 United States Code (USC) 4683, the Secretary of the Army, under regulations prescribed by the Secretary, may conditionally lend or donate excess M-1 rifles (not more than 15), slings, and cartridge belts to any eligible organization for use by that organization for funeral ceremonies of a member of former member of the armed forces, and for other ceremonial purposes. The American Legion is only authorized to handle requests from chartered American Legion Posts in good standing. The Army activity at Warren, MI is responsible for the issue and management of rifles for ceremonial use. Title 10, USC 4683 allows the Secretary to impose such conditions on the use of the rifles as may be necessary to ensure security, safety, and accountability. The Secretary may impose such other conditions as the Secretary considers appropriate.

An American Legion Post wishing to obtain rifles for ceremonial use should forward its request through the Washington Office of The American Legion. The request should be on post letterhead with an address, not a P.O. Box number, a telephone number, a contact person, the number of active organization members, and should be signed by the Commander, Adjutant, or Quartermaster. You should state the number of rifles desired up to a maximum of 15. Failure to include any of these requirements will cause the letter of request to be returned to the Post. The request is endorsed stating that the Post is chartered and in good standing and eligible to participate in the ceremonial rifle program. It is forwarded to Headquarters, U.S. Army Tank-automotive and Armaments Command, Attn: AMSTA-LC-CID, Warren, MI 48397-5000. An e-mail address is: donations@tacom.army.mil. The command may be reached by calling 1-800-325-2920, ext. 46943 or 48469. E-mail or fax requests cannot be processed, as signed original must be forwarded to TACOM.

Once TACOM receives the endorsed request, forwarded by the Washington Office, processing will begin and an eligibility package will be sent to the Post. This package will include the checklist and forms required for completion by the Commander, Adjutant, or Quartermaster. Return the original forms to TACOM. The sooner the forms are completed and returned, the quicker the request will be filled and rifles sent to the post. Presently it takes approximately ninety days for rifles to be shipped after receipt of the eligibility requirements from the Post. The National American Legion Headquarters has no forms to send to Posts. The only thing done by the Legion is to verify on the request that the Post is eligible for the program.

Currently, surplus MI Garand rifles are available for ceremonial use on a conditional basis. These rifles are shipped from Anniston Army Depot located in Anniston, Alabama. Ceremonial rifles remain the property of the United States Government. The rifles cannot be loaned, sold, transferred, or given to anyone else without the written approval of the Donations Program Group Office. If for any reasons the Post no longer requires the use of the conditionally loaned rifles, the U.S. Army Tank-automotive and Armaments Command, Attn: AMSTA-LC-CID, Warren, MI 48697-5000 must be contacted. The Post is provided with shipping instructions for defective or unserviceable rifles.

Transportation for the return of the rifles is at the expense of the Post. After the rifles are returned, provide a copy of the receipt to TACOM for validation of the return. In turn, they will send a letter to absolve the Post of the responsibility for the returned rifles.

If rifles are no longer in the possession of the Post, it is a requirement to state what happened to them. If the rifles were lost or stolen prior to 1980, a notarized statement signed by the Commander describing the circumstances surrounding their loss and the action(s) taken to recover the rifles is acceptable. For rifles lost, stolen, damaged, etc., after 1980, a police and/or fire department report is required. Send this information to TACOM for review. After review by TACOM, a determination is made as to the liability for the missing/lost/stolen rifles. The Post will be notified if reimbursement costs are required.

Slings are not provided through the Donations Program Group Office. The Post may order from Amherst Arms or Fulton Armory. The address for Amherst Arms is: PO Box 1457, Englewood, FL 34295. Their telephone number is: 1-941-475-2020. The address for Fulton Armory is: 8725 Bollman Place #1, Savage, MD 20763. Their telephone number is: 1-800-878-9485.

STORAGE AND SECURITY OF CEREMONIAL RIFLES

The following checklist is provided to assist Posts receiving M1 rifles for ceremonial use. The guidance is based on AR 190-11. Physical Security of Arms, Ammunition, and Explosives (AA&E). AR 190-11 should be referred to for specific requirements. The weapons donated are classified as Category IV weapons.

- a. Walls. Walls will be constructed of, at a minimum, 2-inch by 4-inch standard studs on 16-inch centers, gypsum board or plaster surface. At least one surface will be covered with 1-inch (nominal) double nailed tongue-and-groove wood sheathing or material: for example, 3/4-inch plywood, which provides a similar degree of security.
- b. Ceilings, roof, and floors. At a minimum, ceilings, roofs, and floors will be 1-inch (nominal) double nailed tongue-and-groove wood sheathing or other material: for example, 3/4 -inch plywood, which provides a similar degree of security.
- c. Doors, windows, and other openings. At a minimum, doors will be constructed of 1 3/4 inch thick, solid, or laminated wood, or be of standard 1 3/4-inch thick hollow metal, industrial type construction with minimum 16-gauge thickness. At a minimum, windows and other openings will be constructed to provide equivalent penetration resistance as that provided by the walls. Windows and other openings will be sealed with material comparable to that forming the adjacent walls and otherwise limited to the minimum essential. Windows, ducts, vents, or similar openings of 96 square inches or more with the least dimension greater than 6 inches will be equipped with any of the following:
 - (1) Three-eighth inch or larger hardened steel bars, provided the vertical bars are not more than 4 inches apart with horizontal bars welded to the vertical bars so that the openings do not exceed 32 square inches.
 - (2) Number 8 gauge high carbon manganese steel mesh with 2-inch diamond grid.
 - (3) Number 6 gauge steel mesh with 2-inch diamond grid with number 8 in (2) above, is not available.

- (4) Bars or steel mesh will be securely embedded in the structure of the building or welded to a steel frame that will be securely attached to the wall with fastenings inaccessible for the exterior of arms storage facility.
- d. Arms that are stored in unmanned facilities not equipped with an intrusion detection system will be checked by a security or guard patrol at irregular intervals not to exceed 24 hours. Liaison will be established with local civil police agencies to ensure that periodic surveillance is conducted.
 - e. Within the arms storage facility, weapons will be stored in metal containers or arms racks. Approved metal wall lockers or metal cabinets may be used. Containers, cabinets, lockers, or arms racks will be locked to prevent weapon removal without leaving visible signs of tampering. Screws, bolts, hinges, and other fastening hardware will be made to prevent disassembly, e.g. bolts and hinge pins spot welded or brazed to prevent easy removal. Arms racks, containers, cabinets, or lockers weighing less than 500 pounds will be securely fastened to the structure. Chains used to secure racks, containers, etc., will be heavy duty hardened steel, welded straight links steel, galvanized of at least 5/16-inch thickness or of equivalent resistance.
 - f. Doors used for access to arms storage rooms will be locked with an approved high security locking device or high security padlock and hasp providing comparable protection to the locks.
 - g. Tools such as hammers, bolt cutter, chisels, crowbars, hacksaws, and similar items which could be used to gain unauthorized access should be removed from the vicinity of the arms storage room. High value items subject to pilferage should not be stored with the arms.
 - h. Key and lock control procedures will be established. AR 190-11, paragraph 3-8 provides regulatory requirements. Highlights of key and lock control requirements include: development of a key control register and inventory, appointment of a key and lock custodian, authorization roster for signing out keys, key container specifications, lock specifications, and protection of combinations.
 - i. Stored weapons will be rendered inoperable. For M1918 rifles, the firing pin series will be removed. For M1 rifles, the bolt assembly will be removed. The removed items will be tagged with the weapon's serial number to ensure return to the same weapon and stored in a locked container away from the arms storage facility, e.g. in another building. Etching of the weapon's serial number on the removed part is prohibited.
 - j. Personnel having access to the arms storage facility should be kept to a minimum. A current roster of those authorized access to the facility should be maintained. A security screening process should be developed to determine trustworthiness and reliability of those individuals assigned duties involving control and accountability of the weapons. Recommend local law enforcement authorities be contacted for assistance.
 - k. Lost, stolen or missing weapons. An investigation will be made of lost, stolen, or missing arms to determine the circumstances surrounding the loss or theft and to fix responsibility as necessary. As soon as a loss or theft is discovered, notification to the local law enforcement authorities and the TACOM Police Desk at (810) 574-5564 will be made. The notice will be as complete as possible but will not be delayed because of incomplete data.

This Physical Security Checklist for Ceremonial Rifles has been furnished by the agency at TACOM responsible for the Rifle Program. There may be changes from past instructions.

Alternative acceptable methods of storage are:

- In a locked gun cabinet/safe located in a non-public access area
- In a gun cabinet with a chain running through the trigger guards to prevent their removal.

Unacceptable methods are:

- In a private residence
- In a gun cabinet located in an area accessed by the public
- In a glass faced cabinet without additional security
- Openly displayed in a public area

Local law enforcement is required to inspect the Posts arms room. The police have three options (1) the room meets the specifications; (2) the room does not meet the specifications but is considered adequate, or (3) the room does not meet the specifications and the police do not recommend storage of the weapons in the room. The Donations Program Group office usually upholds the police recommendation.

POLICY AND PROCEDURE FOR ACQUISITION OF COMBAT EQUIPMENT FOR DISPLAY AND MONUMENTAL PURPOSES

The following organizations are presently authorized to acquire through donation obsolete condemned surplus combat equipment for decorative and/or monumental purposes:

Municipal Corporations

Soldiers' Monument Associations

State Museums

An incorporated museum, operated and maintained for educational purpose only, when charter denies it the right to operate for profit.

A Post of The American Legion

A local unit of any other recognized war veteran's association

Equipment is for static display only and is not in working condition. For instance, this program would not have jeeps in condition for driving or other movable vehicles. Equipment in working order should be obtained at military R&R activities or at bases with surplus sales.

All requests for tanks, field artillery pieces, mortars, etc., should be directed to: Washington Office of The American Legion, 1608 K Street, N.W., Washington, DC 20006. This Headquarters is only authorized to process requests from American Legion Posts.

Donations of combat equipment for display are made at no expense to the government. The costs for handling, demilitarization, where applicable, and transportation, must be paid by the requesting organization. The method of transportation may be chosen by the receiving organizations if such choice is economically advantageous and the item to be transported does not exceed weight or measurement limitations established by State Highway Departments if truck transportation is indicated.

Once the Washington Headquarters receives your request for a piece of equipment, the request will be endorsed stating that the Post is chartered and in good standing and eligible to participate in the program. The request will be forwarded to the proper agency at TACOM in Warren, MI. The Washington Headquarters does not have any forms or information as to what is available. Once TACOM receives the request, they will prepare a packet with all instructions, information, forms, etc., and send to the Post. Once the Post reviews all rules, regulations, requirements, it can then make a final decision if the equipment is still desired.

AMERICAN LEGION AUXILIARY MEMBERSHIP ELIGIBILITY

Membership in the American Legion Auxiliary is limited to the mothers, wives, daughters, sisters, granddaughters, great-granddaughters and grandmothers of members of The American Legion, and to the mothers, wives, daughters, sisters, granddaughters, great-granddaughters and grandmothers of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; February 28, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, or who, being a citizen of the United States at the time of their entry therein, served on active duty in the armed forces of any of the governments associated with the

United States during any of the said periods, and died in the line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.

Membership Application for American Legion Auxiliary

1. If the applicant is joining on her own service record, the Auxiliary Unit to which she is applying for membership will be responsible for verification of her eligibility for membership. It is not necessary that she be a member of The American Legion.

2. If the applicant is joining on the basis of her relationship to a member of The American Legion, post officer of the post to which that relative belongs must certify the Legionnaire's membership in that post.

3. If any applicant wishes to join a unit or a post other than the one to which her Legionnaire native belongs, the unit to which she is applying for membership should check the eligibility with the post of her Legionnaire relative.

4. Under no circumstances, when the eligibility for American Legion Auxiliary membership is to be based on relationship to a deceased veteran, should an Adjutant certify an application for membership without checking the discharge papers of the deceased veteran to determine the dates of service fall within those time periods which determine eligibility for American Legion membership. The deceased veteran need not have been a Legionnaire for the applicant to qualify for membership in the American Legion Auxiliary.

SONS OF THE AMERICAN LEGION

Sons are urged to participate in American Legion and public observances. Holidays generally observed by the squadrons include: Memorial Day, the Fourth of July, Veterans Day, etc. SAL uniformed groups are quite popular. Many squadrons have active drill teams and color guards that participate in patriotic observances in their local communities.

Since the age eligibility begins from date of birth, activities and programs of any squadron should be determined by: (1) age groupings of those eligible; (2) apparent needs of youthful eligibles; (3) needs of the community for the programs and activities which could be provided by SAL; and (4) capabilities of those serving as leaders and advisers.

Just as each Legion post determines the extent of its service to the community, state and nation, so each squadron is permitted flexibility in planning programs and activities to meet the needs of its own age groups.

The initiation of candidates for membership is important in the life of the squadron. New members taken into the Sons of The American Legion should be initiated with full ceremony. The first impression is often the most lasting.

Make sure you have copies of the SAL Squadron Handbook available when initiating your new candidates. The Squadron handbook contains a wealth of information on the "Initiation Ceremony," "Installation of Squadron Officers," the "Ceremonial for Regular Meetings," the "Official Uniform of the SAL," "The Ten Ideals" program and the "Five-Point Program of Service."

Two copies of the handbook per squadron are available from your Department for the Squadron Commander and the Squadron Adjutant. Additional copies may be purchased from National Emblem Sales, P.O. Box 1055, Indianapolis, IN 46206-1055.

The Internet, the World Wide Web and The American Legion's Home Page

The Internet is the worldwide connection of many computers and networks. The American Legion has established its own presence there and the Post members can find much information about the Legion.

Via the computer, one can locate the address of National Headquarters and see a map of the locations in Indianapolis and Washington, D.C. There is background material of programs, news releases, articles from *The American Legion Magazine*, Emblem Sales items and other valuable information, some of it similar to what you see in this guide. Unlike this printed book, however, the Legion's web pages are

updated as soon as the information changes. There are visual images, such as clip art that can be downloaded or sent to a computer printer. News releases and statements of late-breaking importance, such as our close work with Gulf War veterans and our support of the flag protection amendment are on site within hours of release.

Our Legion family is also represented with information about the Auxiliary and Sons of The American Legion. There are also references and links to government information, such as jobs and benefits, via web sites for the Department of Employment and the Department of Veterans Affairs.

The Home Page is not only to be read. Messages may be sent via the Guest Registry or e-mail function. National Headquarters can be reached with your questions, comments or concerns and a response, when required, can often be returned quickly. Not only will you save the cost of a stamp, but you will probably have an answer days sooner than in the more traditional U.S. Mail fashion. In addition to e-mailing National Headquarters, there are lists of other offices with similar computer capabilities, such as Department Adjutants and Service Officers. At present, there are only a few Departments with their own web sites, but whenever a Department site is found, it is included, along with their e-mail address.

Below the Department level, many Posts, Counties and Districts are developing their own web sites. Though we neither encourage nor discourage other American Legion web sites, we hope any Post establishing a site provides only local information related to Legionnaires and other veterans. These local sites should link to the Department or National Headquarters sites for details at those levels. Departments will make the determination whether these local sites will be linked to or listed within the Department web pages.

The American Legion will not abandon the printed page as a source of information. Because of its speed and efficiency, the Internet is here to stay, and those Legionnaires with access to computers should take advantage of the wealth of information available on the Internet from National Headquarters.

The American Legion's World Wide Web address is: <http://www.legion.org>

The American Legion's e-mail address is: tal@legion.org.

Publication List

Following is a list of basic handbooks and publications issued by the National Headquarters. These publications are generally available without charge through your Department Headquarters. In many cases, one copy of a publication can be provided per post without cost, but a modest charge may be required for additional copies. (See Emblem Catalog for current prices of sale items.)

General:

The American Legion Magazine is received by all members; additional subscriptions \$6.00 per year to posts. *The Talking American Legion Magazine* is made available, without charge, to visually impaired and physically handicapped members of The American Legion, American Legion Auxiliary and Sons of The American Legion.

DISPATCH. The DISPATCH is published twice monthly. Twenty-two editions are printed each year, plus a daily at the National Convention. A subscription is \$15.00 a year for this tabloid-style newspaper. Complimentary issues are mailed to all National Commissions and Committees; Members and alternates of the National Executive Committee; National Officers of The American Legion Auxiliary and Sons of The American Legion; Department Commanders, Adjutants and Senior Officers; Chairmen only of Department Commissions and Committees; Vietnam Veterans Family Assistance Program Coordinators; District and County Commanders; Post Commanders (mailed to Post Adjutants).

American Legion Officers' Guide and Manual of Ceremonies (one copy free to each post). (See Emblem Catalog for price of additional copies.)

National Constitution and By-Laws of The American Legion

PUBLICATION LIST

Americanism - Free Items:

Action Programs of Americanism
Adult Literacy
American Education Week
American Legion Policy on Education
American Legion School Award Medal Program
Americanism Manual
Baseball Handbook
Boys State Program
Department Americanism Chairman's Guide
Eight and Forty Nurse Scholarship Fund
Junior Shooting Sports Program
National High School Oratorical Rules
PACT in Education Handbook
The American Legion and Scouting
Chairman's Guide to the Oratorical Contest
Saga of Four Chaplains
Veteran of the Month Program
Questions & Answers About Your First Resume

Americanism - Cost Items: (See National Emblem Sales Catalog)

Chaplains Prayer Manual
Declaration of Independence and Constitution of the United States of America
Firing Line (11 issues - subscription, \$7.00 per year)
Flag of The United States (code)
Guide for Parents and Students
I Pledge Allegiance (comic book)
Know Your America
Let's Be Right on Flag Etiquette
Light of Liberty (Citizenship comic book)
Need a Lift? (Financial Aid and scholarship information)
Our Country's Flag (comic book)
Service to God and Country
World Geography Coloring and Activity Book

Children & Youth - Free Items:

American Legion Child Welfare Foundation Brochure - Awards
American Legion Child Welfare Foundation Brochure – "Precious Moments"
American Legion Child Welfare Foundation Brochure – Grant Guidelines
American Legion Child Welfare Foundation Contribution Envelopes
April is Children & Youth Month
Children's Miracle Network (CMN) Brochure
Children's Miracle Network (CMN) Fund Raising Guidebook
Children Beware (Missing Children)
Department and District Chairman's Tally Sheet
Don't Hesitate...Vaccinate
Gateway Drugs - It's Your Choice
Make Halloween A Safe and Fun Night
Make Halloween A Safe and Fun Night Project Guide

National Family Week
National Resources Directory - Children & Youth Programs and Service
Safety Tips - Indoor
Safety Tips - Outdoor
Temporary Financial Assistance
Unit Children & Youth Report Form
Warning Signs (Teen Suicide Prevention)
We Want A Children & Youth Report From Your Unit or Salon
Children & Youth – Cost Items: (See National Emblem Sales Catalog)
Nathan’s Visit (Safety Comic Book)

Economics:

Employment Service Awards—booklet containing rules and official nomination forms
Employer Awards Program—booklet containing rules and official nomination forms
A Resource Guide For The Homeless Veteran—pamphlet
Questions and Answers About Your First Resume—pamphlet
Questions and Answers About Veterans Preference—pamphlet
The National Economics Chairman—a pamphlet that introduces the commission and discusses its activities
Manual for Employment Chairmen—90-page handbook for Post, District and Department Employment Chairmen
Job Fairs for Veterans—a pamphlet which explains how Posts and Departments can plan and initiate job fairs

Foreign Relations:

Foreign Relations Statement of Positions and Resolutions
POW/MIA Fact Book

Legislation:

Legislative Handbook (\$6.00 per 100 copies)
“How a Thought Becomes a Bill—How a Bill Becomes a Law” (\$9.00 per 100)
“How To Make a Difference Through Effective Grassroots Lobbying” (\$1.50 per copy)

Membership/Internal Affairs:

Post Adjutant’s Manual
Post Officers Guide & Manual of Ceremonies
Welcome to The American Legion—an information booklet for new members
Post Operations Manual - Guidelines To Post Building Program
Why You Should Belong—new member promotional material
Paid Up For Life Brochure and P.U.F.L. Applications
Membership Team Training Guide
You Have a Friend in The American Legion

National Security:

The American Legion Blood Program
The American Legion ROTC Achievement Program
Your Friend - The Policeman
The American Legion Fire Protection/Prevention Program
The American Legion National Crime Prevention Program
National Security Statement of Positions and Resolutions

The American Legion Certificate of Commendation, Post Officers
The American Legion Certificate of Commendation, Fire Fighters
The American Legion Certificate of Appreciation, Civil Air Patrol

Public Relations:

Public Relations Handbook (available on our web site)

Speakers Guide (available on our web site)

Message Points (available on our web site)

American Legion Fact Sheets

Suggested Speeches (available on our web site)

(Speeches are available for The American Legion Birthday, Memorial Day, Flag Day, Independence Day, Veterans Day, American Education Week, Civic Groups, GI Bill of Health, Post Dedication, Women Veterans, and Salute to Veterans)

Audiovisual Loan Catalog

(The following videotapes are free: Flag Etiquette, This Is The American Legion, What If There Was No American Legion?, Pre-Planning Eases a Veteran's Death, POW/MIA Remembrance Ceremony, American Legion Boys State: Insuring Democracy's Future, The GI Bill of Health, How to Conduct the National High School Oratorical Program, Still Serving America Video Element Collection, World War II Commemorated, and The American Flag: More Than A Piece of Cloth.

Membership Radio (audio cassette) – Television Commercials (VHS)/Public Service Announcements – Free).

Sons of The American Legion:

SAL Squadron Handbook

SAL Brochure

SAL "Say No To Drugs" Brochure

SAL Flag Brochure

SAL Why I Belong Brochure

SAL VA & R Brochure

Veterans Affairs and Rehabilitation:

Guidebook for Post Service Officers

Volunteer Hospital Workers Handbook

"We Want You To Know...And Receive!"

Histories Are Important

It has been a well established policy of The American Legion to encourage the preparation of Post histories. Such information on the Post's activities will be of considerable value in the years to come.

The National Headquarters is also aware that in many Posts the position of Historian is not filled by a professional historian. This need not deny a proper recording of the respective Post's activities.

The scope of the information included is the main consideration, keeping in mind, however, the comprehensiveness, readability, and arrangement, so as to make it not only an interesting account of your Post but a reference source as well.

You, as Post Historian, should start now to make a permanent record of your organization for the year ahead, from the installation of officers, up to and including the Department Convention. Make plans to compile a complete history of your Post since its founding, but concentrate, for the present, on a one-year history. Then go back into the files and gradually write up the back history.

The National Historian will normally conduct annual one-year narrative history and yearbook contests (the latter to be known in the future as the Post Pictorial Yearbook) on the Post level. It is felt that these ongoing National Contests will add stability and continuity to the recording of Post events for future generations of Legionnaires. Your Department Historian will inform you of any National Contest changes that may occur during your tenure as Post Historian.

You will find herein, comprehensive outlines to compile a One-Year Narrative History and Pictorial Yearbook with their respective Judging Standards for competition in the National Contests.

To be eligible for the National Contests, your entry in either category must be a “first place winner” in your Department Contests and must be “certified” as such by your Department Historian before being forwarded to the National Historian.

The work of collecting, preserving and recording the activities of The American Legion is a most important endeavor and while it demands much detail work, it is hoped that you will find it inspiring and rewarding.

It is suggested that you contact your Department Historian for additional ideas and information regarding your Department contest qualifications.

You can appreciate the fact that Departments of The American Legion have their own particular set-up and policies. You will find it advantageous to adapt these suggestions of your Department to your own needs, keeping in mind your compliance with the National outlines for the contests that are usually conducted for the posts.

Office of the National Historian

OUTLINE FOR A ONE-YEAR POST NARRATIVE HISTORY

This outline has been developed to be helpful to the historian. It would be advantageous to check any compilation against this outline so as to include as much of the material suggested here as is possible.

PART I - FORMAT

(1) COVER: A standard three-ring binder, or similar type, to accommodate 8½ x 11 inch bond paper must be used with The American Legion emblem centered on the cover with the name and number of the Post. However, the binders available through National Emblem Sales have The American Legion embossed on them.

Since the standard three-ring binder is one inch wide, you may wish to use a wider binder. Each book is not to exceed three inches between the front and back cover. If you submit two or more binders, you must indicate on the COVER and TITLE PAGE the wording “VOLUME I”, “VOLUME II”, etc.

(2) NAME/ADDRESS OF COMPILER: The full name and complete mailing address of the history author should appear on the inside front cover in the lower left hand corner. It will be neatly typed and centered on a 3 x 5 inch index card.

(3) TITLE PAGE: This will be the first page facing the reader as the history book is opened. It should be centered on the page and to be in a logical arrangement with double spacing or more and contain the following:

HISTORY
OF
(Name of Post) **POST NO.** (Number of Post)
THE AMERICAN LEGION
(City Location and State)
FOR
20____ to 20____
BY: (Person Compiling History)

(4) INTRODUCTION: Every history should carry a forward or introduction, setting forth the reasons for the organization and may include:

The selection of the Post name. If for a departed comrade or comrades, include a short biographical sketch of their lives and include photographs if available.

If possible, include a brief resume of your community's history, and especially the part played by that locality in furnishing the men and women during the wars and conflicts.

Mention should also be made of the formation of our National Organization with a tie-in of the Department and Post.

If your Post has a Post home, you may want to include a photograph of it and street address location.

You can have a biographical background of the current Post Commander or the author of the history with a photograph included.

You may also use this space to acknowledge any assistance or contribution used in compiling the history.

(5) TABLE OF CONTENTS: This is a must for any good history which will list the page reference of the CHAPTERS and APPENDICES and should be carried in the front of the history immediately following the INTRODUCTION.

(6) PREAMBLE TO THE CONSTITUTION OF THE AMERICAN LEGION: This basic document which sets forth the principle aims of The American Legion is a fitting introduction and should follow the TABLE OF CONTENTS. It should be centered on the page and spaced in a neat and logical arrangement. Multicolored prints 8½ x 11 inch, of the PREAMBLE may be obtained through National Emblem Sales.

CHAPTERS

Following the PREAMBLE, the CHAPTERS may be sequenced in this suggested manner:

CHAPTER 1 - Roster of Post Officers: Photographs of present Post Officers should be included in the history. If not possible to secure photographs of every officer, special efforts should be made to include the photographs of the Commander and the Adjutant.

CHAPTER 2 - Roster of Post Chair: This should be your next Chapter and photographs, if available, will add immeasurably.

CHAPTER 3 - One-Year Post Chronicle: The history is to cover one year, beginning with the installation of officers, up to and including the annual Department Convention. This timeframe may vary in some Departments.

This most important Chapter in your history must be as complete as possible with a graphic account of the Post and its activities. The historian should relate in narrative form, and in chronological order, all important events and programs held during the year by the Post or events jointly with the Auxiliary, County, District, Department or National level.

Historians use the minutes of meetings as a basis for information of the activities of the Post. Then they contact the members who were chairs of the committees involved for further details. Include anything that you may deem is a special attribute of your Post that sets it apart from all others.

Do not use any photographs or newspaper articles in this Chapter of your narrative history. However, photographs may be placed in dedicated Committee Chapters and newspaper articles in the Appendices.

CHAPTER 4 (...AND 5 AND 6, ETC.) - While many programs of The American Legion and Post projects are of a continuing nature and may run through several administrations, such activities might be better in a separate Chapter following those devoted to the individual administration.

The activities of all standing Post committees should be given considerable coverage, particularly if one committee performs an outstanding service. You may want to include each of these committees in separate Chapters.

These dedicated Chapters can be on Americanism, Membership, Boys State, School Award Medals, Oratorical Contest, Baseball, Children and Youth, Sons of The American Legion, Patriotic Observances, Post Parties, Boy Scout troops and other sponsored units to name just a few. Collect and record for posterity all activities of the Post.

The inclusion of illustrations (photographs) in the Committee Chapters will add to the attractiveness of the entry. Attention should be given to arrangement of illustrations in relation to the text and captions under each illustration.

APPENDICES

Appendices are pages of statistical data that should be carried at the end of the history, following the CHAPTERS and before the INDEX, and might include:

The organization of the Post with a list of names of the Charter Members and the dates of the temporary and the permanent Charter.

Roster of all past Post Commanders and Adjutants since Charter date with the years that they had served.

If the Post is not too large, a roster of members listed in alphabetical order can be added. This may include, after each member's name, the organization with which he/she served or the date joined the Post.

Record of Citations and Awards received by the Post, as well as of Awards presented by the Post.

List of members who served as Delegates to the National/Department conventions, or National Department officers and Commission/Committee appointees to include the County and District organization level.

Complete records of annual elections showing all nominations and votes received by various nominees.

In addition, you may also include the membership standing by year since the Charter date; list of new members for the current year; a list of Life members and Paid-Up-For-Life (PUFL) members; In Memoriam (Taps/Post Everlasting for the current year); the Constitution and By-Laws of the Post; the annual Post budget; and any other statistics of importance.

(7) INDEX: The alphabetical index is the last must for any good history. This comprehensive index of names, places, and events mentioned in your history, with page references, shall be carried at the end of the history following the APPENDICES.

(8) PAGE NUMBERING: This appears to be a common oversight when compiling history books. Do not forget to number the pages. However, be consistent in where the page numbers are placed, either at top or bottom of pages. Page numbering will start with the Title page.

PART II - GRAPHIC ACCOUNT/READABILITY

Emphasis is placed upon the narrative rather than the statistical style of presentation. Use your imagination and be original in thought and presentation.

A high degree of literary style is not essential to success, but the method of presentation should be pleasing to the general reader. The reader must be able to follow the story of the Post without difficulty or confusion.

The most common error is in not writing in the third person. This means you should write as an observer, not as a participant.

It is to be written as a chronological and detailed account of events without any analysis or interpretation.

Statistics are of great value but should be included in the Appendix, rather than being placed indiscriminately throughout the book.

PART III - ILLUSTRATION

All photographs must be identified by occasion, individuals, date and place of event with the exception of individual photographs of the Post Officers and Chairs (name and title/committee only). Provide “left-to-right” subject identification, and if necessary, by row also.

Be sure all photographs are clear, as blurry prints will not aid materially and will detract rather than enhance your history. Proper arrangement with the text is a must to achieve an eye-catching history book. Try to avoid using pictures with alcohol in them.

PART IV - JUDGES OPTION

Under this category, Judges will consider a number of qualities or items of content in the history which are not readily cataloged under the preceding headings. Some histories, for example, have rather complete roster of members. In other words, Judges will determine features which make a history especially attractive or especially useful. By the same token, if inaccuracies should come to the attention of the Judges, they would have a disqualifying effect on that entry.

PAGE FORMAT SUGGESTIONS

Use plain and unruled 8½ x 11 inch white and/or colored bond paper for your history binder filler.

The history should be typewritten on one side of the paper using black ribbon. Single sheets of paper may be placed back-to-back using the transparent plastic protective covers.

Margins are a must for neatness, readability and standardization. Use a one-inch margin on all sides (except one inch from the perforation side of paper, if necessary).

Where feasible, provide double-spaced typing on pages with a six-space indention for new paragraphs and single line for photograph identifications.

If you have any doubt of the spelling of a word, use a dictionary. Also some people have a tendency to get upset when their name is misspelled. Check before compiling.

Some entries would have a better chance in the contests as a yearbook even though they were submitted as a history. Make sure of your entry. Is it a history or a yearbook? There is a big difference. Read the outlines for each category.

NATIONAL JUDGING STANDARDS FOR A ONE-YEAR POST NARRATIVE HISTORY CONTEST

You will note that PART I, PART II, PART III, and PART IV, as identified in OUTLINE FOR A ONE-YEAR POST NARRATIVE HISTORY, coincides with those listed in the NATIONAL JUDGING STANDARDS. The “etc.”, listed after several of the scoring elements on the JUDGING STANDARDS, shows that there are additional requirements necessary for the score points.

It is suggested that you re-examine the OUTLINE using the STANDARDS as a checklist before submitting your entry for contest. The comparison will assist by avoiding being penalized in score points needlessly.

PART I -- FORMAT-40 POINTS

- (1) **COVER** - standard three-ring binder for 8½ x 11 inch, bond paper, emblem, etc.....(5) _____
- (2) **NAME/ADDRESS OF COMPILER** - inside front cover/lower left hand corner.....(5) _____
- (3) **TITLE PAGE** - centered in logical arrangement/double line spacing plus, etc.....(5) _____
- (4) **INTRODUCTION** - background of Post; tie-in Department/National; community, etc..(5) _____

- (5) **TABLE OF CONTENTS** - with page reference of Chapters, Appendices, etc.....(5) _____
- (6) **PREAMBLE** - to the Constitution of The American Legion, etc.....(5) _____
- (7) **INDEX** - comprehensive alphabetical listing carried at end of history book.....(5) _____
- (8) **PAGE NUMBERING** - for Table of Contents, Chapters, Appendices, and Index(5) _____

PART II -- GRAPHIC ACCOUNT/READABILITY -- 40 POINTS

- (1) **NARRATIVE** - rather than a statistical style of presentation.....(10) _____
- (2) **PRESENTATION** - chronological order and in the third person.....(10) _____
- (3) **CLEAR/GRAMMATICALLY CORRECT** - pleasing to the general reader.....(10) _____
- (4) **ORIGINALITY** - different in thought and presentation.....(10) _____

PART III -- ILLUSTRATIONS -- 15 POINTS

- (1) **ARRANGEMENT** - check in relation to text and captions under each, etc.....(5) _____
- (2) **SUITABLE SEQUENCE** - not to detract from the general readability.....(5) _____
- (3) **CLEAR-CUT PHOTOGRAPHS** - blurry/foggy prints will not aid materially.....(5) _____

PART IV -- JUDGES OPTION -- 5 POINTS

- (1) **JUDGES WILL CONSIDER** - a number of qualities or items of content in the history which are not readily cataloged under the preceding headings
- (2) **JUDGES WILL DETERMINE** - features which make a history especially attractive or useful as a source of reference and of historic value.....(5) _____

TOTAL POINTS OF ENTRY.....(100) _____

POST SCRIPTS

Consider making a copy of your entry in the event it should become a National Contest winner. You may want to consider donating the copy to the National Library archives of The American Legion in Indianapolis, Indiana for visitors to view.

In the event that your Post records are missing and there is no history, the Post Historian may search the local newspaper files and interview past commanders, adjutants and older members. Many important Post events can be found using these methods.

Information about the Post Charter can be obtained by writing the Charter Clerk, National Headquarters, The American Legion, Post Office Box 1055, Indianapolis, Indiana 46206.

Perhaps your Department is fortunate in having a Department Historian's Association. Many of our Departments have organized such groups, patterned along the lines of our National Association of Department Historians of The American Legion (NADHAL). They are proving very effective in rendering assistance so necessary to carrying out successful historian's program. Be sure to inquire if such an organization exists in your Department and join in its activities. If there is no such Department organization, try to establish the closest contact possible with your Department Historian who should be only too happy to assist you.

The serious Post Historian will find informative and interesting any one of the following published histories about The American Legion:

- Bennett, Michael J. *When Dreams Come True*. Washington: Brassey's Inc., 1996
Rumer, Thomas A. *The American Legion: An Official History*. New York: M. Evans, 1990
Moley, Raymond. *The American Legion Story*. New York: Duell, Sloan & Pearce, 1966
Jones, Richard. *A History of The American Legion*. Indianapolis: Bobbs-Merrill, 1946
James, Marquis. *A History of The American Legion*. New York: William Green, 1923

Where possible, oral histories should be recorded by use of a cassette or other recorder to tape interviews of American Legion founders and leaders to capture "first hand" information about the historical events of the Posts.

CAPSULE HISTORY OF THE AMERICAN LEGION

A group of twenty officers who served in the American Expeditionary Forces (A.E.F.) in France in World War I is credited with planning the Legion. A.E.F. Headquarters asked these officers to suggest ideas on how to improve troop morale. One officer, Lieutenant Colonel Theodore Roosevelt, Jr., proposed an organization of veterans. In February, 1919, this group formed a temporary committee and selected several hundred officers who had the confidence and respect of the whole army.

When the first organization meeting took place in Paris in March, 1919, about 1,000 officers and enlisted men attended. The meeting, known as the Paris Caucus, adopted a temporary constitution and the name The American Legion. It also elected an executive committee to complete the organization's work. It considered each soldier of the A.E.F. a member of the Legion. The executive committee named a subcommittee to organize veterans at home in the U.S.

The Legion held a second organizing caucus in St. Louis, Missouri, in May, 1919. It completed the constitution and made plans for a permanent organization. It set up temporary headquarters in New York City, and began its relief, employment, and Americanism programs.

Congress granted the Legion a national charter in September 1919. The first national convention held in Minneapolis, adopted a permanent constitution and elected officers to head the organization.

OUTLINE FOR A ONE-YEAR POST PICTORIAL YEARBOOK

The pictorial yearbook is easier than the narrative to prepare by any historian. One must remember, however, that this is a permanent record that will be seen by others for a long time, so the suggested outline should be followed as closely as possible.

PART I – FORMAT

(1) COVER: The overall size of the yearbook cover shall not be smaller than 12 x 15 inches with The American Legion emblem centered on the cover with the name and number of the Post. Each book is not to exceed three inches between the front and back cover.

If you use two or more yearbooks, you must indicate on the COVER and TITLE PAGE the wording, such as, "VOLUME I, VOLUME II, etc."

Pictorial yearbooks are available from National Emblem Sales with The American Legion emblem embossed on the cover.

(2) NAME/ADDRESS OF COMPILER: The full name and complete mailing address of the yearbook author should appear on the inside front cover on the lower left-hand corner. It will be neatly typed and centered on a 3 x 5 inch index card.

(3) TITLE PAGE: This should be the first page facing the reader as the yearbook is opened. It should be centered on the page and be in a logical arrangement with double spacing or more and contain the following:

PICTORIAL YEARBOOK OF
(Name of Post) **POST NO.** (Number of Post)
THE AMERICAN LEGION
(City Location and State)
FOR
20____ - 20____
BY: (Person Compiling Yearbook)

(4) INTRODUCTION: Every pictorial yearbook should carry a forward or introduction, setting forth the reasons for the organization and may include:

The selection of the Post name. If for a departed comrade or comrades, include a short biographical sketch of their lives and include photographs if they are available.

If possible, include a brief resume of your community's history, and especially the part played by that locality in furnishing the men and women during the wars and conflicts.

Mention should also be made of the formation of our National Organization with a tie-in of the Department and Post.

If your Post has a Post home, you may want to include a photograph of it and street address location.

You can have a biographical background of the current Post Commander or the author of the pictorial yearbook with a photograph included.

You may also use this space to acknowledge any assistance used in compiling the yearbook.

(5) TABLE OF CONTENTS: Consists of chapters covering programs with page reference.

(6) PREAMBLE TO THE CONSTITUTION OF THE AMERICAN LEGION: This basic document which sets forth the principle aims of The American Legion is a fitting introduction and should follow the INTRODUCTION. It should be centered on the page and spaced in a neat and logical arrangement. Multicolored prints 8½ x 11 inch, of the PREAMBLE may be obtained through National Emblem Sales.

(7) INDEX: The alphabetical index is the last must for every pictorial yearbook. This comprehensive index of names, places, and events mentioned in your pictorial yearbook, with page references, shall be carried at the end of the scrapbook.

(8) PAGE NUMBERING: This appears to be a common oversight when compiling yearbooks. Do not forget to number the pages. However, be consistent in where the page numbers are placed, either at top or bottom of pages. Page numbering will start with the title page.

PART II -- PROGRAMS AND ACTIVITIES/READABILITY

ONE-YEAR POST MEMORABILIA: The yearbook material for your Post programs and activities will follow the PREAMBLE and precede the INDEX.

The yearbook is to cover one year, from the installation of officers up to and including the annual Department Convention. This time frame may vary in some Departments.

A record as vitally important as the history itself is a complete and accurate yearbook containing all newspaper clippings, photographs, copies of programs, tickets, badges, and other items pertaining to the Post and its activities.

All material recorded in the yearbook must be in chronological order.

A systematic and logical arrangement should be sought and planned. The reader must be able to follow the meaning of the illustrations (news clippings, photographs, etc.) with very little difficulty and confusion.

All newspaper clippings must include the name and date of the publication from which it was taken.

Photographs must be identified by full proper names (nicknames in brackets), from “left-to-right,” occasion, source, dates, function, etc. You may know who is in the photograph and why, but the reader may not.

Be sure all photographs are clear and sharp, as blurry or fuzzy prints will detract rather than enhance your yearbook. Proper arrangement with the caption is a must to achieve an eye-catching yearbook.

Neatness and originality are even more important for yearbooks than for the narrative histories since all the material in the yearbook must be identified properly to make it worthwhile.

If the compiler cannot type, nor print well, he or she should have a competent person do the printing or make typewritten inserts for him.

The judges will consider the foregoing factors as well as comprehensiveness of the yearbook and the features which made the yearbook especially attractive or specially useful and of historic value.

PART III -- JUDGES OPTION

Under this category, Judges will consider a number of qualities or items of content in the pictorial yearbook which are not readily cataloged under the preceding headings. Some yearbooks contain items and features which make them attractive and especially useful.

By the same token, if inaccuracies should come to the attention of the Judges, they would have a disqualifying effect on your entry.

NATIONAL JUDGING STANDARDS FOR A ONE-YEAR POST PICTORIAL YEARBOOK CONTEST

You will note that PART I, PART II, PART III as identified in OUTLINE FOR A ONE-YEAR POST PICTORIAL YEARBOOK coincides with those listed in the NATIONAL JUDGING STANDARDS. The “etc.” listed after several of the scoring elements on the JUDGING STANDARDS shows that there are additional requirements necessary for the score points.

It is suggested that you re-examine the OUTLINE, using the STANDARDS as a checklist before submitting your entry for contest. The comparison will assist by avoiding loss of points.

PART I -- FORMAT -- 40 POINTS

- (1) **COVER** - size of 12 x 15 inches, emblem, etc.....(5)_____
- (2) **NAME/ADDRESS OF COMPILER** - inside front cover/lower left hand corner.....(5)_____
- (3) **TITLE PAGE** - centered in logical arrangement/double line spacing plus, etc.....(5)_____
- (4) **INTRODUCTION** - background of Post; tie-in Department/National; community, etc.....(5)_____
- (5) **TABLE OF CONTENTS** - page reference covering programs/events,.....(5)_____
- (6) **PREAMBLE** - to the Constitution of The American Legion, etc.....(5)_____
- (7) **INDEX** - comprehensive alphabetical listing carried at end of Yearbook.....(5)_____
- (8) **PAGE NUMBERING** - carried on Post Memorabilia pages and index.....(5)_____

PART II -- PROGRAMS AND ACTIVITIES/READABILITY -- 55 POINTS

- (1) **ARRANGEMENT** - systematic and logical arrangement should be sought and planned. Material to be recorded in chronological order. The reader must be able to follow the meaning of the illustrations (pictures, clippings, copies of programs, tickets, badges, etc.) with very little difficulty or confusion.....(20)_____

- (2) **IDENTIFICATION** - All clippings and/or photographs must have occasion, source, dates, functions, names, etc. listed to properly identify the subject matter. Provide proper left-to-right identifications.....(15 _____)
- (3) **CLEAR** - Cut photographs - blurry/fuzzy prints will detract.....(10) _____
- (4) **ORIGINALITY** - different in thought and presentation.....(10) _____

PART III -- JUDGES OPTION -- 5 POINTS

JUDGES WILL CONSIDER - a number of qualities or items of content in the Pictorial Yearbook which are not readily cataloged under the preceding headings. They may determine that some Yearbooks contain items and features which make them attractive and especially useful
(5) _____

TOTAL POINTS OF ENTRY.....(100) _____

HELPFUL HINTS FOR DISTRICT (ALSO COUNTY) HISTORIANS

It is to be noted that some Departments of The American Legion utilize the County structure as well as the District structure and that historians at both levels must assert complete team effort to accomplish their respective responsibilities to the posts in their jurisdiction.

If you have been elected or appointed a District Historian this year, but as long as you are willing to continue in office, do not let them down. Primarily your duty is to coordinate the records of activities of the Posts within your District to ensure the preservation and accessibility of such records at all times.

The attached ANNUAL REPORT OF POST HISTORIANS form (similar to Consolidated Post Report form) is a sample of the type of form which can be distributed to the Post Historians to aid them in compiling the information so necessary for YOUR records. If you should want to make use of a form of this type, be sure to mail it out to the Post Historians in time (and with an appropriate deadline) to allow for the compilation of your own report to the Department Historian (if required).

Some Departments hold comprehensive Spring and Fall District meetings. If this is the case in your Department, make every effort to be allotted time on the program. Travel to Posts within your District with the District Commander and his Staff whenever possible, and speak at Post meetings. Use the Spring meetings as your vantage point for administering the final “morale booster” to the delinquents in your District. Impress upon the minds of all Legionnaires the importance for adequate records and of giving all possible help and encouragement to their Post Historians.

You may find that you have a tremendous job before you this year since many District Historians have had no experience in this type of work and then too, many of the Posts have never tried to keep a history of any kind. You will just have to begin by researching and compiling as much information as possible from past records, then begin this year to keep your own records current, using this report form as a guide.

Perhaps your Department is fortunate in having a DEPARTMENT HISTORIANS ASSOCIATION. Many of our Departments have organized such groups, patterned along the lines of our NATIONAL ASSOCIATION OF DEPARTMENT HISTORIANS OF THE AMERICAN LEGION (NADHAL). They are proving very effective in rendering the assistance so necessary to carrying out a successful historians’ program. If such an organization exists in your Department, join in its activities. If there is no such Department organization, establish contact with your Department Historian who should be only too happy to assist you.

Be sure that every Post in your District has a Post Historian and that they are kept informed of the latest developments and material available. It is your duty to give all possible aid to Post Historians within your District. If your Department conducts an annual Post Narrative History/Yearbook Contest, encourage the historians to enter.

OUTLINE FOR A ONE-YEAR DISTRICT/COUNTY HISTORY AND PICTORIAL YEARBOOK

Your Department may be one of the few that conduct an annual District and County narrative history/pictorial yearbook contest in addition to the ones that are sponsored on the Post level.

National does not hold District and County contests, so specific outlines for these books are not available at the National level.

The key for the compiling of your District or County books is in the enclosed "Outline For A One-Year Post Narrative History" and "Outline For A One-Year Post Pictorial Yearbook".

When using the Post outlines as a guide, change the cover title, the title page, and text references to read "District" or "County." Naturally, some of the material suggested on the Post level would not be appropriate for your District or County books.

Remember where it says POST in the outlines, insert DISTRICT or COUNTY and determine if the suggested item fits the context for your narrative history or yearbook.

Department Historians are encouraged to use the same format as described above for their One-year Department Narrative History and/or Pictorial Yearbook.

ANNUAL REPORT OF POST HISTORIANS

Name and Number of

Post: _____

Address of

Post: _____

Charter Date: _____ District: _____ Area: _____

Post Home: Owned () Rented () Donated Use () Evaluation \$ _____

Name of Post Officers Committee Chairmen: Attach Separate List to Report

MEMBERSHIP

Current Membership: _____ Last Year PUFL: _____ Life: _____

Number of Initiations Held During the Year _____ Number Initiated _____

Post Membership Campaign _____ "Early Bird" Breakfast, Dinner, etc. _____

Post Participates in the "Operation Welcome Back" Program _____

Americanism and Children & Youth

Boys State: Number of Boys Sponsored _____ Cost to Post \$ _____ Number of schools that participated in program _____

Baseball: Official American Legion team sponsored _____ Other Baseball or Athletic Team(s) Sponsored _____

Cost to Post of all athletic teams \$ _____

Scouting: Post sponsors Scout Unit(s) _____ Cost to Post \$ _____

Number of youths in Legion Scouting _____ Number of Post members active in Legion Scouting _____

School Award Medals: Number presented _____ Cost to Post \$ _____

Number of schools that participated _____

Achievement Awards (Such as Essay, Scholastic, Americanism, Citizenship, Music, Athletic, All Sports, etc.) Number presented _____ Cost to Post \$ _____ Number of schools that participated _____

Scholarships: Number presented _____ Value of Scholarship(s) \$ _____ Number of "Need-A-Lift?" books distributed _____ Number of schools _____ Libraries _____ Others _____

Post promotes "American Education Week" _____ PACT _____

Oratorical Contest Post sponsored local contest _____ Number of schools _____

Number of contestants _____ Cost to Post \$ _____

Sons of The American Legion: Post sponsored Squadron _____ Number of youths in Squadron _____

Number of Post members active in Squadron _____

Patriotic Observances: Post Observed: Veterans Day _____ Memorial Day _____ Independence Day _____ Flag Day _____ Armed Forces Day _____ American Legion Birthday _____ Other _____

Other Americanism Programs Number of flags presented _____ Post subscribes to *Firing Line* _____

Observes and participates in Religious Emphasis Week _____ Constitution/Citizenship Day _____

Sponsored Flag Education _____ Other _____

National Children & Youth Programs Post Programs: Reyes Syndrome _____ Child Abuse and Neglect _____ Halloween _____ Temporary Financial Assistance _____

Special Olympics Program: (Athletic Program Designed for the Disabled) Number of special participant _____ Cost of program to Post \$ _____

Other Post Children & Youth Programs: _____

Cash aid given to children or families: (to help meet the needs of children) _____ Total number of children _____ Total number of families _____

Value of goods given: (Include cost of Thanksgiving or Christmas food baskets, estimated cost of contributions by Post members to a family in the form of clothing, canned goods, furniture, etc.)

\$ _____ Total number of children _____ Total number of families _____

Cost of parties, gifts, other expenses: (If children's parties are held in your Post home for which rent is usually charged, include the cost of rent in your expenses, even though you will not actually receive that rent)

\$ _____ Total number of children involved _____

Community Services: Estimated number of man-hours contributed in carrying out the activity of various community service projects not previously accounted for in this Annual Report of Post Historians _____

Contributions: (Dollar amount donated to other organizations)

Mental Health \$ _____ United Fund \$ _____

Red Cross \$ _____ Cancer \$ _____

Disabled Children \$ _____ Crippled Children \$ _____

Other Agencies \$ _____

National Legion Child Welfare Foundation \$ _____

National Security

Blood Donor Program: Pints donated _____ Number of donors from Post _____

ROTC & JROTC Medals: Number presented by Post _____ Number of schools _____

Post has Program _____

Crime Resistance Program: Post is involved in community emergency preparedness _____

Civil Defense: Local project to honor Law Officer _____ Firefighter _____

Law and Order: Police Cadet Program: Number of boys sponsored _____ Cost to Post \$ _____

Economics

Post has Veterans Employment Program: _____ Estimated number of Veterans helped by Post to find Jobs, enter vocational training, resume, education, etc. _____ Post has observed or participated in: “Older Worker Week” program _____ “Employ the Handicapped” program _____

Energy Program

(Related to the National Security and Economics Commissions) Post promotes or has local energy conservation program _____

Hospital Program

VAVS Program: How many active Post/Unit members _____ Total hours _____
Other Hospital Programs: Contribution \$ _____ BINGO _____
Parties \$ _____ Visitations _____ Other _____ Number of members _____
Estimated hours _____

Veterans Affairs and Rehabilitation

Post has VA&R Committee _____ Post has an active Service Officer _____ Number of cases handled by Post Service Officer _____ Number of hours _____ Number of “Power of Attorney”, Form 23-22, field _____ Emergency aid given veterans from Post funds \$ _____ Total veterans _____

Legislative

Post has active chair who reports regularly to Post meetings _____ Post presently subscribes to the *National Legislative News Bulletin* _____

Uniformed Groups

Post Sponsors: Drum & Bugle Corp _____ Color Guard _____ Firing Squad _____
Band _____ Chorus _____ Quartet _____ Drill Team _____ Cost of Uniformed Group(s) to Post \$ _____ Total number of youths _____ Total number of Post members _____

Public Relations

Post has an active PR Chair or Officer _____ Post publishes a newspaper or bulletin regularly _____ Post communicates to the public through the use of: Cable _____
TV _____ Radio _____ Local Newspaper(s) _____ Total members of: Department Press Association _____ National Press Association _____
Name of Post Publication: _____ -
World Wide Web; Internet site address: http:// _____

Post Everlasting

Number for current year_____ Attach list of names to report for memorial service

Post Activities

Special events, projects or programs such as rifle/pistol team, golf tournament, bowling team, Past Commanders Dinner, Awards Recognition Banquet, etc.: attach list, newsletter articles, programs, leaflets, etc.

Note: This form was prepared by the National Historian of The American Legion. It is suggested that you may wish to have copies of this form duplicated in the Department for distribution to Posts. NO copies of this form are available at National Headquarters. This completed form is for Department and Post use.

Do not send this completed form to National Headquarters...it is your “working” document.

The American Legion Child Welfare Foundation

PURPOSE

Our Foundation was created in 1954 to (1) contribute to the physical, mental, emotional, and spiritual welfare of children and youth through the dissemination of knowledge about new and innovative organizations and/or their programs designed to benefit youth; and (2) contribute to the physical, mental, emotional and spiritual welfare of children and youth through the dissemination of knowledge already possessed by well-established organizations, to the end that such information can be more adequately used by society.

FUNDING

The primary source of revenue for The American Legion Child Welfare Foundation is from individual members of the Legion, Auxiliary, Eight & Forty, and Sons of The American Legion. We also receive support from all levels of our organizations from national to community.

To provide an incentive for giving on an annual basis, the Foundation has developed a program called the “**Cornerstone**” Gift Club. Awards go to **individuals** for their cumulative donations made during the current contribution year (June 1 – May 31):

| | | |
|-------------------------------|---|--------------------------------------|
| Century Club | - | \$100.00 - Gold Pin (Amethyst stone) |
| Foundation Partner | - | \$250.00 - Gold Pin (Blue Sapphire) |
| President’s Circle | - | \$500.00 - Gold Pin (1 Diamond) |
| Foundation Ambassadors | - | \$1,000.00 - Gold Pin (5 Diamonds) |

The “**Children First**” Gift Club is for **Post-level** awards, given to organizations for their cumulative donations:

| | | |
|------------------|---|--------------------------|
| Caretaker | - | \$500.00 - Bronze plaque |
| Advocate | - | \$750.00 - Silver plaque |
| Guardian | - | \$1,000.00 - Gold plaque |

When donations accumulate to any of the above plateaus during the fiscal year, the appropriate item will be awarded to that individual or organizational level.

ADMINISTRATIVE PROCESS

Each contribution received is handled in the following manner: (1) Every check or money order (\$5.00 or more) received is acknowledged by official receipt which should be held for tax purposes. (2) Accurate records are kept in our offices by state, organization, and individual sending in support. This correspondence is only kept on file for one year, but the computer records are kept continuously. (3) All cash contributions are acknowledged regardless of the amount. We caution, however, that sending cash through the mail is not recommended.

DID YOU KNOW?

(1) All contributions are tax deductible. (2) Your state organization gets credit for your support on our national report to the United States Congress. (3) Contributions can be made directly to us, they do not have to go through your Department Headquarters. (4) All of the money you contribute goes directly into the C.W.F. to help youngsters through grants. All overhead expenses are handled from separate funding. (5) **We always need your support!**

SOME SUGGESTIONS

(1) The next time someone in your Post or Unit passes on, suggest that contributions be sent to The American Legion Child Welfare Foundation in their memory. The next of kin will be notified by us of your thoughtfulness, and the memory of the departed will live on in meaningful grants that will help children. (2) Make the Foundation a regular part of your annual Post activities by holding a fund raiser for it. (3) Mention the Foundation at your Post and Unit meetings to keep other people aware of what it is and how it helps children. (4) Start a collection of plaques to display in your Post home.

Send inquiries for information materials and contributions to:

The American Legion Child Welfare Foundation

P.O. Box 1055

Indianapolis, IN 46206-1055

TEMPORARY FINANCIAL ASSISTANCE (TFA)

Temporary Financial Assistance is the landmark program of The American Legion's National Commission on Children & Youth. Begun in 1925 as a form of direct aid to children, the TFA program is still unique in the social work field today.

Through TFA, a Post can call upon the National Organization to lend a hand in providing cash assistance to help meet the basic needs of veterans' children **when it is established there are no other resources available to provide the required assistance**. These payments, as the name of the program implies, are **"temporary"** and this cash assistance is in the form of a grant.

It is the responsibility of an American Legion Post and Department to make every effort to secure assistance for needy veterans' children from its own resources, or those of other organizations or agencies within the community whose purpose it is to meet the need.

Payments from the program may be made to, or on behalf of, the family for a variety of expenses necessary to **maintain the health and welfare of the children involved**.

A Maintenance Grant may be used for:

1. Food
2. Shelter - Rent or Mortgage payment
3. Utilities
4. Educational Expense
5. Household Supplies
6. Other needs as specified

A Maintenance Grant may never be used for debts incurred prior to the date of application for TFA. Credit card payments, bank notes (other than home mortgage loans), auto loans and other installment-type

payments are considered to be “prior debts.” The only **exceptions** to this policy are utilities and shelter payments.

A Medical Grant requires a written statement from the doctor outlining the program, the treatment and the estimated costs. It may be used for:

1. Medical Care
2. Surgery
3. Dental Care
4. Pharmaceuticals
5. Dietary Needs
6. Hospitalization
7. Nursing and Convalescent Care
8. Other Needs as specified

A Medical Grant cannot cover previous medical expenses or care. For a family to be eligible for consideration, there are two basic requirements:

1. The veteran must have served a portion of their active duty during one of these dates:
December 7, 1941 - December 31, 1946
June 25, 1950 - January 31, 1955
February 28, 1961 - May 7, 1975
August 24, 1982 - July 31, 1984
December 20, 1989 - January 31, 1990
August 2, 1990 - Cessation of hostilities as determined by the U.S. Government
2. There must be children in the home under the age of 18. These children may be legitimate, step, legally adopted, or illegitimate with necessary proof of relationship provided.

***NOTE: The veteran need not be a member of The American Legion to receive assistance.**

In order for a family to be considered for TFA, a request for assistance must be submitted on the prescribed application form. Applications may be obtained from your Department Headquarters or your Children & Youth Chairman. Each application comes complete with instructions to guide the local investigator through the procedure of filing.

Further details on the program and its regulations are contained in a TFA brochure which may be obtained from either your Department Adjutant or the National Americanism and Children & Youth Division, The American Legion, P.O. Box 1055, Indianapolis, IN 46206-1055.

THE NATIONAL EMERGENCY FUND

ORIGIN: The National Executive Committee passed Resolution No. 30 establishing The American Legion National Emergency Fund at its meeting in the fall of 1989 to be used to meet the needs of Posts or an individual member of the Legion family [Legion, Auxiliary or SAL] in areas stricken by natural disasters. Since disasters are not restricted to boundaries and can strike anytime or anywhere, the National Emergency Fund is ongoing so the Legion will be prepared to address future emergencies as they arise.

GUIDELINES: A special committee was appointed by the National Commander with the responsibility to establish guidelines for applying for assistance and the subsequent disbursement of funds to those in need. These are:

1. All requests, whether by a Post or an individual member of The American Legion family, will be submitted through your Department Headquarters on The American Legion National Emergency Fund Grant Application. Copies are available upon request from your Department Headquarters.
2. It is suggested that the Department establish a field assessment committee(s) of responsible Legionnaires to investigate, evaluate and make recommendations concerning requests for National Emergency Fund assistance.
3. Each application must be signed by the Department Commander and Adjutant.
4. The Department Headquarters will assure each grant application is accompanied by documents to

- support the claim (i.e. photographs, repair estimates, insurance coverage, estimated net loss, etc.).etc.).
5. Grant applications for The American Legion National Emergency Fund, after validation, will be forwarded to National Headquarters *for final approval*.
 6. Upon final approval, a check will be forwarded to the Department Headquarters for disbursement. In extreme emergency situations, if requested, disbursement could be made directly to The American Legion family member or the Post with notification to your Department Headquarters.
 7. The distribution of the Grant Application Form copies are as follows:
 - a) Pink Copy - Applicant's Copy
 - b) Yellow Copy - Department's Copy
 - c) White Copy - National's Copy

Considerations:

- A) The amount of disbursement will be decided on a case-by-case basis *and* monies available in The American Legion National Emergency Fund.
- B) All money will be used for direct replacement relief, but not for expansion and/or upgrading of previous situations or for the creation of a new facility when a prior facility did not exist.
- C) Monies would not be made available unless all other sources (insurance, local emergency relief funds, etc.) have been exhausted.
- D) All disbursements will be outright grants.

The fund disbursement guidelines and the grant application have been created to keep the procedure as simple as possible, flexible enough to adapt to a variety of situations, and be responsive to address immediate needs in a timely manner.

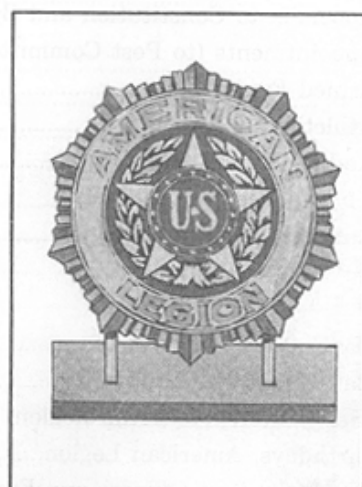
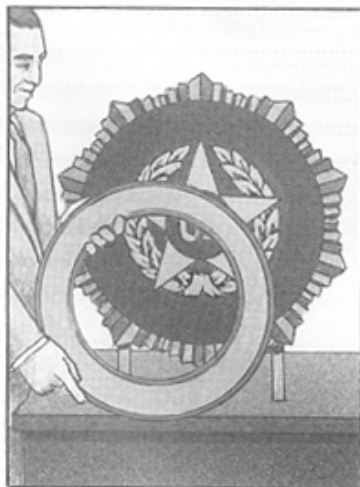
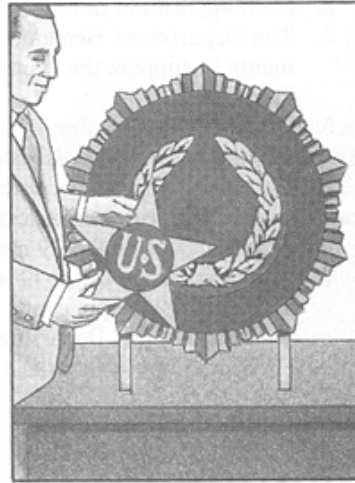
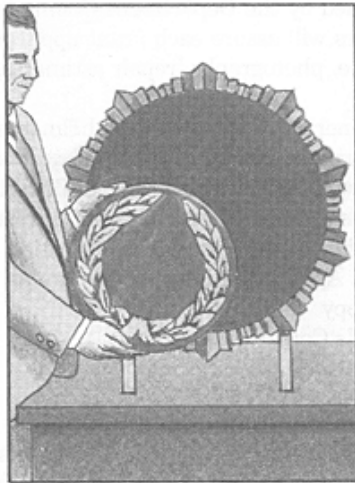
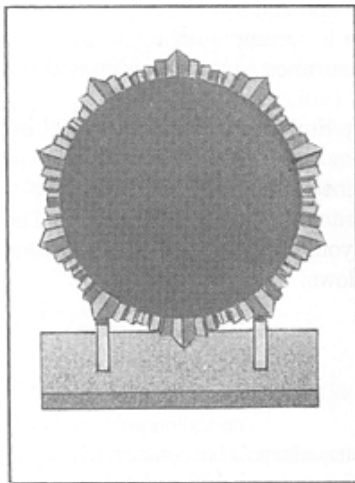
Further details concerning this program can be obtained by contacting your Department Adjutant or Membership Services, The American Legion, P.O. Box 1055, Indianapolis, IN 46206-1055.

MEANING OF AMERICAN LEGION EMBLEM

1. THE RAYS OF THE SUN form the background of our proud emblem, and suggest that the Legion's principles will dispel the darkness of violence and evil.
2. THE WREATH forms the center, in loving memory of those brave comrades who gave their lives in the service of the United States, that liberty might endure.
3. THE STAR, victory symbol of WWI, signalizes as well; honor, glory and constancy. The letters U.S. leave no doubt as to the brightest star in the Legion's star.
4. TWO LARGE RINGS. The outer one stands for the rehabilitation of our sick and disabled buddies. The inner one denotes the welfare of America's children.
5. TWO SMALL RINGS set upon the star. The outer pledges loyalty and Americanism. The inner is for service to our communities, our states and the Nation.
6. The words AMERICAN LEGION tie the whole together for truth, remembrance, constancy, honor, service, veterans affairs and rehabilitation, children and youth, loyalty, and Americanism.

Every part of The American Legion Emblem has a meaning, a rich symbolism that a glance does not reveal. The Emblem is laid upon the rays of the sun, giver of life, warmth and courage; foe of the cold, of the darkness, of fear, of apprehension. In turn, each of the Emblem's many parts signifies a meaning which no American Legionnaire who wears the Emblem should take lightly, and which he/she should know from the first moment the Emblem's put on. Why does the star signify constancy of purpose? Because the stars are fixed in the heavens. As the stars do not wander, so should The American Legion not wander from its fixed purposes. Here, in pictures, the meanings of all the symbols of The American Legion Emblem are indicated.

(Note: The Emblem used in the illustrations in this Officers Guide was custom-made. This is **not** an item available through National Emblem Sales of The American Legion.)



The words “The American Legion” demand “that the wearer shall ever guard the sanctity of home and country and free institutions...” There shines the emblem of The American Legion. It is your badge of pride and distinction, honor and service.

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